

REGULAR MEETING OF THE OKLAHOMA WORKERS' COMPENSATION COMMISSION

Thursday, January 16, 2020
1:30 p.m.
Commission Chambers
1915 N. Stiles Avenue, 2nd Floor
Oklahoma City, Oklahoma
www.wcc.ok.gov

AGENDA

CALL TO ORDERChairman Mark Liotta

ROLL CALLChairman Mark Liotta

Open Meeting Act Statement

THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND ACTION, IF ANY, DEEMED APPROPRIATE BY THE COMMISSION. PUBLIC COMMENTS ARE LIMITED TO THE AGENDA ITEMS LISTED.

1. Discussion and Possible Action on Minutes

The drafted minutes of the December 12, 2019, Special Meeting of the Commission will be considered for approval.

Possible Action

Possible action may include: taking no action; approving the minutes as drafted; approving the minutes as amended; or continuing the matter.

2. Discussion and Consideration of Fully Release Security Deposit for Warehouse Market Inc., Former Own Risk Permit #15314

Pursuant to Commission Rule 810:25-9-19, “[a] security deposit posted with the Commission as required by Commission Rule 810:25-9-4 must remain in place, at its existing amount, for two years after an individual own risk employer voluntarily leaves self-insurance.” A security deposit may be reduced or released at the Commission’s discretion after the two-year waiting period upon application by the employer and submission of current financial statements and workers’ compensation loss runs. The Commission will consider fully releasing the security deposit of Warehouse Market Inc.

Possible Action:

Possible action may include, but is not limited to: taking no action; continuing the matter; releasing or reducing the security deposit of Warehouse Market Inc.; or not releasing or reducing the security deposit of Warehouse Market Inc., a former own risk employer.

3. Discussion and Possible Action on Approval of Independent Medical Examiners for the Commission

Title 85A O.S. § 112 requires the Workers' Compensation Commission to create, maintain, and review a list of licensed physicians who shall serve as independent medical examiners ("IME"). 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 for physicians shall be two (2) years.

The Commission will consider approving the list of physicians presented at the meeting that have been vetted by the Medical Director and recommended to have their applications approved.

Possible Action:

Possible action may include, but is not limited to: taking no action; continuing the matter; or approving some, all, or none of the physicians for the Commission.

4. Discussion and Possible Action of Consent Agenda for Travel Vouchers Currently Outstanding

Title 85A O.S. § 23 states, [a]ny 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 travel 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 voted upon separately.

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; or continuing the matter.

5. Discussion and Possible Action on Commission Policies

The Commission will discuss and consider the adoption and/or modification of:

- A. WCC-12 Facility Video Monitoring Policy
- B. WCC-20 Performance Salary and Salary Review Policy
- C. WCC-6 Education and Training Policy

Possible Action

Possible action includes: taking no action; continuing the matters; rescinding the policies; approving WCC-12, WCC-20, and/or WCC-6 as presented; approving WCC-12, WCC-20, and/or WCC-6 as modified in the meeting; or not approving WCC-12, WCC-20, and/or WCC-6.

6. Discussion and Possible Action to Approve Proposed Biennial Report

Per 85A O.S. § 24, “[o]n or before the first day of the regular session of the Oklahoma Legislature, the Commission shall submit to the Governor and the Legislature a report of the administration of the Administrative Workers’ Compensation Act for the preceding biennial period, together with such recommendations as the Commission may deem advisable.” The Commission will consider approving the proposed biennial report for submission to the Governor and the Legislature.

Possible Action:

Possible action may include, but is not limited to: taking no action; approving the biennial report as written; approving the biennial report with amendments; not approving the biennial report; or continuing the matter.

7. Discussion of Fee Schedule Approval Process and Timeline

Pursuant to 85A O.S. § 50(H)(14)(b), the Workers’ Compensation Commission has been working with an impartial, external consultant, Fair Health, to update the Fee Schedule. In accordance with this statute, Fair Health has been tasked with analyzing Oklahoma’s Medical Fee Schedule and proposing an amendment for WCC approval. The Commission will discuss the progress and timeline of the fee schedule review.

No action will be taken.

8. New Business

“[A]ny matter not known about or which could not have been reasonably foreseen prior to the time of the posting.” 25 O.S. § 311.

9. Announcements

The Commission's next regular appeals meeting is on Friday, January 24, 2020, at 9:00 a.m.
The Commission's next special business meeting is on Monday, January 27, 2020, at 9:00 a.m.

ADJOURNMENT.....Chairman Mark Liotta