



STATE OF OKLAHOMA

WORKERS' COMPENSATION COMMISSION

M I N U T E S

of the

WORKERS' COMPENSATION COMMISSION
FOR THE STATE OF OKLAHOMA

for the

August 19, 2020

Special Public Meeting

STATEMENT OF OKLAHOMA OPEN MEETING LAW COMPLIANCE

Notice of this Special Meeting was filed with the Secretary of State's office on Monday, November 15, 2019 at 4:02 p.m., in compliance with the Open Meeting Act.

The Agenda was posted at least 24 hours in advance of the meeting, in compliance with the Open Meeting Act. It was posted on the Commission website and at 1915 N. Stiles Ave., Oklahoma City, Oklahoma, the Commission's principal office.

MINUTES OF THE AUGUST 19, 2020 SPECIAL MEETING OF THE WORKERS' COMPENSATION COMMISSION FOR THE STATE OF OKLAHOMA

The members of the Workers' Compensation Commission for the State of Oklahoma met at 1915 N. Stiles Ave., Oklahoma City, Oklahoma, on August 19, 2020.

Members Present: Chairman Liotta, Commissioner Tilly, and Jordan Russell

Others in attendance on behalf of the Commission: Collin Fowler.

After roll was taken, Commissioner Liotta announced the presence of a quorum. The meeting was called to order at 1:00 p.m.

A. The Commissioners will observe and may participate in the Self-insurance Guaranty Fund Board discussion of the following agenda items, but no action will be taken by the Commission:

1. Roll call and determination of quorum.
2. Call to order the Workers' Compensation Commission meeting by Chairman Liotta.
3. Introduction of guests.
4. Discussion and approval of Board minutes.
5. Report of Chairman Bell, general update and discussion.
6. Andrea Delling update, discussion and possible action as to general finances, including:
 - a. ACH Deposits
 - b. Account Values
 - c. OMES Budget
 - d. How payments are going on 701 Accounts
 - e. Operating Budget FY2021.
7. Discussion and Approval for legal services contract with the Office of Attorney General.
8. Third Party Administrator **Combined Report** as to Self-insurance Guaranty Fund Claims and Trust Cases:

8a. Self-Insurance Guaranty Fund Report of claims arising pursuant to statutory authority of the Self-Insurance Guaranty Fund Board for the private employers approved to participate in the self-insurance program designated by account number of 675 and residual account 705. Effective November 1, 2019, 85A O.S. Section 98 requires the use of the **net fund balance** technique rather than the prior **cash fund balance** method to initiate an assessment of the Self-Insureds. There will be a general report of the Third Party Administrator including a financial summary, discussion and possible action by the Board.

8b. Trust Cases Report – These cases have been assigned to the Board by the Workers’ Compensation Commission for administration of employer funds held by the Commission in individual employer trust accounts designated by account number 701. There will be a general report of the Third Party Administrator including a financial summary, discussion and possible action by the Board.

8c. Trust Cases Report – Discussion and possible action under, 85A O.S. Section 99, providing for the **transfer of “excess proceeds”** of 701 account balances to the Self-Insured Guaranty Fund account 675/705. Mr. Fisher will report on the claims analysis of older 701 accounts. Mr. Fisher will report his findings and make recommendations to transfer certain funds to the **Self-Insurance Guaranty Fund**.

9. Discussion and possible action on the following individual **Trust Cases** which have been assigned to the Board by the Workers’ Compensation Commission for administration of employer funds held by the Commission in individual employer trust accounts designated by account number 701:

General Motors, claims by employees:

Thomas Long
Billy Thomas
Judy Smith
Lupy Goodlin
Jo Ann Waltrip
Opal Cade
Daniel Dunn

Texoma Peanut, claims by employees:

Lloyd Ormand

Food Industry Group #75199, claims by employees:

Verna Fisher vs Pruettt Foods

Penloyd LLC # 19456, claims by employees:

Terry Stalneckner

- (a) Proposed executive Session pursuant to 25 O.S. 2011, § 307(B)(4) to discuss these claims with the Board's attorneys.
- (b) Vote to return to open session.
- (c) Take any action deemed necessary as a result of Executive Session.

10. Discussion and possible action on the following claims against the **Self-insurance Guaranty Fund** designated by account number 675 and residual account 705:

- (a) Proposed executive Session pursuant to 25 O.S. 2011, § 307(B)(4) to discuss these claims with the Board's attorneys.
- (b) Vote to return to open session.
- (c) Take any action deemed necessary as a result of Executive Session.

Employee

Joe Ortiz
 Lonnie Swarer
 Raymond Vier
 Harlin Sanders
 Cindy Nickell-Hutchins
 Howard Barnes
 Robin Johnson
 Pam Crain

Employer

Ark Ramos
 Big Four Foundries
 Farm Fresh Inc
 Hale Halsell
 JP Emco
 Passmore
 Thornapple Valley
 Thornapple Valley

- 11. Discussion and possible action regarding minutes of executive sessions.
- 12. Comments from Board Members.
- 13. Adjournment of the Workers' Compensation Commission
- 14. Adjournment

B. ADJOURNMENT of the CommissionChairman Liotta

Motion: Commissioner Tilly moved to adjourn.

Second: Commissioner Russell

Those voting aye: Chairman Liotta, Commissioner Tilly, Commissioner Russell.

There being a majority of the members present voting in favor of the motion, the motion carried. The meeting adjourned.