



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

**April 9, 2019**

A business meeting of the Maine Workers' Compensation Board of Directors was held on Tuesday, April 9, 2019, at the Workers' Compensation Board, Augusta Central Office.

**PRESENT:** John Rohde (*Executive Director*), Richard Hewes (*General Counsel*), Ron Green, Glenn Burroughs, Emery Deabay (*by phone*), Richelle Wallace, Tom Davis, and Gary Koocher.

**I. CALL TO ORDER**

Executive Director Rohde called the meeting to order at 10:00 a.m.

**II. APPROVAL OF MINUTES**

**1. Draft Minutes of 3/12/2019 Meeting**

Director Green MOVED TO ACCEPT THE MINUTES OF THE 3/12/19 MEETING WITH THE CORRECTION OF CLERICAL ERROR; Director Burroughs seconded. **MOTION PASSES 7-0.**

**III. SUBCOMMITTEE REPORTS**

**1. Personnel Subcommittee**

The Personnel Subcommittee met prior to the Board meeting to discuss the Deputy Director of Information Management vacancy created by Paul Fortier's retirement. Director Wallace MOVED TO HIRE LINDSAY LIZZOTTE AS DEPUTY DIRECTOR OF INFORMATION MANAGEMENT IN ACTING CAPACITY EFFECTIVE MAY 1<sup>ST</sup>. Director Burroughs seconded. **MOTION PASSES 7-0.**

**IV. EXECUTIVE DIRECTOR AND GENERAL COUNSEL REPORT**

Executive Director Rohde gave a combined update on the Executive Director and General Counsel topics.

**1. General Counsel**

Executive Director Rohde introduced Richard Hewes as the new General Counsel.

## 2. Budget Initiatives

The Board's budget has been through the annual appropriations process. The budget has been moved into the biennial State budget.

## 3. Moulton Hearing

The hearing scheduled to follow this meeting on a Section 213 Extension of Benefits petition filed by Philip Moulton has been postponed. The employee is unexpectedly unavailable. Executive Director Rohde will coordinate rescheduling the hearing.

## 4. Assessment

The assessment will be voted on during the May 21<sup>st</sup> meeting. It will be a little later than usual due to the meeting being held a week later than usual.

## 5. Comp Summit

The August Board meeting will be held on Monday, August 26<sup>th</sup> during Comp Summit.

## 6. Bangor Regional Office Lease

The lease for the Board's Bangor Regional Office will be renewed for another two years.

# V. OLD BUSINESS

## 1. Legislation

The Labor and Housing Committee held hearings on nine bills yesterday.

**LD 580 An Act To Improve the Advocate Program Established by the Workers' Compensation Board** was still a concept bill at the last meeting. Representative Sylvester indicated at the Labor and Housing hearing that the bill will direct the Board to conduct a pay study of advocate wages and other issues with the advocate program. Labor and Housing is still planning to work on all of the workers' compensation bills at one work session.

**LD 1253 An Act To Fairly Compensate Fatal Accidents Under the Maine Workers' Compensation Act of 1992** would eliminate the 520 week durational limit on benefits. Data from NCCI with regard to the financial impact of this bill has not been received yet.

**LD 1385 An Act To Amend the Laws Governing Corrections Officers Who Suffer Certain Injuries, Impairments or Medical Conditions** is similar to LD 298.

**LD 1413 An Act To Reduce Administrative Burdens of Forest Products Harvesters** had a public hearing yesterday. This predetermination issue only affects harvesters. Executive Director Rohde suggested the Board not support this bill, but no action was taken by the Board at this time.

**LD 1480 An Act To Modify Retirement Plans for Fire Investigators and Sergeants** was reviewed. It changes the retirement plan for fire investigators and sergeants.

**LD 1500 An Act To Improve Workers' Compensation Protection for Injured Workers Whose Employers Have Wrongfully Not Secured Workers' Compensation Insurance** establishes a process to pay claims from the Employment Rehabilitation Fund

*Minutes of April 9, 2019 Workers' Compensation Board Meeting*

*Approved 5-21-19 Vote 6-0-1 (Director Burroughs abstained.)*

if the employer does not have coverage at the time an employee is injured. It also includes contractors under liability. A similar version of this bill was produced by the Board several years ago. A sunset clause is included.

Director Burroughs MOVED TO SUPPORT LD 1500; Director Green seconded.  
**MOTION PASSES 4-3** (*Directors Wallace, Koocher, and Davis opposed*).

## **VI. NEW BUSINESS**

### **1. Legislation**

Executive Director Rohde reviewed **LD 1501 An Act To Change the Law Governing Occupational Disease Claims under the Maine Workers' Compensation Act of 1992**. The bill was not available at the time of the previous Board meeting.

It was reported that the Labor and Housing committee is targeting May 24, 2019 as their date to have committee work completed. The Board was reminded that an additional meeting can be called to review legislation, if needed, with proper notice to the public. The next scheduled Board meeting is May 21, 2019.

## **VII. ADJOURNMENT**

Director Koocher MOVED TO ADJOURN; Director Green seconded. **MOTION PASSES 6-0-1** (*Director Burroughs abstained*).

The meeting formally was adjourned at 10:49 a.m.