

REGULAR MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

Thursday, October 19, 2017
1:30 p.m.
Commission Chambers
1915 N. Stiles Ave.
Oklahoma City, Oklahoma
www.wcc.ok.gov

AGENDA

CALL TO ORDERChairman Liotta

ROLL CALLChairman Liotta

MINUTES

The drafted minutes of the Commission meetings on September 14, 2017, September 29, 2017, October 10, 2017, and October 16, 2017 will be considered for approval.

THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND ACTION, IF ANY, DEEMED APPROPRIATE BY THE COMMISSION. PUBLIC COMMENTS ARE LIMITED TO THE AGENDA ITEMS LISTED.

1. Discussion and Consideration of Current Commission Policies

The Commission will discuss and consider the following current Commission policies and determine if any updates are necessary: (a) Harassment Free Workplace Policy; and (b) Personnel File Policy.

Possible Action:

Possible action may include, but is not limited to: taking no action; continuing the matter; approving; not approving; or approving a modified version of the one or more of the policies listed in item 1 of this agenda.

2. Proposed Opening of the Emergency Rulemaking Process to Consider Emergency Rules for the Workers' Compensation Commission

The Commission will consider opening the Emergency Rulemaking process to provide the Commission with emergency rules related to electronic data interchange (EDI). Emergency rules are necessary due to the change in the mandatory EDI implementation date and the change in the version of the release required for EDI implementation. Proposed emergency rules are submitted to the Governor for approval.

Possible Action:

Possible action may include, but is not limited to: taking no action; approving the opening of the emergency rulemaking process as proposed, or as modified at the meeting; not approving the opening of the rulemaking process; or continuing the matter.

3. Discussion and Consideration of Appointing Legislative Liaison for Commission

The Commission will discuss and consider approving Commissioner Russell to serve as the Commission's legislative liaison and authorize him to finalize the Commission's legislative requests with the Executive Director after the Director's consultation with Chairman Liotta and Commission Tilly for 2018 Legislative session. In his role as legislative liaison, the Commission will consider authorizing him to represent the Commission with legislators, legislative staff, the Governor's office and other interested parties regarding the commonly agreed legislative requests of the Commission, and to negotiate statutory language to accomplish the spirit of those requests. As proposed, the liaison will have the duty to report progress and status to the Commission on a regular basis during the legislative process.

Possible Action:

Possible action may include, but is not limited to: taking no action; approving Commissioner Russell or other Commissioner as legislative liaison and/or duties and authorizations as proposed or modified; or not approve legislative liaison and/or duties and authorizations; or continuing the matter.

4. Discussion and Consideration of an Audit of the Commission

With the changeover in Commissioners, the Commission considered requesting an operational audit by the Office of the State Auditor or a private firm at its August 17, 2017 and September 14, 2017, Commission meetings. At those meetings the Commission approved moving forward with soliciting bids for an audit of the Commission. The Commission will consider whether to move forward with a Commission audit based upon the response(s) received or pursue an audit at a future date.

Possible action:

Possible action may include, but is not limited to: taking no action; continuing the matter; approving moving forward with an audit of the Commission with a particular vendor based on the response(s) received; or not pursue an audit at this time.

5. Modifying Fiscal Year 2018 Contract between the Commission and the Oklahoma Office of the Attorney General

The Commission will consider modifying its current FY18 contract engaging the legal services of the Oklahoma Office of the Attorney General. The current contract includes 60% of a full time equivalent (FTE) employee. The Commission will consider modifying the contract, reducing it to 50% FTE. The current cost of the contract is \$ 63,447.60.

Possible Action:

Possible action may include, but is not limited to: taking no action, continuing the matter, approving a modification or not approving a modification to the FY18 contract with the Attorney General's Office.

6. Discussion and Consideration of Approving the Mutual Settlement Agreement between the Commission and Paul Transportation, Inc., a former self-insured.

Paul Transportation, Inc. (Paul) is an impaired former self-insured employer. In 2011, the former Workers' Compensation Court and Self-Insurance Guaranty Fund (SIGF) were granted an allowed claim by the bankruptcy court of \$337,500 paid over eight (8) years. The proposed settlement agreement offers a payment of \$233,690.33 in full settlement of any remaining amounts owed to the Commission and SIGF by Paul.

The Commission will discuss and consider approving the proposed Mutual Settlement, Compromise and Release of Claims.

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 Mutual Settlement, Compromise and Release of Claims.

7. 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.

Announcements

The next regular meeting of the Commission is scheduled for November 9, 2017.

ADJOURNMENT.....Chairman Liotta