

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

Thursday, August 17, 2023
10:00 a.m.
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

The drafted minutes of the July 20, 2023, Regular Meeting of the Commission will be considered for approval.

2. Discussion and Possible Action to Approve the 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 and one reimbursement 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 the Distribution of Surplus Monies to Members of the Oklahoma Operators Self-Insurers Fund (#75292)

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 Oklahoma Operators Self-insurers Fund (“the Group”) has requested to make a partial distribution in the amount of \$190,000, which will be payable from Fund Years 2015 (\$30,000), 2016 (\$30,000), 2017 (\$70,000) and 2018 (\$60,000). All claims for these fund years are closed.

The Group had a financial surplus of more than \$1,512,765 for all years combined, as indicated in the audited financial statement for the period ending December 31, 2022.

The Group has submitted the audited financial statement for the year ending December 31, 2022 in support of their request.

4. **Discussion and Possible Action to Approve the Distribution of Surplus Monies to Members of the Oklahoma Automobile Dealers Self-Insurance Association (#75058)**

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 Oklahoma Automobile Dealers Self Insured Association (“the Group”) has requested to make a partial distribution of \$5,300,000, which will be payable in the following amounts from the indicated fiscal year: \$2,500,000 (FY 22-23); \$1,500,000 (FY 21-22); \$300,000 (FY 20-21); \$200,000 (FY 19-20); \$200,000 (FY 18-19); and \$600,000 (FY 17-18); The partial distribution will be made to all of the current active or otherwise qualified members which participated in those fiscal years.

The Group’s current financial surplus is \$15,294,000 for all years combined, as indicated in the financial statement for the period ending on March 31, 2023.

The Group has submitted the actuarial review of reserves and the audited financial statement for the year ending March 31, 2023 in support of their request. The Group maintains reserves as recommended in the Group’s Actuarial Reserve Analysis as of 3/31/23 and will continue to have a surplus in each of these four fiscal years if this distribution is approved.

5. **Discussion and Possible Action to Approve Amendments to the Affidavit of Exempt Status Form and Setting the Effective Date**

The Compliance Department is proposing changes to the current CC-Form 36 Affidavit of Exempt Status. The proposed changes include (1) adding an entry line for the last four digits of the Individual’s SSN and (2) adding five additional lines for Family Members, to include their names, relationship to the owner, address, and last four digits of their SSN.

6. **Discussion and Possible Action to Adopt Proposed Commission Subpoena Form and Setting the Effective Date**

The Compliance Department is proposing changes to the current Subpoena form. The proposed changes include (1) eliminating the word “appear” in the language in the 4th section and (2) adding the phrase “Produce within 20 days of receipt.” to the line above “Date and Time to Produce”.

7. **Discussion on Prescribed Minimum Benefits and Workers’ Compensation Carriers**

8. **Discussion and Possible Action to Permit Law Firms to Use the Denver Davison Building Courtrooms to Host WCC Mediations**

9. **CaseOK Update and Discussion**

10. **Discussion and Update Regarding 2024 Medical Fee Schedule**

11. **Legislative Update and Discussion**

12. **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