

Meeting minutes: Rehabilitation Review Panel

Date: Jan. 5, 2023

Minutes prepared by: Acting executive secretary of the Rehabilitation Review Panel (RRP)

Location: Webex meeting

Attendance

RRP members present

Russell Gelfman (chair)
Michael Anderson (vice chair)
Carl Crimmins
Monica Cronin
David Dubovich
David Frary
Richard Hills
Sarah Hunter
Paul Osterbauer
Steve Patton
Sarah Kacer
Mary Wells
Paul Osterbauer
Megan Schueller
Richard Zeman
Scott Parker

DLI staff members present

Mike Hill
Ethan Landy
Carey Wagner
Chris Leifeld
Kate Daly
Michelle Doheny
Brittany Wysokinski
Brian Zaidman
Pam Carlson
Jeanne Vogel
Jeffrey Hendrix

Attendees present

Angie Hunter
Anna Donnelly
John Wedl
Stacie Goodrich
Laura Breeher, M.D.
Samantha Westphal

Call to order

Chair Russell Gelfman called the Webex meeting to order at 1 p.m. Gelfman read the remote meeting statement. A verbal roll call was taken by Mike Hill and all members were present.

Approval of minutes and agenda

- Approval of Oct. 6, 2022, meeting minutes
- Approval of Jan. 5, 2023, meeting agenda
 - Motion to approve both the Oct. 6, 2022, meeting minutes and today's proposed agenda was made by Mary Wells and seconded by Scott Parker. Both passed and were approved to move forward.

Commissioner's update – Assistant Commissioner Kate Daly

- **Safety announcements – none**
- **Department of Labor and Industry (DLI) updates**
 - Gov. Tim Walz appointed Nicole Blissenbach as DLI commissioner. Blissenbach reappointed Kate Daly as DLI assistant commission of workers' compensation. Daly was pleased to be able to continue serving DLI and RRP.
 - Hill was introduced as acting RRP executive secretary until a permanent person can be hired to serve the panel, plus other DLI boards and councils.
 - The mileage reimbursement rate was increased Jan. 1, 2023, to 0.655 cents a mile.
 - Appointed and reappointed RRP panel members include: Richard Zeman, labor; Scott Parker, insurer; Sarah Hunter, insurer; and Richard Hills, health care provider.
 - Alternates include: Mary Wells, employer/insurer; and Sarah Kacer, chiropractic/health care provider/rehabilitation provider.
 - Minnesota Room technical improvements should be completed by the April in-person meeting.
 - A Spanish version of the *Employee guide to Minnesota's workers' compensation system* is online now at dli.mn.gov/sites/default/files/pdf/eeguide2wc_spanish.pdf.

Education

- Feb. 3: An in-person orientation training session will be conducted for new qualified rehabilitation consultant (QRC) interns, QRC intern supervisors, vendors and interested stakeholders. Further information is online at dli.mn.gov/business/workers-compensation/wc-training-rehabilitation-providers.

Agenda items

1. An exploration of two vocational topics: The relationship of disputes and plan closures, and trends in job development and placement providers – Brian Zaidman, DLI Research and Statistics
 - In follow-up to the panel's request for additional information about closures and job search trends, it was determined that since 2015, for all rehabilitation plan closures related to disputes, there has been a decrease in closures due to settlement and/or decisions and orders. Also, that for "agreement to close," rehabilitation plans remained unchanged. Furthermore, while there was an increase in filed disputes, only two-thirds of them resulted in conferences being held.
 - Job search services are provided by vendors or QRC firms. Overall, there has been a decrease in job placement and development, job-seeking-skills training and post-placement services to injured workers from 2012 to 2021. However, medical management services significantly increased during this same period. The 64% drop in placement costs was primarily due to a reduction of QRC firms not providing those services.
 - A new workers' compensation system report, to provide additional information, may be ready in a few months.

- Gelfman asked if any of the placement trends could be related to the economy itself and the abundance of available jobs. Zaidman said pre-COVID-19 data, from 2012 through 2018, demonstrated closures due to placement services had been dropping. So recent changes in the economy have not been relevant.

- 2. Update: Retaining Employment and Talent After Injury/illness Network (RETAIN) – Pam Carlson, DLI Office of Workers’ Compensation Ombudsman, with Laura Breeher, M.D., and Samantha Westphal, Mayo Clinic
 - Today is an update from the information last provided to the panel in 2021. Minnesota is one of five U.S. states to receive this \$19.5 million federal grant. The goal is to serve 3,200 people. To date the program has served 713 participants, of which 6% have mental health issues and 94% are individuals with injury or illness who do not have QRC or disability case manager (DCM) services, nor a dispute in process. Mayo Clinic employees are not eligible for the program.
 - A majority of the participants work in the health care field, followed by manufacturing and then retail or wholesale trade. They are primarily from the southeastern section of the state, but the goal is to expand the program throughout Minnesota.
 - RETAIN is working to increase its network of health care providers. Most recently, new providers include: the Rochester Clinic; Fulcrum Healthcare Network (chiropractic providers); and, with a recently finalized contract, HealthPartners in the Twin Cities.
 - Currently, candidates are being identified through electronic medical records, including the annual provider questionnaire patients receive. In addition to inquiries about patients’ habits, they are now asking about patients’ employment status. Artificial intelligence (AI) medical record searches include looking for words such as work, work restrictions or unable to work.
 - One hundred seventy-seven RETAIN individuals have been referred to Workforce Development Inc. (WDI) for training and career services. WDI and Goodwill Easter Seals are also being used to provide participants with housing and transportation services.
 - Hunter asked for confirmation that individuals with work injuries were eligible for the program. The answer was yes, provided there is no QRC or DCM involvement or a dispute. There are two injured workers in the RETAIN program currently. A follow-up question asked about the outcomes for individuals in the control group. The answer was that, unfortunately, RETAIN does not have access to that information; there will eventually be an evaluation between the RETAIN treatment group and the control group by a federal evaluator, approximately 12 months after completion of the program. Another question was asked about how long the program will be in effect? The answer was that the participant enrollment period ends in 2024, with the RETAIN program to cease services at the end of 2025.
 - Paul Osterbauer noted the program is broken down by injury and illness. He asked what the breakdown was between those two groups? The answer was this has not been studied at this point.

- 3. Work Comp Campus update – Michelle Doheny, DLI Business Technology Office (BTO)
 - BTO has been working on a final release of improvements, in which CapTech was involved, to go out Feb. 9. BTO has also been actively hiring to fill key positions, following CapTech’s exit. This includes a

project manager who started Jan. 4 and a scrum master (Agile software guide) who started during the last week in December.

- Michelle Doheny's initial focus has been to take feedback, understand different DLI staff member roles, and look at research and analyses of larger global changes needed. Also, to identify resource gaps, following CapTech's exit, and to identify skill sets needed within the department to take on oversight of the system. A survey will be sent to stakeholders at the end of February to seek feedback about Campus. Survey results will help provide a 2023 roadmap of goals to be achieved starting July 1, 2023.
4. Rulemaking update – Ethan Landy, DLI Office of General Counsel
- Ethan Landy reported there were two drafts available to panel members to review: the initial July 2022 draft; and a 2023 version with changes requested from the rehabilitation provider community. Changes include: filing all forms through Campus, rather than sending them to the department by fax; listing additional services that job-placement staff members or vendors can provide injured workers; requiring telephone and email contact information on registration applications; notifying the department within two weeks when the provider changes employment; updating registration fees; returning to prior intern competency requirements; revising the intern registration expiration period and reducing the internship time requirements; increasing the experience required to serve as an intern supervisor; and sending of vendor files to the QRC's firm when the file is closed.

Future agenda items for discussion – Gelfman

Hunter asked about DLI guidelines about under what circumstances QRCs can perform independent vocational evaluations (IVEs) in connection with a rehabilitation file. Kacer will contact Hill regarding the issues surrounding IVEs.

Gelfman indicated that additional agenda topics should be forwarded to him and to Mike Hill.

Adjournment – Gelfman and panel

A motion to adjourn today's meeting was made by Carl Crimmins and seconded by Hunter. A vote was taken and the motion passed. The meeting was adjourned at 2:42 p.m.

Next meeting dates

Dates for the next meetings are **April 6**, July 6 and Oct. 6, 2023.

If you have questions, contact Mike Hill at 651-284-5153 or mike.hill@state.mn.us.

Respectfully submitted,
Mike Hill, RRP acting executive secretary