

SPECIAL MEETING OF THE  
OKLAHOMA WORKERS' COMPENSATION  
COMMISSION

Monday, December 19, 2016  
1:30 p.m.  
Commission Chambers  
1915 N. Stiles Ave.  
Oklahoma City, Oklahoma  
[www.wcc.ok.gov](http://www.wcc.ok.gov)

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*AGENDA*

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

**ROLL CALL ..... Mr. Gilliland, Chair**

**NOTICE OF COMPLIANCE..... Tiffany Pratt**

**MINUTES**

- a. The drafted Minutes of Regular Commission Meeting on December 8, 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 Consideration of Reducing the Security Deposit of Albertson's, 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 will consider Albertson's request to reduce its security deposit.

**Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, reducing or not reducing the security deposit of Albertson's, a former own risk employer.

**2. Discussion and Consideration of Reducing the Security Deposit of Dana, Inc., 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 will consider Dana Inc.'s request to reduce its security deposit.

**Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, reducing or not reducing the security deposit of Dana Inc., a former own risk employer.

**3. Proposed Approval of Independent Medical Examiners and Case Managers for the Commission**

Title 85A O.S. § 112 requires the Workers' Compensation Commission to create, maintain and review a list of licensed physicians who shall serve as independent medical examiners (IME). Likewise, for case managers, 85A O.S. § 113 requires a list of qualified case managers be developed, maintained and periodically reviewed by the Commission. The Commission shall, to the best of its ability, include the most experienced and competent physicians in the specific fields of expertise utilized most often in the treatment of injured workers. The period of qualification shall be two (2) years. The Commission will consider approving the list of physicians and case managers presented at the meeting that have been vetted by the Medical Director and recommended to have their applications approved or renewed.

**Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, approving some, all or none of the independent medical examiners and case managers for the Commission.

**4. Proposed Opening of the Permanent Rulemaking Process to Consider Permanent Rules for the Workers' Compensation Commission**

The Commission will consider opening the Permanent Rulemaking process for amendments to the Commission's Permanent Rules. If proposed Permanent Rules are adopted and submitted for legislative review on or before April 1, 2017, the Legislature will have until the end of the 2017 legislative session to approve or disapprove the rules.

**Possible Action:**

Possible action may include, but is not limited to: taking no action; approving the beginning of the permanent rulemaking process as proposed, or as modified at the meeting, by publication in *The Oklahoma Register* and scheduling of a public hearing; not approving the opening of the rulemaking process; or continuing the matter.

**5. Proposed Opening of the Form Adoption and Revision Process to Consider New Forms and Form Revisions to the Current Workers' Compensation Commission forms**

Title 85A O.S. § 22 provides before the adoption, amendment or modification of any form, the Commission shall give thirty (30) days' notice of its intended action and provide an opportunity for public comment, following the rulemaking process. The Commission will consider opening the form adoption and revision process to provide for necessary modifications to forms and potentially adopting new forms to provide for processes not currently addressed by the existing forms.

**Possible Action:**

Possible action may include, but is not limited to: taking no action; approving the beginning of the adoption and form revision process to adopt new forms and amend the Commission's forms; or continuing the matter.

**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 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.

**7. Announcements**

Commission’s next regularly scheduled meeting is Thursday, January 19, 2017.

**ADJOURNMENT.....Mr. Gilliland, Chair**