

**Industrial Commission's Advisory Committee
On Workers' Compensation
Minutes
November 19, 2025**

Members Present:

Dave Anderson
Stephaine Butler
Joe Maloney
Andrew Marcham
Shellie Martin
Amanda Reginer
Matt Pappas
Kelly Paananen
Mark Peterson
Kelli Segroves
Brian Whitlock

Members Absent:

Jamie Arnold
Alex Garcia
Dr. Cody Heiner
Ex-Officio: Representative James Hotlzclaw
Ex-Officio: Senator Tammy Nichols

Industrial Commission:

Claire Sharp, Chair
George Gutierrez, Director
Kamerron Slay, Commission Secretary

Opening Remarks and Introductions:

Mr. Marcham led the meeting and opened the meeting at 9:00 a.m. Mr. Marcham indicated that Jamie Arnold was elected as Chair of the committee, but was unavailable, and had asked Mr. Marcham to chair this meeting. Mr. Marcham reminded attendees to sign in and next requested introductions from Committee members and public attendees.

Minutes of August 13, 2025:

The minutes of the August 13, 2025, meeting were presented for review and approval. Upon the motion of Dave Anderson, seconded by Stephanie Butler The minutes of August 13, 2025, were approved. The motion was carried by unanimous vote.

Subcommittee Report:

Chair Sharp indicated that the agenda would be adjusted to accommodate Mr. Wagener's attendance. Mr. Marcham proceeded with the Industrial Commission report.

Subcommittee on Peace Officer and Detention Officer Temporary Disability Fund. When Mr. Wagener arrived, he provided an update to the Committee. Mr. Wagener indicated the subcommittee met on November 6th. Mr. Wagener summarized the subcommittee discussion on calculating the average weekly wage and base salary. Mr. Wagener explained that the language describing the cause of injury is broad, encompassing actions by others. During the discussion, the subcommittee reviewed section 72-1101, which covers legislative intent regarding "dangerous situations." Instead of narrowing the scope, they considered both 72-1104(1)(c) and 72-1101 together, leaving interpretation open for the adjuster and claimant. Mr. Wagener noted that if a dispute arises, a Peace Officer and Detention Officer Temporary Disability Fund Complaint can be filed. He also mentioned that Ms. Misnick provided data on these complaints over the years:

none in 2025, one in 2024, and four between 2019 and 2021. Only one of the seven cases has been litigated to a decision.

Mr. Wagener indicated that the bigger issue is the wording in the statute regarding reimbursement of workers' compensation benefits. There are concerns regarding the clarity of this language. He mentioned that a group is being formed to review and discuss the language and to find ways to recover funds that consider the injured worker, while also ensuring a fair repayment process. This group plans to meet before the end of December, with the subcommittee reviewing it in January and presenting it to the February Advisory Committee, to introduce it during the 2027 legislative session. Mr. Wagener asked if there were any questions; none were raised.

Industrial Commission Report:

IRIS Modernization Update. Mr. Linnarz briefed the Committee on the progress of the IRIS Modernization Project. He stated that all five modules are finished, and the CVCP module was launched in June this year. Final tweaks are being made to the CVCP module and portal. The Commission has also completed the official launch of ADJ and Benefits. Mr. Linnarz noted they expect to finish IRIS by Spring 2026. Ms. Butler praised the settlement portal for reducing transit losses and paperwork, expressing appreciation for the Commission's efforts.

Benefits/Adjuster Meeting. Mr. Wagener summarized the benefits adjuster meeting held in November and indicated that there was an update on EDI 3.1 tables, which Ms. Flores would discuss later in the meeting. Mr. Wagener indicated there would be another meeting after the holidays, and information would be posted on the website.

Public Records Policy. Ms. Pollard indicated there had been updated legislation regarding the Idaho Public Records Act. Ms. Pollard indicated the Commission reviewed the overall guidelines and made changes to its Public Record Policy in conjunction with the DAG. Ms. Pollard summarized the changes to the Commission's public record policy. Ms. Pollard stated on page 4 that the Commission may request ID at its discretion. Ms. Pollard stated that if repeated verification is needed, the verification records aren't retained. Ms. Pollard summarized the updated processing days, which differed for residents and non-residents of Idaho. Ms. Pollard indicated that the difference between working days and calendar days is explained on page 11. Ms. Pollard indicated that the RMR forms and related documents will reflect these guideline updates.

Public Comment: Matt Vook inquired about any changes to the records portal with the updated policy. Ms. Pollard indicated that they would not be, but the attachments would be updated. Ms. Pollard indicated that if there were any other questions, please feel free to reach out to her.

EDI Claims 3.1 v.1.9. Ms. Flores provided an update on EDI and indicated that the Commission attended a well-attended EDI workshop last month. The materials and recording from that meeting are on the website for reference. This release provides final clarification to simplify reporting, which is why staff are reaching out to trading partners for introductions. The Commission collaborated with IAIABC to eliminate the need for paper exchanges. Ms. Flores inquired if there were any questions. Ms. Butler commented that the updates sounded amazing.

Mr. Marcham handed over the floor to Director Gutierrez for a brief announcement. Director Gutierrez stated that the Business Commissioner role remains vacant; therefore, we are continuing to utilize available resources to support the industry. Director Gutierrez also announced that Leigh Ann Madrid has been promoted to our new Employer Compliance Supervisor for Eastern Idaho and Boise. Additionally, he mentioned that the Referee position, which closed last week, had no viable candidates. The Commission is still seeking a suitable candidate and encourages anyone interested to email Ms. Slay for the job description. The Commission is open to recruiting for this role, but has not decided when to reopen the position publicly.

Other Announcements:

ISIF Annual Report for FY2025. Lea Kear provides an update and summarizes the annual report. She noted that ISIF aims to remain stable and consistent, even during minor economic fluctuations. Assessments indicate a slight increase, similar to trends observed over recent years. In preparing this overview, Ms. Kear reviewed expenses in detail along with the ledger report. If you have specific questions or would like to explore details further, Ms. Kear is available to discuss individual line items in more detail. The fund is performing well financially and received an influx of death benefits in Q1 of the new fiscal year. For more information about specific numbers, contact Ms. Kear. Historically, the fund has been somewhat lenient with NOI and Complaints, which are often sent directly to the Department of Administration address. To ensure consistency and proper routing of complaints and NOI, the official service address has been updated on the website: isif.adm.idaho.gov. All NOI should now be sent to the address listed on the website, and service should be made at that address—Kent Day, who will be joining ISIF and handling some of the legal work.

NCCI Updates. Todd Johnson provided an NCCI update, noting that the first half aligns with the discussions at the Annual Seminar, with new insights focused on Idaho. He indicated there was a decrease in written premium volume over the past calendar year. The combined accident ratio for the year stays below 100%. Loss-time frequency continues to fall. While indemnity and medical severity increased in Policy Year 2023, they have shown a long-term decline when adjusted for wages. NCCI has proposed a -2.5% Idaho filing to the Department of Insurance, effective January 1, 2026.

Mr. Marcham asked about the changes and extremes in loss costs and rates for New Mexico and Nevada. Mr. Johnson explained that they are currently adjusting based on the payroll cap. Nevada's statutory payroll increased gradually, but it did not keep pace with the overall payroll cap, resulting in significant shifts in the market. The state is now in session to establish and implement legislative changes and transition to a system more aligned with other states, although the process might be somewhat tumultuous. In New Mexico, the same drivers, costs, and medical service expenses are influencing costs. While actual costs had been rising more rapidly, they are now beginning to decrease in New Mexico. Mr. Johnson noted that Utah's filing is preferable to Idaho's due to its state-based system, which offers a valuable perspective. Montana remains the only Western state with a higher claim frequency than Idaho, but the difference is narrowing each year, as neighboring states catch up. Additionally, Idaho's claim frequency has decreased this year.

Mr. Marcham inquired about the DME code share; Mr. Johnson didn't have an answer but suggested it might be linked to the state's fee schedule. Mr. Johnson indicated that the medical data report, published annually, analyzes medical services within the Idaho workers' compensation system. If the reported percentage is 98% or higher, it appears in Idaho; if it is below 1%, it isn't required to be reported, which limits the self-insurance report. Mr. Johnson summarized the overall average claim for medical share. Mr. Johnson indicated that common diagnoses include rotator cuff tears, joint issues, knee problems, and back problems, with Idaho generally following national trends but having fewer prescription drugs. Mr. Johnson indicated that he is available to answer any questions you may have after the meeting.

Election of Claimant Attorney. Mr. Arnold nominated Michael Kessinger for the vacant claimant attorney position. Mr. Kessinger introduced himself and shared his professional summary. Mr. Kessinger looks forward to supporting Idaho's workers' compensation system if voted in. Mr. Marcham moved that the committee support Mr. Kessinger. The Committee voted unanimously in favor of the motion. Chair Sharp indicated that, as Commissioner White isn't here, the Commission will take the Committee's recommendation under advisement and that Mr. Kessinger will be notified.

Topics for Discussion at Next Meeting:

Mr. Marcham asked if there were any topics for future meetings.

Public Comment: Matt Vook was asked to highlight an issue regarding the wide variation in court reporters' fees. Some newer providers are adding extra charges, offering AI summaries, and raising prices by several hundred percent. Claimants often face a \$1,000 fee for transcripts. Mr. Vook would like to explore a compromise through a civil rule that establishes reasonable charges for Court Reporter services with a subcommittee.

Ms. Kear mentioned that ISIF has also been impacted and would like to join the discussion. Ms. Butler asked about the authority to regulate court reporter costs. Mr. Vook clarified that the subcommittee was examining the selection process or a mechanism to resolve disputes about court reporter selection. Ms. Martin and Mr. Pappas indicated that it also incurs extensive costs for the surety. Mr. Marcham moved to form a subcommittee on court reports. The motion was unanimously approved. Mr. Vook indicated Mr. Arnold will chair the committee and inform Ms. Slay if interested in participating in the subcommittee.

Subcommittee: Matt Vook, Stephanie Butler, Lea Kear, Shellie Martin, Matt Pappas, Jamie Arnold (Chair)

Public Comment: Isabel Hernandez inquired about the NCCI report regarding whether code 1399 is generally excluded from DMEs. Mr. Johnson clarified that 1399 is a miscellaneous DME code that is seeing a significant increase in cost within the overall DME category. Although this category exceeds projections, it is not specifically 1399, which is just one part of the category.

Mr. Pappas proposed a subcommittee to review current referee pay and compare it with that of other jurisdictions, with the goal of raising wages to remain competitive. This increase could help attract more experienced referees. Mr. Pappas moved to form the subcommittee, seconded by Mr.

Marcham. The motion carried by unanimous vote. *Subcommittee: Matt Pappas, Mark Peterson, Rachel Misnick, Director Gutierrez, Dana Ryden*

Next Meeting Date: February 11, 2026

Stephaine Butler moved to end the meeting, seconded by Matt Pappas. The motion was carried by unanimous vote. The meeting ended at 10:25 am.

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