

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

Wednesday, February 24, 2021
1:30 p.m.

Commission Chambers, 2nd Floor
1915 N. Stiles Ave.
Oklahoma City, Oklahoma
and via Zoom Teleconference

<https://zoom.us/j/95630794319?pwd=UGs1TXplQXhLcEF5TnlHRDd3R3pvZz09>

or

1 (346) 248-7799

Meeting ID: 975 2136 9745

Password: 1234

AGENDA

CALL TO ORDER Commissioner Liotta

ROLL CALL Commissioner Liotta

Chairman Liotta will appear via Zoom teleconference.
Commissioner Russell will appear in-person.
Commissioner Tilly will appear remotely via Zoom teleconference.

Open Meeting Act Statement

THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND VOTE TO APPROVE, DISAPPROVE, OR TAKE ANY OTHER ACTION CONSISTENT WITH THE COMMISSION'S AUTHORITY.

1. Discussion and Possible Action on Minutes

The drafted minutes of the January 14, 2021, Regular Meeting of the Commission will be considered for approval.

The drafted minutes of the February 18, 2021, Public Hearing of the Commission will be considered for approval.

2. 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.

3. **Request to Fully Release the Security Deposit for Genco Distribution System Inc., Former Own Risk Permit #18906**

Genco Distribution System Inc. ("the Company"), former own risk permit #18906, was a self-insured employer in the Own Risk program until January 1, 2012. The Company has petitioned the Commission to fully release the Company's security deposit on file. The Commission currently holds a \$500,000 Letter of Credit, issued by PNC Bank., as security deposit.

All claims have been closed out and they all have passed the statute of limitations for reopening. 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 Genco Distribution System Inc.; or not releasing or reducing the security deposit of Genco Distribution System Inc., a former own risk employer.

4. **Discussion and Possible Action to Begin the 2022 Fee Schedule Review and Update Process and to Extend Contract with FAIR Health**

The Commission will discuss beginning the 2022 Fee Schedule review and update process pursuant to 85A O.S. § 50(H), and consider the one-time extension of the previously-awarded RFP contract to FAIR Health for the review and update of the Oklahoma Workers' Compensation Fee Study during calendar year 2021 at a total cost of \$96,125 (includes CPT codes).

Possible Action:

Possible action may include, but is not limited to: taking no action, continuing the matter, approving the contract extension with FAIR Health in the amount of \$96,125 or not approving the contract.

5. **Discussion and Possible Action on Petition to Promulgate, Amend, or Repeal Commission Administrative Rule OAC 810:10-5-85, submitted by Donald A. Bullard, Bullard & Associates, PLLC**

Individuals or organizations who wish to petition the Commission to promulgate, amend, or repeal a rule may submit written requests pursuant to OAC 810:1-1-4. Upon receipt of a petition, the Executive Director or the Executive Director’s designee will present such petition at the next regularly scheduled Commission meeting for consideration and disposition, and the petitioner shall be informed in writing of the Commission’s ruling in the matter.

Possible Action:

Possible action may include, but is not limited to: taking no action; instructing the ALJs to follow the statute where there is a conflict with an administrative rule; approving some, all, or none of the proposed rule changes and instructing the general counsel to begin the emergency rulemaking process; or taking other action consistent with Commission authority.

6. **Legislative Update Report and Discussion**

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

No action will be taken.

7. **Update and Discussion regarding the Denver N. Davison Building Renovation and Tulsa Office Relocation.**

No action will be taken.

8. **Discussion and Possible Action Regarding Operation of the Workers’ Compensation Commission and Agency Concerns Related to COVID-19**

Possible Action:

Possible action may include, but is not limited to: taking no action, continuing the matter, approving a plan(s) regarding operations of the Workers’ Compensation Commission in response to the threat of COVID-19.

9. **Announcements**

The Commission’s next dual advisory meetings are scheduled for on Thursday, February 25, 2021 and Thursday, March 4, 2021. The Commission’s next regular business meeting is on Thursday, March 18, 2021.

ADJOURNMENT.....Chairman Liotta