

REGULAR MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

Wednesday, March 2, 2016
1:30 p.m.
Commission Chambers
1915 N. Stiles Ave.
Oklahoma City, Oklahoma
www.wcc.ok.gov

AGENDA

CALL TO ORDER..... Chair, Mr. Gilliland

ROLL CALL Chair, Mr. Gilliland

NOTICE OF COMPLIANCE..... Tiffany Pratt

MINUTES

- a. The drafted Minutes of Special Commission Meeting on February 11, 2016, will be considered for approval.
- b. The drafted Minutes of Special Commission Meeting on February 18, 2016, will be considered for approval.

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

1. Discussion and Determination of Account Balances of the Oklahoma Option Insured Guaranty Fund and the Oklahoma Option Self-insured Guaranty Fund

- a. Until the Insured Guaranty Fund under the Oklahoma Option contains Two Million Dollars (\$2,000,000.00) or if the amount in the fund falls below One Million Dollars (\$1,000,000.00), each insurer shall be assessed. If the account balance prompts an assessment to be issued for the Option Insured Guaranty Fund, it shall be paid to the Insured Guaranty Fund, care of the Commission. Each insurer shall be assessed two percent (2%)

of all gross direct premiums written during each quarter of the calendar year for insurance covering a benefit plan under this act after deducting from such gross direct premiums, return premiums, unabsorbed portions of any deposit premiums, policy dividends, safety refunds, savings and other similar returns paid or credited to policyholders.

- b. Until the Self-insured Guaranty Fund under the Oklahoma Option contains One Million Dollars (\$1,000,000.00) or if the amount in the fund falls below Seven Hundred Fifty Thousand Dollars (\$750,000.00), each self-insurer shall be assessed. If the account balance prompts an assessment to be issued for the Option Self-insured Guaranty Fund, it shall be paid to the Self-insured Guaranty Fund, care of the Commission. Each self-insurer shall be assessed a fee at the rate of one percent (1%) of the total compensation for permanent partial disability awards paid out during each quarter of the calendar year by the employers.

Stormy Moore, Director, Insurance Services, will present the account balances of each of the Option Guaranty Funds to the Commission.

Possible Action:

- a. Option Insured Guaranty Fund- Possible action may include, but is not limited to: taking no action; continuing the matter; determining the balance is below the statutory amount requiring an assessment; or determining the balance is above the statutory amount not requiring an assessment.
- b. Option Self-insured Guaranty Fund- Possible action may include, but is not limited to: taking no action; continuing the matter; determining the balance is below the statutory amount requiring an assessment; or determining the balance is above the statutory amounts not requiring an assessment.

2. Discussion and Consideration of approving the Memorandum of Understanding (MOU) between the WCC and Office of Management and Enterprise Services (OMES).

The proposed MOU establishes the methodologies for determining the OMES' self-funded workers' compensations program's MITF assessment, its contribution for the WCC's costs in administering the Act and provides financial documentation to the WCC.

Possible Action:

Possible action may include, but is not limited to: taking no action, continuing the matter, approving, approving as amended or not approving the proposed MOU.

3. 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 will consider a vote to approve the currently outstanding vouchers.

All 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 separately voted upon.

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; continuing the matter.

4. Reports

THE FOLLOWING REPORTS ARE PRESENTED FOR INFORMATIONAL PURPOSES ONLY. NO ACTION WILL BE TAKEN.

Legislative Update Report

Commissioner Liotta will give a report on legislative meetings and legislation affecting the Commission.

2016 Educational Conference Report

Commissioner Young will give a report on the planning of the 2016 Educational Conference Report.

5. Possible Executive Session Pursuant to Title 25 O.S. § 307(B)(1) for the purpose of discussing the employment evaluations, promotion, or performance of Commission's Administrative Law Judges: Shane Curtin and Tish Sommer

A. Motion and Vote to:

Go into Executive Session for purposes of discussing the employment evaluations, promotion, or performance of the Administrative Law Judges Shane Curtin and Tish Sommer, under § 307(B)(1).

B. Vote to Reconvene in Open Session

Possible Action:

Possible action may include but is not limited to taking no action; continuing the matter; or taking any action based on discussion of performance and employment evaluations of Administrative Law Judges Shane Curtin and Tish Sommer as discussed in Executive Session.

6. Announcements

Commission's next regularly scheduled meeting is Thursday, April 14, 2016.

ADJOURNMENT.....Mr. Gilliland, Chair