

SPECIAL MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

~ APPEALS ~

Friday April 15, 2016
9:00 a.m.
Commission Chambers
1915 N. Stiles Ave.
Oklahoma City, Oklahoma
www.wcc.ok.gov

MINUTES

Members present: Chairman Bob Gilliland, Commissioner LeRoy Young and Commissioner Mark Liotta.

Staff present to support the Commission: Lindsey Christopher and Dana Esparza.

CALL TO ORDER Presiding Appellate Officer, Chairman Gilliland

Call to order 9:00 a.m. by Chairman Gilliland, Presiding Appellate Officer.

ROLL CALL Presiding Appellate Officer, Chairman Gilliland

After the roll call was taken, Chairman Gilliland announced the presence of a Quorum and the Statement of Compliance with the Open Meeting Act was read.

NOTICE OF COMPLIANCE..... Dana Esparza

STATEMENT OF OKLAHOMA OPEN MEETING LAW
COMPLIANCE

Notice of this Special Meeting was filed with the Secretary of State's office on Friday, February 9, 2016 at 1:54 p.m., in compliance with the Open Meeting Act.

The Agenda was posted at 3:52 p.m. on Wednesday, April 13, 2016, more than 24 hours in advance of the meeting, in compliance with the Open Meeting Act. It was posted on the Commission website and at 1915 North Stiles, the Commission's principal office.

MINUTES:

- The drafted Minutes of the Regular Meeting of March 4, 2016 were considered for approval.

Presiding Appellate Officer Chairman Gilliland presented the minutes of the March 4, 2016 regular meeting for approval.

Motion: Commissioner Young made a motion to approve the minutes of the March 4, 2016 regular meeting.

Second: Commissioner Liotta

Those Voting Aye: Presiding Appellate Officer Chairman Gilliland, Commissioner Young and Commissioner Liotta.

THE MOTION CARRIED: MINUTES APPROVED

Appeal Hearings before the Commission En Banc from Orders Issued by the Commission's Administrative Law Judges

Lisa Colleen Hines v. Oklahoma Turnpike Authority & Compsource Mutual Ins Co., File #CM2014-11080H

Respondent filed an appeal from the order issued by Administrative Law Judge Sommer. Emily Biscone & Joseph C. Biscone, II represented the Claimant and John Blodgett represented the Respondent.

Motion: After hearing the oral argument of counsel and deliberating, Commissioner Liotta moved to affirm the Administrative Law Judge's order and authorize the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

Second: Commissioner Young

Those Voting Aye: Presiding Appellate Officer Chairman Gilliland, Commissioner Young and Commissioner Liotta.

THE MOTION CARRIED: ALJ ORDER AFFIRMED

Charles Ray Dowling, Sr. & L.A. King Corp & Continental Western Insurance Co., File #2014-11387R

Respondent filed an appeal from the order issued by Administrative Law Judge Sommer. Robert L. Smith represented the Claimant, and Jace H. Powell represented the Respondent.

Motion: After hearing the oral argument of counsel and deliberating, Presiding Appellate Officer Chairman Gilliland moved to affirm the Administrative Law Judge's order and authorize the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

Second: Commissioner Liotta

Those Voting Aye: Presiding Appellate Officer Chairman Gilliland, Commissioner Young and Commissioner Liotta.

THE MOTION CARRIED: ALJ ORDER AFFIRMED

Karin (Logan) Mukes v. Hillcrest Healthcare System, (OWN RISK #18899) File #CM2015-00550H

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Tim Reese represented the Claimant and Daniel C. Blanchard represented the Respondent.

Motion: After hearing the oral argument of counsel and deliberating, Commissioner Liotta moved to affirm the Administrative Law Judge's order and authorize the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

Second: Presiding Appellate Officer Chairman Gilliland

Those Voting Aye: Presiding Appellate Officer Chairman Gilliland, Commissioner Young and Commissioner Liotta.

THE MOTION CARRIED: ALJ ORDER AFFIRMED

Angellee W. Woolf v. Cimarron Correctional Facility (CCA) & New Hampshire Insurance Co., File #CM2015-01733A

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Kevin B. White represented the Claimant and Linda S. Foreman represented the Respondent.

Motion: After hearing the oral argument of counsel and deliberating, Presiding Appellate Officer Chairman Gilliland moved to affirm the Administrative Law Judge's order and authorize the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

Second: Commissioner Liotta

Those Voting Aye: Presiding Appellate Officer Chairman Gilliland, Commissioner Young and Commissioner Liotta.

THE MOTION CARRIED: APPEAL AFFIRMED

Courtney Hadden v. Locke Supply Co., (OWN RISK #17645) File #CM2015-06120A

Respondent filed an appeal from the order issued by Administrative Law Judge McMillin. Mark Litton represented the Claimant and Bradley J. McClure represented the Respondent.

Motion: After hearing the oral argument of counsel and deliberating, Presiding Appellate Officer Chairman Gilliland moved to affirm the Administrative Law Judge's order and authorize the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

Second: Commissioner Liotta

Those Voting Aye: Presiding Appellate Officer Chairman Gilliland, Commissioner Young and Commissioner Liotta.

THE MOTION CARRIED: APPEAL AFFIRMED

Danny Foster Jr. v. J&J Logistics Inc., & Protective Insurance Co., File #CM2015-00287K

Respondent filed an appeal from the order issued by Administrative Law Judge Sommer. Jack Stipe represented the Claimant and Todd A. Estes represented the Respondent.

Motion: After hearing the oral argument of counsel and deliberating, Commissioner Liotta moved to affirm the Administrative Law Judge's order and authorize the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

Second: Presiding Appellate Officer Chairman Gilliland

Those Voting Aye: Presiding Appellate Officer Chairman Gilliland, Commissioner Young and Commissioner Liotta.

THE MOTION CARRIED: APPEAL AFFIRMED

Commission Consideration of Adoption of Final Order in the Following Case:

Renee Ruth May v. Heritage Healthcare Inc. & Stonetrust Commercial Insurance Co., File #CM2014-05470R

At the Special Meeting on March 4, 2016, the Commission heard oral arguments from Esther M. Sanders, counsel for the Claimant, and Jeffrey W. Dasovich, counsel for the Respondent. After deliberating, the Commission voted to take preliminary action to remand the Administrative Law Judge's Order with instructions.

After reviewing the record, hearing oral arguments, and deliberating, a proposed order was drafted and considered for adoption by the Commission.

Motion: Presiding Appellate Officer Chairman Gilliland moved to adopt the order as proposed and authorize the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

Second: Commissioner Liotta

Those Voting Aye: Presiding Appellate Officer Chairman Gilliland, Commissioner Young and Commissioner Liotta.

THE MOTION CARRIED: ORDER ADOPTED

Announcements

Commission's next regularly scheduled meeting is Wednesday, April 20, 2016. Commission's next Special Meeting regarding Appeals is scheduled for Friday, May 20, 2016.

ADJOURNMENT

Motion: Presiding Appellate Officer Chairman Gilliland moved to adjourn the meeting at approximately 11:46 a.m.

Second: Commissioner Liotta

Those Voting Aye: Presiding Appellate Officer Chairman Gilliland, Commissioner Young and Commissioner Liotta

THE MOTION CARRIED: THE MEETING WAS ADJOURNED.