



STATE OF OKLAHOMA

WORKERS' COMPENSATION COMMISSION

MINUTES

of the

WORKERS' COMPENSATION COMMISSION

FOR THE STATE OF OKLAHOMA

for the

February 20, 2014

Regular Public Meeting

MINUTES OF THE MEETING OF THE WORKERS' COMPENSATION COMMISSION
FOR THE STATE OF OKLAHOMA, FEBRUARY 20, 2014

NOTICE OF THIS MEETING WAS FILED WITH THE SECRETARY OF STATE ON THURSDAY, DECEMBER 12, 2014.

The members of the Workers' Compensation Commission for the state of Oklahoma met in the Court En Banc, Denver Davison Building, 1915 N. Stiles Ave., Oklahoma City, Oklahoma, on February 20, 2014.

Members present: Troy Wilson -- Chairman, Robert Gilliland, and Denise Engle.

Absent: None.

Others present: Rick Farmer, Executive Director; Holly Miller, Executive Secretary; Ted Rossier, General Counsel; Guests.

Chairman Wilson expressed appreciation for those in attendance and announced the agenda has been posted for this meeting.

After the roll was taken, the Chairman announced that a quorum was present and affirmed that all documents had been filed. The meeting was called to order at approximately 1:30 p.m. He asked Ted Rossier, General Counsel to the Commission to read the Statement of Compliance with the Open Meetings Act.

Approval of Minutes

Commissioner Engle moved and Commissioner Gilliland seconded to approve the minutes of the February 5, 2014 Special Meeting of the Workers' Compensation Commission.

Those voting aye: Commissioners Engle, Gilliland, and Wilson. No: None. Abstentions: None. Absent: None. The motion carried.

Executive Director's Report

Chairman Wilson introduced Dr. Rick Farmer to give a report. He said that over the past 30 days, the Commission has come to an agreement with CEC to resolve their autonomy and management issues. The Commission opened for business on February 3rd and there have been 20 Form-3s filed since then. We have now taken over the day to day functions and employees of the court. Hiring ALJs and other items bring questions of spacing. Office of Emergency Management will be vacating the third floor and moving to the CAP building March 28-29. We need to thank

Representative Mark McCullough and other legislators for getting that done. Chairman Wilson mentioned Preston Doerflinger has also been very helpful. The x-ray machine at security is now repaired. Charlie Effinger and Craig Cherry met with us to discuss the possibility of increasing security and one key point is getting the public access areas need to be moved closer to each other and made more accessible to the public.

Chairman Wilson asked Ted Rossier to summarize his findings in regard to the security in the Davison Building. Ted said he was concerned with the volume of people that enter the building and those who do not have business in the inner offices but are free to wander the halls. The building was not designed like most courthouses are built and lacks sufficient separation between the public areas and the administrative offices. I do not believe it will cost a lot to add some card readers, locks for certain doors, but there are minimal steps that we can take now to enhance security.

Commissioner Gilliland said he wanted to reinforce that the safety of the stakeholders and employees is paramount and no expense should be spared to ensure that proper security measures are in place.

Rick Farmer resumed the director's report with comments regarding the addition of personnel and that the law gave the Commission five new functions did not previously exist with the court – those functions will require 19 new FTEs and support staff for them. We are planning a slow but significant increase. Our first ALJ came on board February 1 – Tish Sommer, Shane Curtain March 1, and Mike Egan April 1. Three people transferred over from the ODOL: Ray Andrews, Virginia Forshee, and Jamie Booth. The Counseling Supervisor was hired this month and that is Ann Campbell. Our first Law Clerk started last week and she is here today – Kim Bailey. The new deputy director was hired and began Monday. That is Clif Cypert and we have hired a medical director, who is joining us April 1 – Dr. Jay Cannon is coming from Baptist Integris as their Chief of Staff. He retired from there February 1; we hired him just a couple days after that. We have also hired a paralegal who will be joining us in March. Her name is Dana Esparza. We need to hire another ALJ for Tulsa and are looking at the need to hire additional law clerks in the future and two more enforcement staff. Mike Andreatta announced his retirement from the court and we have already begun interviewing for a replacement. Regarding our budget, we have been working with the House and Senate committees to address those needs and Senator Jolley asked us for a history of the court budget which we will provide to him. The confirmations for the Commissioners are coming up in the Senate, so we have been meeting the Senators and getting to know those committee members. The Governor asked all state agencies to find ways to save 20 per-cent of the energy used in every facility by 2020. The Commission formed an energy council and organized a contest for the best energy-saving ideas, and plan to award the employee who provides us with the best ideas with a day off of work.

Commissioners' Reports

Commissioners Engle gave her report. She has been working on the issue of space and is interested in how to make this work for the public so that whether they are here for mediation or for the counselors' program; they will be able to access what they need as quickly and efficiently as possible. We hired Ann Campbell for our Counselor Division and she has been helping us develop more user friendly materials and forms. We are fine-tuning the forms and the procedures and are thrilled to have Dr. Cannon on board and are honored to have him serve with us as our vocational medical director and making the needed assignments with IMEs etc. Our website is up and running and we are making continuous improvements, so please check that periodically for any updates and information you need. I have been visiting the Tulsa office on a fairly regular basis. They are going through a lot of adjustments and working through issues on the forms so we can help

Commissioner Gilliland has been working with the ALJs and law clerks, and also on forms to discuss later. I have to add that Dr. Cannon, with his knowledge and experience, will be a great addition to our case management.

Chairman Wilson reported that the State Chamber will interview him next week to make a video geared to inform the public about the new Workers' Compensation system. We appreciate Fred Morgan and the Chamber for the opportunity. Never before in the history of the state has a court and a new agency come together in this fashion. When the Legislature passed the bill last May, there was no separation of the budgetary and operational needs of the two organizations. The court has had an increase of work and we have an MOU with the court to be in a cooperative mode to work with them and to make sure the funding was there. The court staff helped us write the rules and we have shared functions and an estimated 60 employees. Four of the judges will drop off in a few months and we will add some ALJs. We are working through the budget issues and can only estimate what we need based on past information for the court and numbers from some of the other states which have implemented administrative systems. The Governor and the Legislature are sensitive to the budgetary needs and how that will affect personnel as well. That concluded the Commissioners' reports and a motion was requested to enter into Executive Session to discuss personnel and hiring issues.

Executive Session

Commissioner Gilliland moved and Commissioner Engle seconded to adjourn for Executive Session.

Those voting aye: Commissioners Engle, Gilliland, and Wilson. No: None. Abstentions: None. Absent: None. The motion was approved.

Open Session

Following Executive Session, Commissioner Gilliland moved to re-convene in Open Session and Commissioner Engle seconded.

Those voting aye: Commissioners Engle, Gilliland, and Wilson. No: None. Abstentions: None. Absent: None. The motion passed.

Commissioner Gilliland moved that the Commission adopt the following forms: CC-Form-2A, Extension, CC-Form-10A, CC-Form-A, CC-Form-M, CC-Form-4, and CC-Form-5, in substance subject to slight modification in language. Commissioner Engle seconded the motion and requested that Form-10 and Form-M be reviewed for possible modifications; otherwise.

Those voting aye: Commissioners Engle, Gilliland, and Wilson. No: None. Abstentions: None. Absent: None. The motion passed.

Chairman Wilson asked Ted Rossier to address the topic of electronic form filing and data transfer. Ted said that due to the sheer volume of forms and several requests for the ability to file electronically, he suggested that the Commissioners move the discussion of implementing this higher on the priority list. He recommended that the Commission begin to pursue this immediately, especially since the foundation for such a system is already available.

Commissioner Engle said that at present the forms have to be printed out, filled in, and couriers are needed because of people being worried about the postmarked date missing the deadline. They would rather hand deliver the forms to the OKC or Tulsa office.

The Commission discussed the need to pursue the ability to implement an electronic filing system which would save money, effort, time, and assist the injured worker in a more expedient manner. Chairman Wilson suggested adding this item to the agenda as an open topic of discussion for the next meeting.

Adjournment

Chairman Wilson announced that the next Regular Public Meeting of the Commission will be March 20, 2014 at 1:30 p.m. in Tulsa. Commissioner Gilliland moved and Commissioner Engle seconded to adjourn.

Those voting aye: Commissioners Engle, Gilliland, and Wilson. No: None. Abstentions: None. Absent: None. The motion was approved.

