

WORKERS' COMPENSATION
MANAGEMENT-LABOR ADVISORY COMMITTEE
Full Committee Meeting

May 2, 2024
10 a.m.–noon

Committee members present via Zoom:

Patrick Priest, Citycounty Insurance Services
Sara Duckwall, Duckwall Fruit
Stacy Lewallen, Fortis Construction, Inc.
Sarah Merrick, City of Salem Fire Department
Kim Schlessinger, Samaritan Health Services
Andrew Stolfi, DCBS Director, *ex officio*

Excused:

Scott Strickland, Sheet Metal Workers Local #16
Ryan Hearn, Roseburg Forest Products
Margaret Weddell, Labor Representative

Staff:

Teri Watson, MLAC Committee Administrator
Baaba Ampah, MLAC Assistant
Megan Parsons, MLAC Assistant

Agenda Item	Discussion
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(00:00:00)	Opening Patrick Priest called the meeting to order, and Teri Watson called the roll of members. A quorum was not present.
(00:02:15)	Public comment There were no public comments.
(00:02:57)	Review and approve minutes from April 4, 2024 The minutes were deferred to the next meeting since a quorum was not present.
	Department updates
(00:03:59)	Workers' Compensation Board case law updates – Lauren Eldridge Lauren Eldridge gave a presentation on <u>Teitelman v. SAIF, 332 Or App 72.</u>
(00:09:34)	Lauren Eldridge ended the presentation with no questions.

Workers' Compensation Division (WCD) update – Teri Watson

- (00:10:17) Teri Watson announced that on May 9 and 10, WCD's educational conference will be held at the Holiday Inn in Portland. The conference is recommended to all stakeholders.
- (00:11:10) Andrew Stolfi announced that he and Department of Consumer and Business Services (DCBS) Deputy Director Sean O'Day are in the process of preparing to fill the WCD Administrator position, They are seeking feedback from staff members and stakeholders on what WCD is doing well, what it could improve, and what qualities the next administrator should have. He continued that he and Sean O'Day had met with WCD staff members to get their input. Additionally, he would meet with MLAC co-chairs for them to report on caucus feedback. He also invited MLAC members and stakeholders to meet with him individually if they prefer.
- (00:14:00) Andrew Stolfi introduced the first-ever director of the DCBS Office of Equity, Bryant Campbell. Bryant Campbell had a previous role at Business Oregon and has been working in state government for more than 20 years. DCBS has a vision to further embed and modernize diversity, equity, and inclusion (DEI) efforts across the agency, both internally and externally. Director Stolfi and Bryant Campbell have been working together to define the role of Office of Equity and create a charter, which will be available for feedback.
- (00:16:11) Bryant Campbell, DCBS Office of Equity, introduced himself and thanked everyone for the warm welcome. He mentioned that the Office of Equity is in the process of hiring administrative support and making significant progress in DEI. Bryant Campbell noted that the Office of Equity is a resource for stakeholders and he is excited to continue to build DEI at DCBS.
- (00:17:21) MLAC members invited Bryant Campbell to MLAC's June 6 DEI training.

Legislative Survey Feedback Discussion – Teri Watson

- (00:18:45) Teri Watson noted that in the [2024 MLAC Legislative Survey Feedback](#), most of the comments were about the new MLAC processes. She also noted that once the legislative calendar is released in September, the 2025 meeting invites will be sent out.
- (00:19:50) Patrick Priest referenced a comment about the MLAC process being easier for a well-seasoned lobbyist but may be confusing to individuals unfamiliar with the process. He asked if there will be room for flexibility. Teri Watson and Theresa Van Winkle answered that when a concept is introduced, WCD staff works with the legislative champion. So individuals who are unfamiliar with the process are guided through the legislative process and MLAC's process. The goal is to provide equal access and opportunity for advocacy.

The survey will be kept in place and reevaluated during the next legislative

(00:22:10) session.

2025 Legislative Update – Matt West, WCD Interim Administrator

(00:24:25) Matt West, WCD, stated that WCD is proposing a legislative concept related to ORS 656.850. The division is proposing updating the definition of worker leasing companies to be consistent with modern business models, updating reporting requirements to allow insurers to report coverage changes through electronic data interchange (EDI), updating coverage provisions to close potential existing gaps, and allow for discussion for multiple coordinated policy model. These changes will decrease the likelihood of coverage or licensing disputes, reduce administrative burdens on both worker leasing companies and the division, and streamline reporting processes for worker leasing companies.

(00:28:03) Matt West mentioned that the second proposed concept is related to lump sum payment of permanent partial disability (PPD) awards. The division is proposing changing the statute to say that the worker is entitled to a lump sum payment of PPD if they waive their right to appeal the adequacy of the award, or if the award is final by operation of law.

(00:29:57) Matt West invited any stakeholders interested in discussing the concepts to meet with WCD. WCD will present the bill to MLAC once the bill is drafted.

Work plan update – DEI training (June 6), mental health training (August 1), and offsite meeting/listening tour in The Dalles (October 10)

(00:31:11) MLAC members will receive an email for ordering lunches for the June 6 meeting. After the June 6 meeting, there will be a lunch at 11 a.m. and the training will start at noon.

(00:31:57) The previously requested mental health data will be available by June, so MLAC members can review it before the August 1 meeting. The data will include the differences in mental health before and after the first responders' presumption was implemented in 2019.

(00:33:14) MLAC members can make their own travel arrangements for the offsite meeting or the division can arrange it for them. Teri Watson thanked stakeholders who provided contacts of businesses, employers, and workers in The Dalles area.

(00:34:57) Patrick Priest announced that City County Insurance Services is working with Oregon OSHA to put out an event for the safety break on May 8.

(00:35:53) Stacy Lewallen moved to adjourn the meeting, and Sara Duckwall seconded the motion. The motion passed.

Meeting Adjourned Patrick Priest adjourned the meeting at 10:36 a.m.

*These minutes include time stamps from the meeting video found here:
<https://www.youtube.com/watch?v=wAeKpJ36T2E>

**Referenced documents can be found on the MLAC Meeting Information page here:
<https://www.oregon.gov/DCBS/mlac/Pages/2024-meetings.aspx>