



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

October 20, 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 October 20, 2016.

Members present: Chairman Robert Gilliland, Commissioner Mark Liotta and Commissioner Jordan Russell. Others in attendance on behalf of the Commission: Kim Bailey, John Crittenden, Stormy Moore, Jay Cannon 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.

1. **Discussion and Consideration of Releasing or Reducing the Letter of Credit of World Publishing Company/15 Oaks LLC, a Former Own Risk Employer**

*A security deposit posted with the Commission as required by 810:25-9-4 must remain in place, at its existing amount, for two years after an individual own risk employer voluntarily leaves self-insurance. A security deposit may be reduced at the Commission's discretion after the two year waiting period upon application by the employer and submission of current financial statements and workers' compensation loss runs.*

*A security deposit may be released at the Commission's discretion upon application by the employer and submission of current financial statements and a signed and notarized affidavit, from a duly authorized officer of the employer, affirming that all workers' compensation claims incurred under the own risk permit of the employer have been permanently closed, and the statute of repose for reopening the claims has passed.*

Stormy Moore, Insurance Services Director, was recognized to report and recommended approval

**Motion:** Commissioner Liotta moved to approve the release of the letter of credit for World Publishing Company/15 Oaks LLC, a former own risk employer.

**Second:** Commissioner Russell.

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

**The motion carried.**

## **Approval of Minutes**

Chairman Gilliland presented the minutes of the October 4, 2016 special public meeting for approval.

**Motion:** Commissioner Liotta moved to approve the minutes of the October 4, 2016 special public meeting.

**Second:** Commissioner Russell.

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

**The motion carried.**

## **2. 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.

**Second:** Commissioner Russell.

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

**The motion carried.**

## **3. 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, Sanders v Workers' Compensation Commission and McKnight v. Workers' Compensation Commission**

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

The Commission's counsel from the Attorney General's Office 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.

**Motion:** Chairman Gilliland moved to (a) determine that disclosure would seriously impair the ability of the commission to take appropriate action in the ongoing litigation, *Sanders v Workers' Compensation Commission* and *McKnight v. Workers' Compensation Commission*; and protect the Commission's interest and (b) vote to go into Executive Session.

**Second:** Commissioner Liotta.

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

**The motion carried.**

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

**Motion:** Chairman Gilliland moved to reconvene the public meeting in Open Session.

**Second:** Commissioner Liotta.

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

**The motion carried.**

**Motion:** Chairman Gilliland moved regarding pending litigation against the Commission, *Sanders v Workers' Compensation Commission* and *McKnight v. Workers' Compensation Commission*, that the Attorney General's office proceed as authorized in executive session.

**Second:** Commissioner Liotta.

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

***The motion carried.***

**Announcements**

The next Regular Meeting of the Commission is scheduled for November 2, 2016.

**Adjournment**

***Motion:*** Commissioner Liotta moved to adjourn.

**Second:** Commissioner Russell.

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

**The motion carried.**

Chairman Gilliland announced the meeting was adjourned.