

# *Workers' Compensation Board*

## *Meeting Minutes*

October 5, 2017

**Thursday, October 5, 2017**

### **I. Call to order**

Workers' Compensation Director Marie Marx called the Board to order at 9:06 am on Thursday, October 5, 2017, in Anchorage, Alaska.

### **II. Pledge of Allegiance**

### **III. Roll call**

Director Marx conducted roll call. The following Board members were present:

Stacy Allen	Brad Austin	Pamela Cline
Chuck Collins	Bradley Evans	Jacob Howdeshell
Sarah Lefebvre	Linda Murphy	Donna Phillips
Amy Steele	Brett Stubbs	Pat Vollendorf
Robert Weel		

Members David Kester and Lake Williams were excused. Members Aaron Plikat, Rick Traini, and Saleutogi Letuligasenoa were absent. Quorum was established.

Director Marx introduced senior staff present.

### **IV. Agenda Approval**

A motion to approve the agenda was made by member Evans, and seconded by member Weel. The agenda was approved by unanimous vote.

### **V. Approval of Meeting Minutes**

A motion to adopt the minutes from the May 11-12, 2017 regular Board Meeting was made by member Murphy and seconded by member Allen. The minutes were adopted without objection.

### **VI. Director's Report**

Director Marx noted some board member terms expire March 1, 2018, and informed the board of updated procedures for applying for reappointment. Members with terms expiring are Allen, Cline, Collins, Howdeshell, Vollendorf and Weel.

Chief of Adjudications Amanda Eklund reviewed the list of board designees. The Division has hired Felecia Lopez as a Workers' Compensation Officer I in Anchorage, and Henry Tashjian has flexed from Hearing Officer I to Hearing Officer II. Member Weel moved that the Board approve the list of Board Designees, and Member Phillips seconded. The motion passed unanimously.

Administrative Officer Alexis Newman provided an overview of Division staffing, the various budget components within the Division, the FY17 budget performance, and the FY18 projections.

Director Marx provided an overview of passed and pending legislation relating to workers' compensation.

## **VII. Old Business**

Amend 8 AAC 45.083, relating to fees for medical treatment and services. The intent of amendment is to clarify the existing fee schedule and incorporate the most recent MSRC recommendations. Member Weel moved to adopt the amendment of 8 AAC 45.083. Member Murphy seconded the motion. The motion passed unanimously.

The Board confirmed the date for the next joint MSRC/Board meeting is August 10, 2018.

*Break 9:57am - 10:13am*

## **VIII. Public Comment Period 10:15am- 11:15am**

Keishanna Carter - representing Anchorage Neurosurgical Associates

- Opposed to 15% reduction in payment for physical therapy services implemented in the 2017 fee schedule.
- If decreases continue, business will be forced to limit number of non-emergency workers' compensation cases.
- Member Lefebvre requested providers provide an 8 year fee trend.

Bill McAfee - Pain Solutions

- Agrees that expenses need to be cut, but is opposed to 15% reduction in payment for physical therapy services.
- Process of assigning modifiers is arbitrary.
- Feels that chiropractors have been unfairly singled out.

Kaya Kade - Kade & Associates

- Rehabilitation Specialist
- 8% does not reflect actual number of individuals who complete plan.
- 90 days is too soon for reemployment eligibility evaluation. Six months would be a better timeframe.

Dr. John Shannon - Midtown Pain Management

- Agrees with comments made by Bill McAfee.
- Reiterated that modifiers are arbitrary.
- Disagrees with 15% reduction for physical therapy.

## **IX. Old Business**

Member Murphy moved to reconsider the motion to adopt the amendment of 8 AAC 45.083, so that the board could consider the oral public comments relating to the fee schedule. Member Weel seconded. The motion to reconsider passed unanimously.

The board discussed the motion and the public comment provided. It encouraged the public to bring these comments to the Medical Service Review Committee during its annual meetings.

Director Marx called for the question on the motion to adopt the amendment of 8 AAC 45.083. The motion again passed unanimously.

#### **X. New Business**

Member Collins requested a board resolution requesting access to Department of Labor wifi during hearings for the purpose of viewing board files. After discussion, Director Marx requested the opportunity to resolve the issue internally. If unable to resolve the issue, Director Marx will request a resolution at the January 2018 meeting.

Director Marx provided a brief overview of the current Alaska reemployment benefits system, then walked through the Department's proposed changes.

*Lunch 12:01 - 1:30pm*

#### **XI. New Business Cont.**

The board continued discussion of the Department's proposed changes to the reemployment benefits system. Member Lefebvre provided a background on Board Resolution 13-01 and the members discussed providing an updated resolution on the issue.

Reemployment Benefits Administrator Beth Tusten provided an overview of reemployment programs in other states, summarizing what aspects are successful and what aspects are not.

The Board drafted an updated reemployment benefits system changes resolution, Resolution 17-01.

*Break 3:03pm - 3:15pm*

The board continued discussion of and revision to Board Resolution 17-01.

*Meeting Adjourned 4:25pm*

**Friday, October 6, 2017**

#### **I. Call to order**

Director Marx resumed the Alaska Workers' Compensation Board meeting at 9:01 am on Friday, October 6, 2017 in Anchorage, Alaska. The following Board members were present

Stacy Allen	Brad Austin	Pamela Cline
Chuck Collins	Bradley Evans	Jacob Howdeshell
Sarah Lefebvre	Linda Murphy	Donna Phillips
Amy Steele	Brett Stubbs	Pat Vollendorf
Robert Weel		

Members David Kester, Lake Williams, Aaron Plikat, Rick Traini, and Saleutogi Letuligasenoa were excused. Quorum was established.

## **II. Training Session: Medical Billing 101**

Misty Steed, MSRC Member and Regional Account Executive with PACBLU, and Glinda Smith, Practice Administrator/Nursing Assistant, provided training on medical billing.

*Break 10:14am-10:29am*

## **III. New Business Cont.**

The Board continued discussion of Board Resolution 17-01. Member Murphy moved to approve Resolution 17-01. Member Allen seconded. The motion passed unanimously.

Director Marx reminded the Board members the next regular board meeting is January 11-12, 2018. Meeting will be telephonic for those outside of Anchorage.

Motion to adjourn was made by member Murphy and seconded by member Cline. The motion passed unanimously and the meeting adjourned at 11:45am.

*Meeting Adjourned 11:45am*