

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

Thursday, March 24, 2022
1:30 p.m.
Commission En Banc Courtroom
1915 N. Stiles Ave.
Oklahoma City, Oklahoma
www.wcc.ok.gov

AGENDA

CALL TO ORDER..... Chairman Russell

ROLL CALL Chairman Russell

Open Meeting Act Statement

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

1. Discussion and Possible Action to Approve Minutes

- a. The drafted minutes of the January 13, 2022, Special Meeting of the Commission will be considered for approval.
- b. The drafted minutes of the January 27, 2022, Regular Meeting of the Commission will be considered for approval.
- c. The drafted minutes of the February 10, 2022, Public Hearing of the Commission will be considered for approval.

2. Discussion and Possible Action of Consent Agenda to Approve 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.

3. **Discussion and Possible Action to Approve WCC Internal Purchasing Procedures**

Pursuant to 74 O.S. § 85.39 and OAC 260:115-5-7, the Commission is required to submit internal purchasing procedures to OMES every two years. The Commission will consider a vote to approve the document for submission to OMES.

4. **Discussion and Approval of Workers' Compensation Commission's Copier Charge Form and Setting the Effective Date**

Title 85A O.S. § 22(A)(2)(a) provides: "[t]he Commission shall vote on any substantive change to any form and the effective date of such substantive change."

Possible Action:

Possible action may include, but is not limited to: taking no action; continuing the matter; approving the proposed form, in whole, in part, or as modified, and setting an effective date; deciding not to approve the form; repealing a previously adopted form; or other action consistent with the Commission's authority.

5. **Discussion and Possible Action to Reduce Security Deposit for Halliburton Company, Own Risk Permit #07363**

Halliburton ("the Company"), own risk permit #07363, was a self-insured employer in the Own Risk program until June 25, 2012. They have petitioned the Commission to reduce the Company's security deposit on file. The Commission currently holds a \$1,500,000 Surety Bond, issued by United States Fire Insurance Company as security deposit. They are requesting a reduction of their security deposit to \$150,000. The company currently has two outstanding claims totaling \$59,595.06.

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

6. **Discussion and Possible Action to Approve the Partial 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 \$1,000,000. The distribution will be payable from the following seven fiscal fund years ending on September 30th: FY 13 (\$409,129), FY 14 (\$84,410), FY 15 (\$84,410), FY 16 (\$84,410), FY 17 (\$84,410), FY 18 (\$84,410), FY 19 (\$84,410), FY 20 (\$84,411).

The Group has submitted the most recent audited financial statements and actuarial review of reserves, both as of September 30, 2021, as part of their request.

7. **Discussion and Possible Action to Reduce Security Deposit for Kaiser-Francis Oil Company, Former Own Risk Permit #14631**

Kaiser-Francis Oil Company (“the Company”), has a self-insured permit with the Commission. The Company has 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. They are requesting a reduction of their security deposit to \$150,000.

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

8. **Discussion and Possible Action to Fully Release Security Deposit for Cactus Drilling Co., Former Own Risk Permit #19141**

Cactus Drilling Co. (“the Company”), former own risk permit #19141, was a self-insured employer in the Own Risk program until August 15, 2002. The Company has petitioned the Commission to reduce the Company’s security deposit on file. The Commission currently holds a \$200,000 Letter of Credit, issued by BOK Financial as security deposit. They are requesting a full release of their security deposit.

9. **Discussion and Possible Action to Terminate the Existing 20i Contract Between the Commission and the Office of the Oklahoma Attorney General for Compliance Division Services**

Possible Action:

Possible action may include: taking no action, continuing the matter, authorizing the Commission Chairman to give notice of termination of the 20i contract with the Oklahoma Attorney General for Compliance Division services.

10. **Discussion and Possible Action on Proposed Amended Medical Fee Schedule**

Title 85A O.S. § 50(H)(1) states the Commission shall conduct a review of the Fee Schedule every two (2) years. The Commission has contracted with an external consultant to develop a report on the current Fee Schedule and a proposed amended Fee Schedule for the Commission’s consideration. The Commission will discuss the draft proposed Fee Schedule and vote on whether to submit it to the Legislature.

Possible Action:

Possible action may include, but is not limited to: taking no action; approving or not approving, in part or in whole, or subject to modification, the proposed amended medical fee schedule for submission to the Legislature; or continuing the matter.

11. Discussion and Possible Action to Adopt Proposed Draft Administrative Rules

The Commission has proposed changes to its current permanent administrative rules, available online at https://www.ok.gov/wcc/Legal/Governing_Documents_/index.html. The Commission’s Notices of Rulemaking Intent were published in the Oklahoma Register on February 15, 2022, and a comment period in excess of thirty days was provided from February 15 to March 24, 2022. Comments were solicited via regular mail, email, and at a public hearing.

12. Legislative Update and Discussion

No action will be taken.

13. Discussion and Update on CaseOK Project

No action will be taken.

14. Update on Denver N. Davison Building Remodel

No action will be taken.

15. 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.

ADJOURNMENT.....Chairman Russell