



STATE OF MAINE
WORKERS' COMPENSATION BOARD
Board of Directors' Business Meeting

April 8, 2025

A business meeting of the Maine Workers' Compensation Board of Directors was conducted remotely via Teams and in person at the Board's Augusta Central Office at 442 Civic Center Drive, Suite 100, Augusta, on Tuesday, April 8, 2025.

BOARD MEMBERS PRESENT: John Rohde (*Executive Director/Chair*), Penny Picard, Glenn Burroughs, Ron Green, Serina DeWolfe, and Lynne Gaudette (*Directors*), and Richard Hewes (*General Counsel*) attended in person.

CALL TO ORDER

Executive Director Rohde called the meeting to order at 10:04 a.m. with over 30 people participating in person and via Teams. Executive Director Rohde reviewed the hybrid meeting format, remote participation procedures, and welcomed participants. Board members and staff introduced themselves for the recording.

I. APPROVAL OF MINUTES

1. Draft Minutes of the March 11, 2025 business meeting of the Board of Directors

Director Burroughs MOVED TO ACCEPT THE MINUTES OF THE MARCH 11, 2025, BOARD MEETING AS WRITTEN; Director Picard SECONDED. **MOTION PASSED 6-0.**

II. RETIREMENT

The Board recognized Cindy Carroll for more than 30 years of service. Cindy has been with the Board since 1989 and will be greatly missed. The Directors and staff wished her well in her retirement.

III. SUBCOMMITTEE REPORTS

1. Budget Subcommittee

The Budget Subcommittee will be meeting to finalize the assessment package.

2. Personnel Subcommittee

The Subcommittee interviewed applicants for the position of Senior Staff Attorney that recently became vacant with the departure of Shawn Walsh. The senior staff attorney directs the Board's worker advocate division.

The personnel subcommittee recommends that the Workers' Compensation Board appoint Michele D. L. Kenney to fill this billet. Ms. Kenney lives in Houlton and has practiced law in Aroostook County for over 20 years. She has worked as a private practitioner and as an assistant attorney general and she is currently an advocate in the Workers' Compensation Board's Caribou office.

Director DeWolfe MOVED TO APPOINT MICHELE D. L. KENNEY TO BE SENIOR STAFF ATTORNEY IN CHARGE OF THE WORKER ADVOCATE DIVISION. Director Picard SECONDED. **MOTION PASSED 6-0.**

3. Framework Subcommittee

Directors Gaudette and Burroughs provided a brief overview of a recently released NCCI Medical Data report that showed overall Maine is doing well compared to other states. The report also can be used by companies as a tool to help direct their injury prevention efforts. The report will be sent to the other Directors.

IV. EXECUTIVE DIRECTOR REPORT

1. Annual Assessment

The annual assessment package is being prepared and should be ready for a vote at the May meeting. The self-insurers will not get a confirmation letter this year. The process is redundant because the Bureau of Insurance examines the self-insurance information before forwarding it to the Board where we all also check the information.

2. Forms and Training

The revised forms that were approved at the March 11th board meeting went into effect on April 1, 2025. A revised mini-manual will be available soon. The Monitoring, Auditing, and Enforcement training scheduled for June 5, 2025 has had a great response.

3. Clerk of the Board

Director Green MOVED TO APPOINT BRYAN OUELLETTE AS THE CLERK OF THE BOARD. Director Burroughs SECONDED. **MOTION PASSED 5-0.**

(Director DeWolfe unexpectedly had to leave the meeting early and was not present to vote.)

4. PTSD Report

The PTSD report covering E-911 operators and corrections officers has been filed. Director Green noted there is PTSD Peer Support Training at the Civic Center today.

V. GENERAL COUNSEL REPORT

1. Advocate Division

General Counsel Hewes thanked the Advocate Division staff for their hard work and patience during this very challenging transition period while the Senior Staff Attorney and the Deputy Senior Staff Attorney positions were vacant. Advocates have stepped up

to cover many proceedings, client-related events and have filled in to cover numerous tasks to keep the files moving toward resolution. There is still a lot of focus on the Advocate Division as they work to incorporate recent changes into the advocate division's litigation process.

VI. OLD BUSINESS

1. Legislation Updates

LD 82, the repeal of the sunset provision for the first responder PTSD presumption, was approved by the Labor Committee but was sent back for a language review. It is still in committee. The Committee amended the bill to include an emergency preamble that would allow the bill to go into effect immediately if it should become law.

LD 210 An Act Making Unified Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2025, June 30, 2026, and June 30, 2027 is still before the AFA Committee. The Board has 4 initiatives and one language change. The baseline budget was passed in March, so operations will continue on July 1, 2025. Additionally, there is now a People's Veto in work. This has not happened before, but should the veto pass, there is the possibility of a State of Maine government shut down.

LD 784 An Act to Require Health Insurance Coverage for Specialized Risk Screening has had an amendment proposed. The summary was read and there was discussion about the practical application of the proposed amendment.

VII. NEW BUSINESS

1. 4th Quarter 2024 Draft Compliance Report

Carrie Pomeroy presented the report and answered questions. The Monitoring Unit is also working on focused follow-up claim reviews to clean up the Board's database.

Director Burroughs MOVED TO ACCEPT THE 4th QUARTER 2024 COMPLIANCE REPORT AS WRITTEN; Director Green SECONDED. **MOTION PASSED 5-0.**

VIII. ADJOURNMENT

Director Picard MOVED TO ADJOURN. Director Gaudette SECONDED. **MOTION PASSED 4-1.** (*Directors Burroughs opposed.*)

The meeting formally adjourned at 10:36 a.m.