

# REGULAR MEETING OF THE OKLAHOMA WORKERS' COMPENSATION COMMISSION

Thursday, April 14, 2016  
1:30 p.m.  
Commission Chambers  
1915 N. Stiles Ave.  
Oklahoma City, Oklahoma  
[www.wcc.ok.gov](http://www.wcc.ok.gov)

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## **AGENDA**

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**CALL TO ORDER** ..... **Mr. Gilliland, Chair**  
**ROLL CALL** ..... **Mr. Gilliland, Chair**  
**NOTICE OF COMPLIANCE**..... **Tiffany Pratt**

### **MINUTES**

The drafted Minutes of Special Commission Meeting on April 4, 2016, will be considered for approval.

**THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND ACTION, IF ANY, DEEMED APPROPRIATE BY THE COMMISSION.**

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

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 will consider 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.

#### **Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, approving or not approving the one-year renewal contract with the Self-insurance Guaranty Fund Board.

**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 will consider approving the Master Service Agreement with the Office of Management Enterprise Services, Informational Services Division for information technology shared services.

**Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, approving, approving as modified or not approving the Master Service Agreement with the Office of Management Enterprise Services, Informational Services Division.

**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 will consider 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](http://ok.gov/wcc/About_the_Commission/Governing_Documents/index.html).

**Possible Action:**

Possible action may include, but is not limited to: taking no action; continuing the matter; approving, not approving, or approving as modified the proposed commission form CC-Form-36 Application for Certificate of Non-Coverage.

**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 will consider a vote to approve the currently outstanding vouchers.

All vouchers listed within this Consent Agenda have been made available to each Commissioner prior to today's meeting, are considered routine, and will be enacted by one motion of the Commission. If separate discussion is desired, that item may be removed from the Consent Agenda and separately voted upon.

**Possible Action:**

Possible action may include, but is not limited to: taking no action; approving some, all or none of the vouchers listed in this Consent Agenda; continuing the matter.

**5. Personnel Policy**

The Commission will discuss and consider approving the following agency policy: 1) Reasonable Accommodation Policy

**Possible Action:**

Possible action may include, but is not limited to: taking no action; continuing the matter; approving, not approving, or approving a modified version of the policy.

**THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION.**

**6. Possible executive session pursuant to Title 25 O.S. § 307(B)(4) for confidential communications between the Commission and its attorneys regarding pending litigation against the Commission**

Pursuant to 25 O.S. § 307(B)(4), an Executive Session is proposed for the purpose of conducting confidential communications between the Commission and its attorneys regarding pending a pending lawsuit against the Commission, *Sanders v. Workers' Compensation Commission*.

The Commission's counsel from the Attorney General's Office has advised that public disclosure of the communications relating to this litigation will seriously impair the ability of the Commission and its counsel to respond to the litigation and claims.

**A. Motion and Vote to:**

(i) Determine that disclosure of the communications regarding *Sanders v. Workers' Compensation Commission* will seriously impair the ability of the Commission to respond to the lawsuit, and; and

(ii) Go into Executive Session for purposes stated above.

**B. Vote to Reconvene in Open Session**

**Possible Action:**

Possible action may include but is not limited to taking no action; continuing the matter; or taking any action necessary in the case of *Sanders v. Workers' Compensation Commission* based on the discussion and recommendation of Counsel in Executive Session.

**7. Announcements**

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

**ADJOURNMENT.....Mr. Gilliland, Chair**