

SPECIAL MEETING OF THE  
OKLAHOMA WORKERS' COMPENSATION  
COMMISSION

Thursday, July 9, 2015  
1:30 p.m.  
Commission Chambers  
1915 N. Stiles Ave.  
Oklahoma City, Oklahoma  
[www.wcc.ok.gov](http://www.wcc.ok.gov)

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*AGENDA*

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- CALL TO ORDER.....Mr. Gilliland, Chair**
- ROLL CALL .....Mr. Gilliland, Chair**
- NOTICE OF COMPLIANCE..... Tiffany Pratt**

**MINUTES**

The drafted Minutes of Special Commission Meeting on June 25, 2015, will be considered for approval.

**THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND ACTION, IF ANY, DEEMED APPROPRIATE BY THE COMMISSION.**

**1. Proposed Commission Approval of Group Self-Insurance Application for New Membership**

Commission Rule 810:25-11-3 states a new membership to a self-insurance group may not become effective without Commission approval. All applications for membership are filed with the Commission. The application includes evidence of the execution of the indemnity agreement, power of attorney, and joint and several liability agreement, as required by 810:25-11-15, with signed approval of the applicant by the association, and is accompanied by a current balance sheet and income statement. The Commission will consider approving Jackson County Memorial Hospital to the Oklahoma Health Care Association (# 75175)

**Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, approving or not approving Jackson County Memorial Hospital's application for membership to the Oklahoma Health Care Association.

**2. Discussion and Consideration of Distribution of Surplus Monies to Members of the Metropolitan Health Care Self Insured Group**

Metropolitan Health Care Self Insured Group #75220, a group self-insurance association, is requesting a distribution of surplus back to its members in the amount of \$500,000 from 2010 to those members who participated in contract year 2010. The Association's financial statement shows an overall surplus for the Association of more than \$3,559,000. Commission Rule 810:25-11-10 states that any surplus monies may be declared refundable by the association's board. The date and manner of the distribution shall be declared by the association's board and shall be in accordance with the association's bylaws. The board has submitted the distribution request to the Commission, with all supporting documents. The Commission will consider approving the distribution of surplus monies to members of the Metropolitan Health Care Self Insured Group.

**Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, approving some, all or none of the distribution of the surplus monies from 2010 to the members of the Metropolitan Health Care Self Insured Group.

**3. Discussion and Consideration of Renaming the "Counselor" Division**

The Commission will discuss and consider the naming of the Division that provides information to injured workers; investigate complaints; communicates with employers, insurance carriers, self-insurers, and health care providers; provides informational seminars and workshops on workers' compensation for medical providers, insurance adjusters, and employee and employer groups; and develops informational materials for employees, employers and medical providers.

**Possible Action:**

Possible action may include, but is not limited to: taking no action; continuing the matter; approving or not approving a name for the Division.

#### **4. Discussion and Consideration of Need to Hire New General Counsel**

The Commission will consider the need to hire new a General Counsel. The previous General Counsel, Kim Bailey, is now serving as the Commission's Executive Director.

##### **Possible Action:**

Possible action may include, but is not limited to: taking no action; continuing the matter; approving or not approving the need to hire a new General Counsel on either a full time or part time basis.

#### **5. Discussion and Consideration of Funds Available to Transfer to Attorney General's Workers' Compensation Fraud Unit**

The Commission will discuss and consider approval of the amount and source of funds available to send to the Attorney General's Workers' Compensation Fraud Unit. 85A O.S. § 15(B) provides that the Commission shall certify to the State Treasurer that funds are available for transfer, on which certification the State Treasurer shall transfer those funds from the Workers' Compensation Fund of the Commission to the fund account used for the maintenance, operation, and support of the Attorney General's Workers' Compensation Fraud Unit.

##### **Possible Action:**

Possible action may include, but is not limited to: taking no action; continuing the matter; approving or not approving the source and amount of funds available to send to the Attorney General's Workers' Compensation Fraud Unit.

#### **6. 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 will consider a vote to approve the currently outstanding vouchers.

All vouchers listed within this Consent Agenda have been made available to each Commissioner prior to today's meeting, are considered routine, and will be enacted by one motion of the Commission. If separate discussion is desired, that item may be removed from the Consent Agenda and separately voted upon.

**Possible Action:**

Possible action may include, but is not limited to: taking no action; approving some, all or none of the vouchers listed in this Consent Agenda; continuing the matter.

**7. 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 will consider a vote to approve the currently outstanding vouchers.

**Possible Action:**

Possible action may include, but is not limited to: taking no action; approving some, all or none of the vouchers listed in the Consent Agenda; approve amended vouchers; continuing the matter.

**8. Reports**

**THE FOLLOWING REPORTS ARE PRESENTED FOR INFORMATIONAL PURPOSES ONLY. NO ACTION WILL BE TAKEN.**

**Report on Insurance Examination and Proof of Coverage Database**

Commissioner Mark Liotta will report on his meeting with CPA, Nestor Romero, about the insurance examination of self-insureds and give an update on the proof of coverage database.

**9. Possible Executive Session Pursuant to Title 25 O.S. § 307(B)(1) for the purpose of discussing employment evaluations, promotion, demotion, or performance of the Commission's Deputy, Insurance Services and Human Resources Director.**

**A. Motion and Vote to:**

Go into Executive Session for purposes of:

Discussing the employment evaluations, promotion, demotion or performance of the Commission's Deputy, Insurance Services and Human Resources Director under 25 O.S. § 307(B)(1).

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

a. No action is anticipated nor will be taken by the Commission with regard to the employment evaluations, promotion demotion or performance of Commission's Deputy, Insurance Services or Human Resources Director under 25 O.S. §307 (B)(1).

**10. Announcements**

Commission's next meeting scheduled for August 6, 2015.

**ADJOURNMENT.....Mr. Gilliland, Chair**