



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

March 2, 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 March 2, 2016.

Members present: Chairman Gilliland, Commissioner Liotta, and Commissioner Young. Others in attendance on behalf of the Commission: Kim Bailey, Steven Barker, Dr. Jay Cannon, Stormy Moore, and Tiffany Pratt.

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 January 11, 2016 and January 18, 2016 public meetings for approval.

Motion: Commissioner Young moved to approve the minutes of the January 11, 2016 and January 18, 2016 public meeting.

Second: Commissioner Liotta.

Those voting aye: Commissioner Liotta and Commissioner Young.

Abstain: Chairman Gilliland.

The motion carried.

1. Discussion and Determination of Account Balances of the Oklahoma Option Insured Guaranty Fund and the Oklahoma Option Self-insured Guaranty Fund

- a. *Until the Insured Guaranty Fund under the Oklahoma Option contains Two Million Dollars (\$2,000,000.00) or if the amount in the fund falls below One Million Dollars (\$1,000,000.00), each insurer shall be assessed. If the account balance prompts an assessment to be issued for the Option Insured Guaranty Fund, it shall be paid to the Insured Guaranty Fund, care of the Commission. Each insurer shall be assessed two percent (2%) of all gross direct premiums written during each quarter of the calendar year for insurance covering a benefit plan under this act after deducting from such gross direct premiums, return premiums, unabsorbed portions of any deposit premiums, policy dividends, safety refunds, savings and other similar returns paid or credited to policyholders.*

- b. *Until the Self-insured Guaranty Fund under the Oklahoma Option contains One Million Dollars (\$1,000,000.00) or if the amount in the fund falls below Seven Hundred Fifty Thousand Dollars (\$750,000.00), each self-insurer shall be assessed. If the account balance prompts an assessment to be issued for the Option Self-insured Guaranty Fund, it shall be paid to the Self-insured Guaranty Fund, care of the Commission. Each self-insurer shall be assessed a fee at the rate of one percent (1%) of the total compensation for permanent partial disability awards paid out during each quarter of the calendar year by the employers.*

Stormy Moore, Director, Insurance Services, presented the account balances of each of the Option Guaranty Funds to the Commission. She stated that the account balances were below the statutory amounts therefore an assessment was required.

Motion: Chairman Gilliland moved to determine both account balances were under the statutory amounts, therefore requiring an assessment.

Second: Commissioner Liotta.

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

The motion carried.

2. **Discussion and Consideration of approving the Memorandum of Understanding (MOU) between the WCC and Office of Management and Enterprise Services (OMES).**

The proposed MOU establishes the methodologies for determining the OMES' self-funded workers' compensations program's MITF assessment, its contribution for the WCC's costs in administering the Act and provides financial documentation to the WCC for review.

Executive Director Kim Bailey was recognized and gave a report concerning the negotiations with OMES regarding the MOU.

Motion: Commissioner Liotta moved to approve the MOU between the WCC and OMES.

Second: Chairman Gilliland.

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

The motion carried.

3. 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: Commissioner Liotta moved to approve the travel vouchers currently outstanding, which are included as a part of these minutes.

Second: Commissioner Young.

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

The motion carried.

4. Executive session

Pursuant to Title 25 O.S. § 307(B)(1) for the purpose of discussing the employment evaluations, promotion, or performance of Commission's Administrative Law Judges: Shane Curtin and Tish Sommer.

Motion: Chairman Gilliland moved to go into Executive Session for purposes of discussing the employment evaluations, promotion, or performance of the Administrative Law Judges Shane Curtin and Tish Sommer, under 25 O.S. § 307(B)(1).

Second: Commissioner Liotta.

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 employment evaluations, promotion, or performance of the Administrative Law Judges Shane Curtin and Tish Sommer, under 25 O.S. § 307(B)(1).

Announcements

The next Regular Meeting of the Commission is scheduled for April 14, 2016.

Adjournment

Motion: Commissioner Young moved to adjourn.

Second: Commissioner Liotta.

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

The motion carried.

Chairman Gilliland announced the meeting was adjourned.