

SPECIAL MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

~ APPEALS ~

Friday May 20, 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, March 18, 2016 at 8:45 a.m., in compliance with the Open Meeting Act.

The Agenda was posted at 2:08 p.m. on Wednesday, May 18, 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 April 15, 2016 were considered for approval.

Presiding Appellate Officer Chairman Gilliland presented the minutes of the April 15, 2016 regular meeting for approval.

Motion: Commissioner Young made a motion to approve the minutes of the April 15, 2016 regular meeting.

Second: Commissioner Liotta

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

THE MOTION CARRIED: MINUTES APPROVED

Commission Consideration of Approval of Settlement Agreement in the Following Case:

1. Oklahoma Workers' Compensation Commission v. Stout Transportation LLC., File #CM2015-01479J

The Commission considered the approval of a settlement agreement reached between the Compliance Division and Stout Transportation.

Motion: After reviewing the proposed settlement agreement, Presiding Appellate Officer Chairman Gilliland moved to affirm the settlement agreement 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: SETTLEMENT AGREEMENT APPROVED

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

Jeffrey Daniel Hayes v. Dick Lanes of Grand Lake & Wesco Insurance Co. (Amtrust) File #CM2015-03392A

Respondent filed an appeal from the order issued by Administrative Law Judge Egan. Esther M. Sanders represented the Claimant, and Michael Fagan 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

Joshua K. Russo v. John Zink Co. LLC &/or Hamworthy Peabody Combustion Inc., & Old Republic Insurance Co., File #CM2015-04853X

Claimant filed an appeal from the order issued by Administrative Law Judge Inhofe. Bryce Hill represented the Claimant and Jenifer A. Sloan represented Respondent.

Motion: After hearing the oral argument of counsel and deliberating, Commissioner Young 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

Cindy Washington v. St. John Medical Center INC., & Ascension Health Alliance (Own Risk #20140), File #CM2014-10710J

Claimant filed an appeal from the order issued by Administrative Law Judge Sommer. Bryce Hill represented the Claimant and Michael Gilliard represented the Respondent.

Motion: After hearing the oral argument of counsel and deliberating, Presiding Appellate Officer Chairman Gilliland moved to take preliminary action to remand the Administrative Law Judge's order for additional findings and instruct Commission staff to draft a proposed order to be considered for continued action at a future meeting.

Second: Commissioner Young

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

THE MOTION CARRIED: ALJ ORDER REMANDED

Announcements

Commission's next regularly scheduled meeting is Thursday, June 9, 2016. Commission's next Special Meeting regarding Appeals is scheduled for Friday, June 10, 2016.

ADJOURNMENT

Motion: Presiding Appellate Officer Chairman Gilliland moved to adjourn the meeting at approximately 10:41 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.