

STATE OF OKLAHOMA

**WORKERS’ COMPENSATION COMMISSION**

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MINUTES

of the

WORKERS’ COMPENSATION COMMISSION

FOR THE STATE OF OKLAHOMA

for the

June 11, 2015

Special Public Meeting

MINUTES OF THE MEETING OF THE WORKERS’ COMPENSATION COMMISSION FOR THE STATE OF OKLAHOMA

NOTICE OF THIS MEETING WAS FILED WITH THE SECRETARY OF STATE ON JUNE 2, 2015.

The members of the Workers’ Compensation Commission for the state of Oklahoma met at 1915 N. Stiles Ave., Oklahoma City, Oklahoma, on June 11, 2015.

Members present: Chairman Bob Gilliland, Commissioner Mark Liotta, and Commissioner LeRoy Young.

Others in attendance on behalf of the Commission: Kim Bailey, Andrea Bair, Jay Cannon, Neal Leader, Holly Miller and Tiffany Pratt.

Chairman Gilliland expressed appreciation for those in attendance. After the roll was taken, he announced the presence of a quorum and the Statement of Compliance with the Open Meeting Act was read. The meeting was called to order at approximately 1:30 p.m.

**Approval of Minutes**

Chairman Gilliland presented the minutes of the June 1, 2015, special meeting and made the recommendation for approval.

***Motion*:** Commissioner Young moved to approve the minutes of the June 1, 2015 special meeting.

***Second*:** Commissioner Liotta.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

1. **Discussion and Consideration of Attorney General's Request for Funds- approval of letter to send to AG requesting more information**

The Commission considered approval of a letter to send to the Office of the Attorney General requesting more information on the Attorney General's request for funds. Chairman Gilliland made the recommendation.

***Motion*:** Commissioner Liotta moved to approve a letter of request to the Attorney General for more information on the Attorney General's request for funds.

***Second*:** Commissioner Young.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

1. **Discussion and Consideration of Video Conference**

The Commission discussed the possible need for purchasing equipment to provide for video conference capability. Such a system never could be used between or among Commissioners. Commissioner Young questioned the need for this type of expenditure, when the Commission can pursue inexpensive options using computers, if necessary. Commissioner Liotta made the recommendation that the Commission not pursue the purchase and installation of video conference equipment at this time, and suggested that the Commission may need to consider such an option in the future.

***Motion*:** Commissioner Young moved that the Commission not pursue the purchase and installation of equipment for video conference capability at this time.

***Second*:** Commissioner Liotta.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

1. **Discussion and Consideration of WCIS Maintenance Contract**

The Commission considered approval of WCIS Maintenance Contract – one half of the contract amount is $87,977.69. The WCIS system is the case management system used by both Commission and the Court of Existing Claims. The Court of Existing Claims pays the other half of the contract. Interim Executive Director Kim Bailey made the recommendation.

***Motion*:** Commissioner Liotta moved to approve the Commission’s half of the WCIS Maintenance Contract in the amount of $87,977.69.

***Second*:** Commissioner Young.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

1. **Discussion and Consideration of Converting the phones on the 2nd floor to the Avaya IP phones**

As part of the consolidated agency services, all state agencies will be required to update their phone system by January 2016. The Commission considered OMES converting the phones on the 2nd floor to the Avaya IP phones.The total cost is $34,616.09. Interim Executive Director Kim Bailey made the recommendation.

***Motion*:** Commissioner Liotta moved that the Commission approve OMES converting the phones on the 2nd floor to the Avaya IP phones in the amount of $34,616.09.

***Second*:** Commissioner Young.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

1. **Discussion and Consideration of the need to use a Public Relations Firm**

Discussion and consideration of Commission’s need to use a Public Relations Firm.

Commissioner Liotta made the recommendation that the Commission not use a Public Relations Firm at this time and that the Commission use the Governor’s media staff, which has been made available.

***Motion*:** Commissioner Liotta moved that the Commission not use a Public Relations Firm.

***Second*:** Commissioner Young.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

1. **Proposed Approval of Additional Independent Medical Examiners and Case Managers for the Commission**

Title 85A OS § 112 requires the Workers' Compensation Commission to create, maintain and review a list of licensed physicians who shall serve as independent medical examiners (IMEs). The Commission shall, to the best of its ability, include the most experienced and competent physicians in the specific fields of expertise utilized most often in the treatment of injured employees. The period of qualification shall be two (2) years. Likewise, for case managers, 85A O.S. § 113 requires a list of qualified case managers be developed, maintained and periodically reviewed by the Commission.

Each candidate has been vetted by the Medical Director, Dr. Jay Cannon, and the staff in Medical Services for the Commission’s approval. The list of physicians and case managers is labeled as Agenda Item 6 and included as part of these minutes. Dr. Cannon made the recommendation.

***Motion*:** Commissioner Young moved that the Commission approve the list of Independent Medical Examiners and Case Managers for the Commission, listed in the attachment labeled Agenda Item 6 and included as part of these minutes.

***Second*:** Commissioner Liotta.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

1. **Consent Agenda for Travel Vouchers Currently Outstanding**

85A O.S. §23 states any commissioner or employee of the Commission shall be entitled to receive his or her necessary traveling expenses as provided in the State Travel Reimbursement Act. The expenses shall be certified by the person who incurred them and shall be allowed and paid on presentation of vouchers approved by the Commission. In accordance with this section, the Commission considered a vote to approve the currently outstanding vouchers, listed as Agenda Item 7 and included as part of these minutes.

***Motion*:** Commissioner Liotta moved that the Commission approve the outstanding travel vouchers.

***Second*:** Commissioner Young.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

1. **Consent Agenda for Payments Made from the Workers’ Compensation Fund Currently Outstanding**

85A O.S. §22(A)(5) states that all expenditures in the administration of the act shall be allowed and paid from the Workers’ Compensation Fund on the presentation of itemized vouchers approved by the Commission. In accordance with this section, the Commission considered a vote to approve the currently outstanding vouchers, listed as Agenda Item 8 and included as part of these minutes.

***Motion*:** Commissioner Young moved that the Commission approve the currently outstanding vouchers.

***Second*:** Commissioner Liotta.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

1. **Reports**

Andrea Bair, Deputy Insurance Services, presented a report on her participation at a conference by the National Council of Self-Insurers, and the receipt of funds for the annual assessment against employers under the Oklahoma Employee Injury Benefit Act due April 1, 2015. This report is labeled as Agenda Item 9A and is included as part of these minutes.

Kim Bailey, Interim Executive Director, reported on the status of renewals of FY-16 contracts:

* Third Party Administrator Agreements – Sedgwick and Midlands Management
* OMES Agency Business Services
* OMES Shared Services
* Court Reporter Solicitation
* Denver Davison 3rd Floor Lease Agreement
* Tulsa Office Space Lease Agreement
* Denver Davison 1st and 2nd Floor Occupancy Agreement
* OMES Master Service Agreement for IT staff

**10. A) Possible Executive Session Pursuant to Title 25 O.S. § 307(B)(1) for the purpose of discussing the hiring, salary or employment of Interim Executive Director and Candidate A, Candidate B, Candidate C, Candidate D, Candidate E, Candidate F, Candidate G, Candidate H, or Candidate I for the position of Executive Director under § 307(B)(1).**

The Commission considered a motion and vote to go into Executive Session. Chairman Gilliland made the recommendation.

***Motion*:** Commissioner Liotta moved to go into Executive Session for the purpose of discussing the hiring, salary or employment of Interim Executive Directorand Candidate A, Candidate B, Candidate C, Candidate D, Candidate E, Candidate F, Candidate G, Candidate H, or Candidate I for the position of Executive Director under § 307(B)(1).

***Second*:** Commissioner Young.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

1. **B) Vote to Reconvene in Open Session**

***Motion***: Commissioner Young moved to reconvene in Open Session.

***Second*:** Commissioner Liotta.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

***Motion*:** Chairman Gilliland moved that the Commission approve the Interim Executive Director salary equivalent to the salary previously established for Executive Director, as discussed in Executive Session.

***Second*:** Commissioner Liotta.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

**Announcements**

Chairman Gilliland announced that the next regular meeting is scheduled for Thursday, June 18, 2015 at 1:30 p.m.

The Commission’s next special meeting for appeals is scheduled for Friday, June 19, 2015 at 9:00 a.m.

**Adjournment**

***Motion*** to adjourn: Commissioner Young.

***Second*:** Commissioner Liotta.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

Themeeting was adjourned.