

**REGULAR MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION COMMISSION**

Thursday, February 20, 2020
1:30 p.m.
Commission Chambers
1915 N. Stiles Ave.
Oklahoma City, Oklahoma
www.wcc.ok.gov

AGENDA

CALL TO ORDER **Commissioner Liotta**

ROLL CALL **Commissioner Liotta**

Open Meeting Act Statement

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

1. Discussion and Possible Action on Minutes

- A. The drafted minutes of the January 15, 2020, SIGFB Meeting of the Commission will be considered for approval.
- B. The drafted minutes of the January 31, 2020, Dual PAC Meeting of the Commission will be considered for approval.
- C. The drafted minutes of the February 13, 2020, 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 Distribution of Surplus Monies to Members of the Metropolitan Health Care Self Insured Group (#75220)

Rule 810:25-11-10 of the Workers' Compensation Commission provides that any distributions of surplus funds back to the members of a group self-insurance association shall be subject to the prior approval of the Commission.

The Metropolitan Health Care Self Insured Group (the Group) has requested to make a partial distribution in the amount of \$800,000. The distribution will be payable from the following five fiscal fund years ending on September 30th: FY 13 (\$400,000), FY 14 (\$100,000), FY 15 (\$100,000), FY 16 (\$100,000), and FY 17 (\$100,000).

The Group had a financial surplus of more than \$5,817,511 for all years combined, as indicated in the audited financial statement for the period ending September 30, 2019.

The Group has submitted the most recent audited financial statements and actuarial review of reserves, both as of September 30, 2019, as part of their request.

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 to the members of the Metropolitan Health Care Self Insured Group.

3. **Discussion and Consideration of Request to Reduce Security Deposit for Oklahoma Blood Institute, Former Own Risk Permit #19915**

Oklahoma Blood Institute (the Company), former own risk permit #19915, was a self-insured employer in the Own Risk program until April 1, 2018. The Company petitioned the Commission to reduce the Company's security deposit on file. The Commission currently holds a \$500,000 Letter of Credit, issued by BOK Financial as security deposit. The Company is requesting a reduction of their security deposit to \$150,000.

The Company has complied with Commission Rule 810:25-9-19.

Possible Action:

Possible action may include, but not limited to: continuing the matter; releasing or reducing the security deposit of Oklahoma Blood Institute; or not releasing or reducing the security deposit of Oklahoma Blood Institute, a former own risk employer.

4. **Discussion and Consideration of Proposed RFP to Procure Court Reporting Services for the Oklahoma City and Tulsa Offices for the Period of July 1, 2020 to June 30, 2025.**

The Commission will discuss and consider approval of the proposed RFP to secure bids for the procurement of court reporting services in the estimated amount of \$19,000 per year.

Possible Action:

Possible action may include, but not limited to: taking no action; continuing the matter; approving the RFP in the estimated amount of \$19,000, or not approving the RFP for release.

5. **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.

6. **Discussion and Possible Action on Commission Policies**

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

- A. WCC-8 Performance Salary and Salary Review Policy
- B. WCC-20 Reasonable Accommodation Policy

Possible Action:

Possible action includes: taking no action; continuing the matters; rescinding the policies; approving WCC-8 and/or WCC-20 as presented; approving WCC-8 and/or WCC-20 as modified in the meeting; or not approving WCC-8 and/or WCC-20.

7. **Discussion and Update Regarding Moving the Commission**

Overview discussion regarding general plans for moving from the 3rd floor to the 1st and 2nd floors of the Denver N. Davidson Building in Oklahoma City.

No action will be taken.

8. **Legislative Update Report and Discussion**

Commissioner Russell will report on legislative meetings and legislation affecting the Commission.

No action will be taken.

9. **Discussion and Update Regarding Commission’s 2020 Proposed Permanent Rules**

The Commission will receive an update and discuss this year’s permanent rulemaking process and WCC-proposed permanent rules.

No action will be taken.

10. **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.

11. **Announcements**

The Commission’s next regular appeals meeting is on Friday, February 21, 2020, at 9:00 a.m.
The Commission’s next special business meeting is on Thursday, February 27, 2020, at 9:00 a.m.

ADJOURNMENT.....Chairman Mark Liotta