

**Workers' Compensation Insurers' Task Force
May 19, 2010
Minutes**

Members present

Dave Clark for Dennis Ballinger, Western National
Charlie Bierman, Mayo
Karen Clayton Ebert, MCIT
Meg Kasting, SFM
Claire McCoy, GAB Robins
Mike Johns for Dave Oertli, Sedgwick
Laurie Simonsen, Travelers
Brian Saylor for Cindy Van Eyll, General Casualty
Jerry Walthour, City of Minneapolis
Gary Westman, Minnesota Department of Administration

Members absent

Mary Abraham, Westfield Insurance
Bruce Baker, Liberty Mutual
Jodie Connor, Wausau
Robert Farber, Berkley
Bob Johnson, Insurance Federation of Minnesota
Susan Pilon, RTW

Staff members present

Penny Grev
Ralph Hapness
Mike Hill
Julie Klejewski
Cindy Valentine
Jana Williams

Visitors present

None

The meeting was called to order at 9:05 a.m. by co-chairperson Gary Westman. Members and visitors introduced themselves. The agenda was accepted as presented.

4) Assistant commissioner updates

Legislative update

Penny Grev, director of DLI's Benefit Management and Resolution unit, reported on behalf of Patricia Todd that the majority of the department's legislative bills were within the Construction Codes and Licensing Division not workers' compensation. The department was recently notified the treatment parameters and PPD rules have been approved but are not complete yet. They are getting very close to being official. You can track them on the department's rulemaking docket Web page at www.dli.mn.gov/RulemakingWC.asp.

Jana Williams, director of DLI's Data Management and Training unit, reported about the recent request for comments of the department's new rulemaking regarding possible amendments to rules governing workers' compensation medical services and fees, penalties related to improper payment or denial of medical services, workers' compensation certified managed care plan and workers' compensation vocational rehabilitation.

The department is looking for readily available information about implant cost data from the insurance industry, for example, invoices from the manufacturer showing hospital markup for surgical inpatient or outpatient implants, please send it electronically to julie.klejewski@state.mn.us. This information would be needed by the end of next week.

This information can be provided to you in alternative formats (Braille, large print or audio).

5) New business

Compliance – Insurance self-audit

Grev gave a brief overview about the department's compliance-insurance self-audit process. It is strictly voluntary. It's the department's desire to partner with insurers, self-insured employers and third-party administrators (TPAs) to achieve compliance, reduce the number of requests for information the department receives and help participants avoid penalties. The department has created a Minnesota workers' compensation compliance survey for self-evaluation form. This form is a tool designed to assist insurers, self-insurers and TPAs in understanding their responsibilities and what they need to comply with the Minnesota workers' compensation statutes and rules. The department is looking for feedback from insurers to determine: if this is something they would be interested in; if it is a good idea; and if they would be interested in receiving further education and training depending on the results of their self-evaluation.

In addition to the penalties and form filing modules, other topics/training the department plans to develop next would be – complex comp rates, average weekly wage issues, dependency benefits, permanent partial disability, permanent total disability and dependency benefits (not in any specific order). If a company was interested in only one of those topics, the department would do that for them as well.

Williams added the department is also looking into WebEx for training and has already purchased video conference equipment. The basic adjuster training is online and these training modules would also be online with links to the reference point.

Work-related-injury-to-rehabilitation consultation

Mike Hill, rehabilitation policy specialist with DLI, gave a brief overview about the disability status report process and referrals of injured workers for rehabilitation consultations. There was discussion about patients who are incapacitated because of a coma or brain injury, and the appropriateness of when to do a consultation; and the definition of a qualified employee.

6) Future agenda items

Gary asked task-force members for ideas and suggestions for future agenda topics to discuss. A few suggestions brought forth were:

- workforce centers and how to integrate that into the return to work and job vendors;
- clarification about the new change, effective July 1, 2010, requiring CEUs for licensing for examiners;
- state-sponsored classes that would be relevant and qualify for CEUs;
- settling out future medical on a claim where it's not a disputed medical opinion to counter the ongoing treatment;
- MSA/conditional payment resolution – suggest Gould & Lamb present, they were here in September 2008; and
- a presenter from Medicare.

Gary asked anyone who knows of contacts to let him or Karen know.

The next meeting is Wed., Sept. 15, 2010, at 9 a.m.

7) Reports/meeting schedule

- The May 2010 edition of *COMPACT*, and past editions, are available online at www.dli.mn.gov/WC/Compact.asp.
- The WCITF meeting schedule, agenda and minutes are available online at www.dli.mn.gov/wcitf.asp.

The meeting adjourned at 10 a.m.

Respectfully submitted,

Julie Klejewski

Executive Secretary