



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

July 9, 2015

Special 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 July 9, 2015.

Members present: Chairman Gilliland, Commissioner Liotta, and Commissioner Young.

Others in attendance on behalf of the Commission: Kim Bailey, Neal Leader, Andrea Bair, 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 June 25, 2015 public meeting for approval.

Motion: Commissioner Liotta moved to approve the minutes of the June 25, 2015 public meeting.

Second: Commissioner Young.

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

The motion carried.

1. Proposed Commission Approval of Group Self-Insurance Application for New Membership

Commission Rule 810:25-11-3 states a new membership to a self-insurance group may not become effective without Commission approval. All applications for membership are filed with the Commission. The application includes evidence of the execution of the indemnity agreement, power of attorney, and joint and several liability agreement, as required by 810:25-11-15, with signed approval of the applicant by the association, and is accompanied by a current balance sheet and income statement.

Chairman Gilliland recognized Andrea Bair, Deputy Director Insurance Services, to recommend that the Commission consider approval of Jackson County Memorial Hospital Authority applying for membership to the Oklahoma Health Care Association (# 75175).

Andrea Bair recommended approval.

Motion: Commissioner Gilliland moved to approve the application of Jackson County Memorial Hospital Authority to the Oklahoma Health Care Association (#75175).

Second: Commissioner Liotta.

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

The motion carried.

2. Discussion and Consideration of Distribution of Surplus Monies to Members of the Metropolitan Health Care Self Insured Group

Metropolitan Health Care Self Insured Group #75220, a group self-insurance association, requested a distribution of surplus back to its members in the amount of \$500,000 from 2010. The Association's December 31, 2014, financial statement shows an overall surplus for the Association of more than \$3,559,000. Commission Rule 810:25-11-10 states that any surplus monies may be declared refundable by the association's board. The date and manner of the distribution shall be declared by the association's board and shall be in accordance with the association's bylaws. The board shall submit the distribution request to the Commission, with all supporting documents. The Commission considered approving the distribution of surplus monies to members of the Metropolitan Health Care Self Insured Group.

Motion: Commissioner Young moved to approve the distribution of surplus in the amount of \$500,000 to the members of Metropolitan Health Care Self Insured Group.

Second: Chairman Gilliland.

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

The motion carried.

3. Discussion and Consideration of Naming Counselor/Legal Advisor Division

Motion: Commissioner Young moved to make no change to the name of the Counselor Division.

Second: Commissioner Liotta.

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

The motion carried.

4. Discussion and Consideration for Need to Hire New General Counsel

Motion: Chairman Gilliland moved to table the matter until more research can be done and asked Executive Director Kim Bailey to report and make recommendation at a future date.

Second: Commissioner Young.

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

The motion carried.

5. Discussion and Consideration of Funds Available to Transfer to Attorney General's Workers' Compensation Fraud Unit

Motion: Chairman Gilliland moved to approve a funds transfer to the Attorney General's office in the amount of \$405,000. The motion failed for lack of a second.

Motion: Chairman Gilliland moved to table the item for future meeting.

Second: Commissioner Liotta.

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

The motion carried.

6. 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 Young moved to approve the vouchers listed in the Consent Agenda.

Second: Commissioner Liotta.

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

The motion carried.

7. Consent Agenda for Payments Made from the Workers' Compensation Fund Currently Outstanding

85A O.S. §22(A)(5) states that all expenditures in the administration of the act shall be allowed and paid from the Workers' Compensation Fund on the presentation of itemized 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 table this item for a future meeting.

Second: Commissioner Young.

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

The motion carried.

Reports

The following reports were presented for informational purposes only. No action was taken.

8. Report from Commissioner Mark Liotta

Chairman Gilliland recognized Commissioner Mark Liotta to report on his meeting with CPA Nestor Romero regarding the insurance examination of self-insured and update on the proof of coverage database.

9. Executive Session

Pursuant to 25 O.S. § 307(B)(1), an Executive Session was proposed for the purpose of discussing employment evaluations, promotion, demotion, or performance of the Commission's Deputy, Insurance Services and Human Resources Director.

Motion: Commissioner Liotta moved to go into Executive Session for the purpose of discussing employment evaluations, promotion, demotion or performance of the Commission's Deputy, Insurance Services and Human Resources Director.

Second: Commissioner Young.

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

The motion carried

Vote to Reconvene in Open Session

Motion: Commissioner Young moved to reconvene in Open Session.

Second: Commissioner Liotta.

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

The motion carried.

No action was taken with regard to the hiring, salary, or employment of the Commission's Deputy, Insurance Services or Human Resources Manager.

Announcements

The next public meeting of the Commission is scheduled for August 6, 2015.

Adjournment

Motion to adjourn: Commissioner Young.

Second: Commissioner Liotta.

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

The motion carried.

The meeting was adjourned.