

**Industrial Commission's Advisory Committee
On Workers' Compensation
Minutes
May 8, 2019**

Members Present

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

Members Absent

Brad Cederblom
Craig Mello
Gardner Skinner
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 9:03 a.m. and led with introductions. Mr. Higdem next requested introductions of Committee members and public attendees.

Minutes of February 6, 2019:

The minutes of February 6, 2019 were presented for review and approval. Upon motion of Mike McPeek, seconded by Ray Anchustegui, the minutes of February 6, 2019 were approved. The minutes were adopted by unanimous vote.

Industrial Commission Report:

➤ Chinden Campus Relocation. Director Mindy Montgomery updated the Committee on the agency's move to the Chinden Campus. This meeting will be the Commission's last Advisory Committee meeting at the Clearwater location. Director Montgomery stated the Commission's estimated last day at this location would be July 12th. The Commission will move over that weekend and resume business on July 15th at the Chinden Campus. With the move, the Industrial Commission will be sharing a building with the State Tax Commission. Director Montgomery stated that the Commission's phone number and P.O. Box would remain the same.

➤ IIC IT Modernization Update. Chairman Baskin summarized the previous introduction of the Industrial Commission's IT Modernization project. Chairman Baskin stated that our modernization consultant, WorkComp Strategies (WCS) has completed a gap analysis to assess the Commission's needs. Overall, the Commission anticipates moving towards electronic document management through this venture.

Chairman Baskin stated earlier this year, the Commission was a part of the Governor's IT consolidation to centralize IT services with the state's Information Technology Service (ITS) agency. The Commission's IT positions, including developers who maintained the agency's unique software, were eliminated. The Commission supports the Governor's IT consolidation and believes it will be beneficial long-term. The consolidation will have an impact on the IT Modernization as ITS becomes familiar with agency's IT needs. ITS has encouraged the Commission to continue the IT Modernization and will work with the Commission to support it. Chairman Baskin stated this project would span over multiple years and the Commission is working on tackling "low hanging fruit." Chairman Baskin stated the Commission expects to ask JFAC for 6-9 million dollars for the modernization project.

Representative Syme inquired if ITS retained any of the Commission's developers. Chairman Baskin stated that ITS is still currently recruiting, but we are only aware of the transfer of Robert Butler, our IT Manager, from the Commission.

Chairman Baskin stated WCS had determined through their gap analysis that the Commission would benefit from the creation of a Program Manager within the agency. With the approval from the Governor's Office, the Commission created an FTE position for a Program Manager, Shana Barrowclough. Ms. Barrowclough introduced herself, summarizing her professional background and experience.

➤ 2019 Rules and Legislation. Benefits Administration Manager Patti Vaughn provided an update on the 2019 Rules and Legislation: EDI housekeeping and electronic payment transfers.

The rules regarding EDI housekeeping were passed unanimously by the Senate and House. Ms. Vaughn stated there was an objection to the electronic payment transfer rules specifically, the section of the rule that states "...Spanish speaking and other languages common to the claimant population." Ms. Vaughn stated that despite the objection, the rules were approved on one side as required. Both EDI housekeeping rules and electronic payment transfer rules went into effect on April 11th.

➤ 2020 Rules and Legislation. Commissioner Limbaugh summarized the Governor's Red Tape Reduction Act (RTRA). Commissioner Limbaugh stated that under this executive order, every agency was directed to reduce their Administrative Rules and to designate a Rules Review Officer (RRO) to undertake a comprehensive review of the existing IDAPAs; Sonnet Robinson was selected as the Commission's RRO. As the Legislature did not reauthorize the Administrative Procedure Act, there will be a special rulemaking process this year. Commissioner Limbaugh that all changes to the rules are strictly to consolidate per the RTRA; no substantial changes will be made. If the Commission decides to undertake substantial changes, we will have to go through the normal rulemaking process.

Ms. Robinson reviewed and summarized the changes to the IDAPAs. Ms. Robinson stated the rules were reduced from 13 chapters to 3 chapters: *17.01.01-Administrative Rules Under the Worker's Compensation Law*, *17.10.01-Administrative Rules Under the Crime Victims Compensation Act*, *17.11.01-Administrative Rules of the Peace Officer and Detention Officer*

Temporary Disability Act. Ms. Robinson stated rules were renumbered to match up to their authorizing statute, repetitive definitions were eliminated, and forms were moved to the agency's website. Ms. Robinson anticipates these changes will make the IDAPAs easier to use.

Senator Patrick voiced his support of the Commission's work on the IDAPAs and inquired about public input on the rules. Commission Secretary Kamerron Monroe stated the Commission is still accepting public comments and there would be a Public Hearing on August 6th at the Commission's new location.

Other Issues/Announcements:

➤ August Elections. Mr. Higdem announced the terms that would be expiring in August: Dave Anderson, Dr. Paul Collins, Gard Skinner, John Greenfield, and Chairmanship of the Committee. Mr. Higdem announced his resignation for the Committee as he has accepted a new position and thanked the Committee for this opportunity. The Commission will allow Mr. Higdem to continue his term on the Committee until the August elections.

Preparation for Future Meetings:

➤ Topics for Discussion. Dr. Paul Collins inquired if there was interest in talking about narcotic prescriptions in the workers' compensation field. Mr. McPeck stated his interest in additional information on the issue. Mr. Higdem stated it is a growing problem and expressed his interested as well. Dr. Collins will bring additional information to the next meeting.

Next Meeting Date: August 14, 2019

There being no further discussion and no further business, Mr. Arnold moved to adjourn the meeting; seconded by Shellie Marion. The motion carried by unanimous vote. The meeting adjourned at 9:37 a.m.