



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

April 14, 2016

Regular Public Meeting

MINUTES OF THE 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 April 14, 2016.

Members present: Chairman Gilliland, Commissioner Young and Commissioner Liotta.

Others in attendance on behalf of the Commission: Stormy Moore, Kim Bailey, Steven Barker, Dixie Coffey and Tiffany Pratt.

The meeting was called to order at approximately 1:30 p.m.

Chairman Gilliland expressed appreciation for those in attendance. After the roll was taken, he announced the presence of a quorum and the Statement of Compliance with the Open Meeting Act was read. The meeting was called to order at approximately 1:30 p.m.

Approval of Minutes

Chairman Gilliland presented the minutes of the April 4, 2016 public meetings for approval.

Motion: Commissioner Liotta moved to approve the minutes of the April 4, 2016 public meetings.

Second: Commissioner Young.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

The motion carried.

1. Discussion and Consideration of Renewal of Self Insurance Guaranty Fund Contract

Insurance Director Stormy Moore was recognized to report and recommended approval.

Under 85A O.S. Supp. 2014, § 99 the Commission may contract with an appropriate state governmental entity, as approved by the Commission, for claims administration, including processing, investigating and paying valid claims against an impaired self-insurer with the monies from the released security. The Commission considered approving a one-year renewal of the contract with the Self-insurance Guaranty Fund Board for workers' compensation claims administration services dealing with the security posted by a self-insurer and released for the payment of the self-insurer's workers' compensation obligations.

Motion: Commissioner Liotta moved to approve the one-year renewal of the Self-insurance Guaranty Fund Board contract.

Second: Commissioner Young.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

The motion carried.

2. Discussion and Consideration of the Fiscal Year 2016 Master Service Agreement between the Commission and the Office of Management Enterprise Services, Information Services Division

The Commission considered approving the Master Service Agreement with the Office of Management Enterprise Services, Informational Services Division for information technology shared services.

Executive Director Kim Bailey was recognized to report and recommended approval.

Motion: Commissioner Liotta moved to approve the Master Service Agreement with the Office of Management Enterprise Services, Information Services Division.

Second: Chairman Gilliland.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

The motion carried.

3. Discussion and Consideration of Adoption of Proposed Commission Form CC-Form-36 Application for Certificate of Non-Coverage

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 considered adopting the proposed form that will provide for a process not currently addressed by the existing forms. The proposed form can be viewed on the website or by following the link: http://ok.gov/wcc/About_the_Commission/Governing_Documents/index.html.

Insurance Director Stormy Moore was recognized to report and recommended approval.

Motion: Commissioner Liotta moved to approve the adoption of proposed form CC-Form-36, Application for Certificate of Non-Coverage.

Second: Commissioner Young.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

Chairman Gilliland direct that the proposed form be posted on the Commission website.

The motion carried.

4. 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 considered a vote to approve the currently outstanding vouchers.

Motion: Chairman Gilliland moved to approve the travel vouchers currently outstanding, which are included as a part of these minutes.

Second: Commissioner Liotta.

Those voting aye: Chairman Gilliland, Commissioner Liotta and Commissioner Young.

The motion carried.

5. Personnel Policy

The Commission discussed and considered approving the following agency policy: 1) Reasonable Accommodation Policy

Executive Director Kim Bailey was recognized to report and recommended approval.

Motion: Commissioner Liotta moved to approve the Reasonable Accommodation Policy.

Second: Chairman Gilliland.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

The motion carried.

6. Executive Session

Pursuant to 25 O.S. § 307(B)(4), an Executive Session was proposed for the purpose of conducting confidential communications between the Commission and its attorneys concerning pending lawsuit against the Commission, Sanders v. Workers' Compensation Commission and determined that disclosure of the communications regarding Sanders v. Workers' Compensation Commission will seriously impair the ability of the Commission to respond to the lawsuit.

Motion: Commissioner Liotta moved to determine that disclosure of the communications will seriously impair the ability of the Commission to take appropriate action in the pending case and to go into Executive Session pursuant to 25 O.S. § 307 (B) (4).

Second: Commissioner Young.

Those voting aye: Commissioner Liotta, Commissioner Young and Chairman Gilliland.

The motion carried.

Vote to Reconvene in Open Session

Motion: Chairman Gilliland moved to reconvene in open session.

Second: Commissioner Liotta.

Those voting aye: Commissioner Liotta, Commissioner Young and Chairman Gilliland.

The motion carried.

Discussion and action from Executive Session

No action was taken with regard to the case of *Sanders v Workers' Compensation Commission*.

7. Announcements

Chairman Gilliland announced the Commission's next regularly scheduled meeting has been rescheduled for May 12, 2016.

Adjournment

Motion: Commissioner Liotta moved to adjourn.

Second: Commissioner Young.

Those voting aye: Commissioner Liotta, Commissioner Young and Chairman Gilliland.

The motion carried.

Chairman Gilliland announced the meeting was adjourned.