

**Industrial Commission's Advisory Committee
On Workers' Compensation
Minutes
August 14, 2019**

Members Present

Dave Anderson
James Arnold
Richard Burleigh
Brad Cederblom
Dr. Paul Collins
John Greenfield
Dane Higdem, Chairman
Joe Maloney
Shellie Martin
Mike McPeek
Gardner Skinner
Ex-Officio: Senator Jim Patrick
Ex-Officio: Representative Scott Syme

Members Absent

Ray Anchustegui
Craig Mello
Brian Whitlock

Industrial Commission

Thomas P. Baskin, Chairman
Aaron White, Commissioner
Thomas E. Limbaugh, Commissioner
Mindy Montgomery, Director
Kamerron Monroe, Secretary

Opening Remarks and Introductions:

Chairman Dane Higdem opened the meeting at 9:05 a.m. with introductions. Mr. Higdem then announced he accepted a new position outside of Glanbia and can no longer represent the Advisory Committee Employers. Next, Mr. Higdem requested committee member and public attendee introductions.

Minutes of May 8, 2019:

The May 8, 2019, minutes were presented for review and approval. Upon Dr. Collins' motion seconded by Mike McPeek, the minutes were adopted and approved by unanimous vote.

Industrial Commission Report:

➤ 2020 Rules and Legislation. Sonnet Robinson gave an update on the Commission Administrative Rules. The Commission adopted the rules as temporary and proposed with a June 30, 2019, effective date. The Commission will accept written comments until Friday, August 16, 2019, at 5:00 p.m. Ms. Robison stated the Commission is currently considering all comments. The rules are adopted as pending to be published in a special Administrative Bulletin in November. Ms. Robinson stated there was one public comment at the Public Hearing by the State Insurance Fund supporting the rule changes.

➤ Audit Guideline Update. Patti Vaughn presented the updated Audit Guidelines. The Audit Guidelines were updated to reference the new rules and reflect the recent changes. Additionally, published Commission Memorandums have been included in the Audit Guideline Appendixes. The updated Audit Guidelines will be available on the Idaho Industrial Commission website by the end of the week .

➤ JRP Update. Kamerron Monroe presented the updated Judicial Rules of Practice and Procedure. Ms. Monroe explained the minor changes were recommended by the Adjudication Department, and were mostly grammatical or procedural . Ms. Monroe also announced a meeting to discuss and gather feedback on additional proposed JRP changes to be held after the Advisory Committee Meeting. Ms. Monroe encouraged any interested parties to attend.

➤ Extraterritorial Update. Evan Sailor updated the Committee on the changes with extraterritorial coverage. Mr. Sailor also explained the history of the extraterritorial agreements/coverage with other states including the changes made to allow an intermittent category to make it easier for temporary workers in Idaho. Senator Patrick inquired if Idaho had an extraterritorial agreement with California. Mr. Sailor replied that Idaho does not, but Idaho could see if California was interested.

➤ IIC IT Modernization Update. Shana Barrowclough gave an update on the Commission's Modernization initiative. Ms. Barrowclough summarized the background and work done thus far with the consultant WorkComp Strategies. Ms. Barrowclough indicated the Commission is putting together the budget and will be submit it within the month to DFM. The Commission hopes to release a technology integrator RFP next year. The Commission identified Azure and Microsoft Dynamics as possible platforms. Ms. Barrowclough indicated the goal is to design a web portal to conduct Commission business and store documents electronically. Ms. Barrowclough indicated the modernization will roll out in phases; not all at once. The Commission intends to start with Lump Sum Settlements and conduct beta testing prior to release. Ms. Barrowclough indicated the Commission will ask for the money this session to be spread over multiple years, and indicated that while waiting on budget requests and approvals the Commission is going ahead with other cost effective projects; mainly work flow. Ms. Barrowclough stated that the meeting after is one of those projects and again invited all interested parties to stay and discuss.

Representative Symes asked if the Commission was working with Jeff Weeks and ITS. Ms. Barrowclough indicted they are involved and updated. Ms. Barrowclough also mentioned that ITS must approve IT purchases. Additionally, the Commission is working with ITS for further IT support. Further, the Commission is working with other agencies to leverage knowledge and support on technologies already in place.

Dr. Collins asked if adjacent states are using this agile system. Ms. Barrowclough responded that Azure is similar to what other states are using. The Commission is in contact with other states undergoing modernization; specifically South Carolina about their methodology and implementation.

Other Issues/Announcements:

➤ ISIF Annual Report for FY 2019. Jim Kile reported and summarized ISIF's latest report. Mr. Kile indicated that there are about 70 active cases with a moderate decrease trend in settlement cases. Mr. Kile indicated ISIF tries to close as many cases through settlements or

annuities. Mike McPeek inquired about the income statements regarding annuities; whether they are ISIF annuities or an annuity bought from the outside. Mr. Kile indicated that the income is from the annuities and the ISIF pay those out. Gard Skinner questioned the Lump Sum Settlements trend according to the charts. Mr. Kile replied that it is hard for ISIF to get cases through the system; ISIF has to conceded liability to negotiate and take those cases on. Essentially, there is less because the ISIF fights more. Mr. Kile announced that if anyone was interested or didn't get a copy to email him or his assistant.

(*Break*)

Committee Membership Nominations and Elections:

➤ Announcements of Member Vacancies & Introduction/Review of Nominee(s).
Dane Higdem announced he would be stepping down, and several members are up for reelection: Dane Higdem, Dr. Paul Collins, Gard Skinner, and John Greenfield. Dr. Collins indicated he would like to remain on the Committee. However, Gard Skinner and John Greenfield will be stepping down. Mr. Higdem acknowledge the hard work the Nominations Committee has done: John Greenfield, Shellie Martin, Dave Anderson and himself. With two members leaving, the Nomination Committee needs additional members. Mike McPeek, Richard Burleigh, and Joe Maloney volunteered to join.

Dane Higdem introduced Mike Shuey from Amalgamated Sugar, who was nominated to represent Employers in Dane's place. Mr. Shuey summarized his professional background and thanked the Committee for the possibility of serving on the Advisory Committee. Mr. McPeek commented that he has worked a lot with Mr. Shuey and he is great to work with and treats everyone fairly. Mr. Higdem commented hat he also has worked with Mr. Shuey and he is extremely considerate and that is why he reached out to him. Senator Patrick commented that when he hauls sugar beets in Twin Falls, he has to wear hats and vest and acknowledged its good that Amalgamated Sugar keeps their employees and people safe.

With Mr. Greenfield's retirement, he has nominated Darin Monroe to take his place presenting claimant workers. Darin Monroe introduced himself summarizing his professional background and experience. Mr. McPeek commented on the many case with Mr. Monroe over the years and that he is a pleasure to try cases with.

Gard Skinner is also retiring and has nominated Bradley Stoddard to take his place. Mr. Higdem summarized Mr. Stoddard's professional background and experience. Mr. McPeek commented on the many case he's had with Mr. Stoddard; and that Mr. Skinner would make a great addition. Mr. Skinner stated he has known Mr. Stoddard for over 30 years and he is an excellent advocate for his clients. Mr. Skinner noted there is currently no attorney representation from North Idaho and Mr. Stoddard would bring diversity to the Committee. Mr. Skinner stated Mr. Stoddard is bright and thoughtful and he recommends him without reservation to serve on the Committee.

John Greenfield stated it has been a privilege being on the Committee for 32 years. Mr. Greenfield stated this committee is truly made for employers and employees and it has been wonderful to see.

Gard Skinner thanked the Commission for the opportunity to serve on the Committee. Mr. Skinner stated he thinks the way Idaho does this is commendable.

Preparation for Future Meetings:

➤ Topics for Discussion. Nick Stout announced the Commission's Annual Workers' Compensation Seminar will be held October 24th. Registration for the event will open this week.

Next Meeting Date: November 13, 2019

There being no further discussion and no further business, Mr. McPeck moved to adjourn the meeting; seconded by Dave Anderson. The motion carried by unanimous vote. The meeting adjourned at 10:08 a.m.