

Workers' Compensation Advisory Council

Friday, September 9, 2016
Room 307 - LOB – 9:00 a.m.

Present: Ms. Margaret Crouch, Chair; Ms. Sally MacFadden; Senator Gary Daniels; Ms. Eileen Bernard; Representative Brian Seaworth; Mr. Martin Jenkins; Ms. Merideth Schwab; Mr. Rudolph Ogden

Absent: Mr. William McQuillen, Vice Chair; Dr. Douglas Goumas; Ms. C.J. Stone

Call to Order – The meeting was called to order by Ms. Crouch at 9:05 a.m.

Review & Action on August 5, 2016 Minutes – The minutes were reviewed by the Council.

Senator Daniels motioned to accept the Minutes of the August 5, 2016 meeting and Ms. Bernard seconded. *The motion was passed unanimously.*

Managed Care

Injury Management Facilitator – Michelle Meridieth, RN, CCM (Liberty Mutual)

Ms. Schwab stated she will be telephonic and recommends final approval. Ms. Crouch made a motion to approve Ms. Meridieth as an Injury Management Facilitator, seconded by Senator Daniels. *The motion was passed unanimously.*

Department Updates

Insurance— Ms. MacFadden reminded the Council of the workers' compensation rate hearing on October 4th at 10:00 am to discuss the report that NCCI has filed. The change to Voluntary Loss Costs is -9%.

Otherwise Ms. MacFadden stated business is as usual.

Labor— Mr. Jenkins reported that there is a new Assistant Director of Workers' Compensation, Mr. Edward Sisson. The Department still only has had one request for hearing under § 24-A. The hearing is still proceeding and has not been resolved as of yet.

Mr. Jenkins stated that NCCI held a meeting on September 8th and there was a section on the LAB 700 Rules.

Legislature— Senator Daniels and Representative Seaworth stated that there is nothing to report out of the Senate or House since the last meeting.

Mr. Jenkins asked about SB409 and if there has been a committee appointed. Representative Seaworth stated there hasn't been a committee appointed as far as he knows.

Old Business –

Managed Care Lab Rules – Chapter Lab 700

Ms. Crouch stated that after the public comments were taken in, there was another Subcommittee meeting to edit the rules where necessary.

Ms. Crouch asked for the Council's final recommendation. Senator Daniels made a motion to approve, seconded by Ms. Bernard. *The motion was passed unanimously.*

Mr. Jenkins stated the rules will now be sent to JLCAR and hoping to have to rules discussed at the October 20th JLCAR meeting.

Definition of Independent Contractor –

Senator Daniels is still looking at a resolution on this topic. He is going through some paperwork that Mr. Jenkins sent him and had some discussions with him. There will still be more to come on this topic.

New Business –

Ms. MacFadden stated that she read an article about how Texas has had a lot of success with cutting down/controlling the number of opioid prescriptions. She is going to try and find the article to share with the Council.

Ms. Crouch stated the Council should possibly discuss the 5th vs 6th version of the AMA Guides. She is wondering if the 5th edition is still the best assessment of permanent impairment. She stated that the Council should discuss this at the next meeting.

Mr. Jenkins stated that the rules are good for another 5 years, unless changes are absolutely needed.

Ms. Schwab stated that managed care stuff is good till March.

The Council scheduled the next Workers' Compensation Advisory Council meeting for Friday, November 18, 2016 at 9:00 am.

Meeting Adjourned-

Ms. Crouch made a motion to adjourn, seconded by Ms. Bernard at 9:25 a.m.