



STATE OF OKLAHOMA

WORKERS' COMPENSATION COMMISSION

M I N U T E S

of the

WORKERS' COMPENSATION COMMISSION

FOR THE STATE OF OKLAHOMA

for the

February 11, 2016

Regular Public Meeting

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

The members of the Workers' Compensation Commission for the state of Oklahoma met at 1915 N. Stiles Ave., Oklahoma City, Oklahoma, on February 11, 2016.

Members present: Vice Chair LeRoy Young and Commissioner Mark Liotta. Others in attendance on behalf of the Commission: Kim Bailey, Clif Cypert, Stormy Moore and Tiffany Pratt.

Chairman Young 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 Young presented the minutes of the January 28, 2016, public meeting for approval.

Motion: Chairman Young moved to approve the minutes of the January 28, 2016, public meeting.

Second: Commissioner Liotta.

Those voting aye: Commissioner Liotta and Chairman Young.

The motion carried.

Chairman Young presented the minutes of the February 3, 2016, public meeting for approval.

Motion: Chairman Young moved to approve the minutes of the February 3, 2016, public meeting.

Second: Commissioner Liotta.

Those voting aye: Commissioner Liotta and Chairman Young.

The motion carried.

Chairman Young presented the minutes of the February 4, 2016, public meeting for approval.

Motion: Commissioner Young moved to approve the minutes of the February 4, 2016, public meeting.

Second: Commissioner Liotta.

Those voting aye: Commissioner Liotta and Chairman Young.

The motion carried.

1. Discussion and Consideration of Distribution of Surplus Monies to Members of the Oklahoma Health Care Association #75175

Oklahoma Health Care Association, a group self-insurance association, is requesting a distribution of surplus back to its members in the amount of \$700,000 which will be payable in equal amounts of \$200,000 from the three contract years ending on June 30, 2011, June 30, 2012, and June 30, 2013, and \$100,000 from the contract year ending June 30, 2014. 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 shall submit the distribution request to the Commission, with all supporting documents. The Commission considered approving the distribution of surplus monies to members of the Oklahoma Health Care Association Self Insured Group #75175.

Stormy Moore, Insurance Director, made a presentation and recommended approval.

Motion: Chairman Young moved to approve the distribution of surplus in the amount of \$700,000 to the members of Oklahoma Health Care Association #75175.

Second: Commissioner Liotta.

Those voting aye: Commissioner Liotta and Chairman Young.

The motion carried.

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, requested a distribution of surplus back to its members in the amount of \$500,000 from 2010. The Association's December 31, 2014, 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 shall submit the distribution request to the Commission, with all supporting documents. The Commission considered approving the distribution of surplus monies to members of the Metropolitan Health Care Self Insured Group.

Stormy Moore, Insurance Director, made a presentation and recommended approval.

Motion: Commissioner Young moved to approve the distribution of surplus recommended by Insurance Director in the total amount of \$800,000 to the members of Metropolitan Health Care Self Insured Group.

Second: Commissioner Liotta.

Those voting aye: Commissioner Liotta and Chairman Young.

The motion carried.

3. Discussion and Consideration of Reducing the Security Deposit of Halliburton #07363, a Former Own Risk Employer

A security deposit posted with the Commission as required by 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 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 considered whether to reduce a Letter of Credit for Halliburton #07363 a former Own Risk Employer.

Stormy Moore, Insurance Director, made a presentation and recommended approval.

Motion: Chairman Young moved to not reduce the security deposit of Halliburton #07363, a former Own Risk Employer.

Second: Commissioner Liotta.

Those voting aye: Commissioner Liotta and Chairman Young.

The motion carried.

4. Discussion and Consideration of Reducing or Releasing the Security Deposit of The Key Group #16267, a Former Own Risk Employer

A security deposit posted with the Commission as required by 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 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 considered whether to reduce or release a Letter of Credit for The Key Group 316267, a former Own Risk Employer.

Stormy Moore, Insurance Director, made a presentation and recommended approval.

Motion: Chairman Young moved to release the security deposit of The Key Group #16267, a former Own Risk Employer.

Second: Commissioner Liotta.

Those voting aye: Commissioner Liotta and Chairman Young.

The motion carried.

5. Personnel Policies

The Human Resources Director, Clif Cypert made a report on the proposed Performance Management Policy.

Clif Cypert recommended the Commission approve the policy.

Motion: Commissioner Liotta moved to approve the Performance Management Policy.

Second: Chairman Young.

Those voting aye: Commissioner Liotta and Chairman Young.

The motion carried.

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 considered a vote to approve the currently outstanding vouchers.

Motion: Commissioner Liotta moved to approve the travel vouchers currently outstanding, which are included as a part of these minutes.

Second: Chairman Young.

Those voting aye: Commissioner Liotta and Chairman Young.

The motion carried.

Announcements

The next Regular Meeting of the Commission is scheduled for March 3, 2016.

Adjournment

Motion: Commissioner Young moved to adjourn.

Second: Commissioner Liotta.

Those voting aye: Commissioner Liotta and Chairman Young.

The motion carried.

Chairman Young announced the meeting was adjourned.