

**Industrial Commission's Advisory Committee
On Workers' Compensation
Minutes
November 18, 2020**

Members Present

Dave Anderson
James Arnold
Richard Burleigh
Brad Cederblom
Dr. Paul Collins, Chairman
Joe Maloney
Shellie Martin
Andrew Marcham
Darin Monroe
Matt Pappas
Mike Shuey
Brad Stoddard
Brian Whitlock
Ex-Officio: Senator Jim Patrick
Ex-Officio: Representative Scott Syme

Members Absent

Dane Higdem
Craig Mello

Industrial Commission

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

Opening Remarks and Introductions:

Dr. Paul Collins led the meeting by opening the meeting at 9:05 a.m. Introductions were not done due to the meeting being via zoom.

Minutes of August 12, 2020:

The minutes of August 12, 2020 were presented for review and approval. Upon the motion of Shellie Martin, seconded by Richard Burleigh, the minutes of August 12, 2020, were approved. The minutes were adopted by unanimous vote.

Subcommittee Reports:

➤ Burials Expenses. Patti Vaughn reported for the burial expense subcommittee. Ms. Vaughn stated the subcommittee was having trouble obtaining data. Ms. Vaughn stated the group was reaching out to funeral homes to obtain figures. Ms. Vaughn stated it was difficult to determine how much of the \$6,000 was being used for cremation, burial, or transportation expenses. The subcommittee was not opposed to an increase but was waiting on additional data. Mr. Burleigh inquired about the place of residence, specifically Mexico being covered in transportation. Ms. Vaughn indicated that transportation was not covered for Mexico, the statute indicates only the United States and Canada were covered. Ms. Vaughn indicated the subcommittee would be meeting again before February and will provide an update at the next meeting.

➤ Payment for Timeliness of Obtaining Medical Records. Jamie Arnold reported on the payment for timeliness of obtaining medical records subcommittee. Mr. Arnold stated the group looked at obtaining medical records on preexisting medicals that may impact the worker's compensation injury and paying for those records. The group concluded that there is a gap between the IDAPA and statute regarding this issue. Mr. Arnold indicated the subcommittee will meet again before the February meeting and will provide an update at the next meeting. Brian Whitlock thanked Mr. Arnold for his work on the subcommittee.

Industrial Commission Report:

➤ COVID-19 Claims & TPA/Employer Reporting. Commissioner Baskin reported on work-related COVID-19 claims data based on claims received by the Commission. Commissioner Baskin reported that approximately 900 claims have been received to date, with an average 66% approval rate. Commissioner Baskin stated most of the claims are coming from law enforcement, nursing homes, hospitals, and restaurants. The Commission will report on updated COVID-19 data at the next meeting.

The Commission believes there may be underreporting of claims based on recent news articles. The Commission has issued a new memo educating TPAs and their employers on filing for COVID-19 claims. The memo is available on the Commission's website and was sent out to TPAs. Commissioner Baskin stated there has been 1 legal complaint filed on a COVID-19 case.

➤ Amended Emergency Order RE COVID-19. Commissioner Baskin summarized the fourth amended emergency order. Commissioner Baskin stated that in-person hearings may be conducted upon the discretion of the Referee. In-person hearings will require safety measures and social distancing are followed. Commissioner Baskin asked if there were any questions. There were none.

➤ EDI 3.1 Update. Richelle Flores updated the Committee on the Commission's migration to EDI 3.1. July 2022 is the targeted date for implementation. This migration will eliminate paper claims, except for pro-se claims.

➤ IRIS Modernization Update. Shana Barrowclough updated the Committee on the IRIS modernization. Ms. Barrowclough stated the Commission was finalizing an Intent to Negotiate (ITN) for solicitation of a technology vendor. The Commission hopes to have a signed contract by December.

➤ NCCI Report. Matt Shriver gave a high-level overview of the NCCI Idaho 2020 report. Mr. Shriver indicated there were no significant changes. Mr. Shriver summarized the NCCI Idaho 2020 Opioid report. Mr. Shriver indicated Idaho is following trends for medical data.

➤ 2021 Legislation. Commissioner Limbaugh stated the Commission would be moving forward with 2 statute changes this year: burial expense and notice of hearing.

The legislation relating to burial expenses would move the definition of burial expenses to another section of statute. Commissioner Limbaugh stated the Commission would wait to see what the subcommittee on burial expenses comes up with regarding the \$6,000 limit.

The legislation relating to notice of hearing would remove the requirement for certified service. This change will be required as IRIS progresses towards electronic filing.

➤ Chief Referee Introduction. Dana Ryden introduced herself as the new Chief Referee/Adjudication Manager. Ms. Ryden summarized her professional background.

Other Issues/Announcements:

ISIF Manager Announcement. Kim Murphy introduced herself and summarized her professional background.

Preparation for Future Meetings:

Dr. Collins asked if there were any topics for future meetings. There were none.

Next Meeting Date: February 10, 2021

Representative Symes asked for a report on the expenditures of funds used for IRIS. Ms. Barrowclough reach out to Representative Syme. There being no further discussion and no further business, the meeting adjourned at 9:54 a.m.