

Workers' Compensation Board

Meeting Minutes

January 13-14, 2022

Thursday, January 13, 2022

I. Call to Order

Workers' Compensation Director Charles Collins called the Board to order at 9:09 am on Thursday, January 13, 2022. The meeting was held in Anchorage, Alaska and by video conference.

II. Roll call

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

Bradley Austin	Randy Beltz	Pamela Cline	Christopher Dean
Micheal Dennis	Sara Faulkner	Christina Gilbert	Anthony Ladd
Jason Motyka	Nancy Shaw	Robert Weel	Lake Williams

Members Bob Doyle, Bronson Frye and Sarah Lefebvre were excused. Quorum was established. Director Collins introduced senior staff present.

III. Agenda Approval

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

IV. Approval of Meeting Minutes

A motion to adopt the minutes from the October 14, 2021 regular Board Meeting was made by member Beltz and seconded by member Austin. The minutes were adopted without objection.

V. Director's Report

Director Collins discussed upcoming board member term expirations and seat vacancies, upcoming legislation, and provided an update on the Anchorage hearing room upgrades.

Director Collins reviewed the list of Board Designees. Member Austin motioned to accept the board designees and member Weel seconded. The motion passed unanimously.

Administrative Officer Alexis Hildebrand provided an overview of Division staffing, and the FY22 budget performance year-to-date.

VI. Public Comment Period 10:15am- 11:15am

No public comment was made.

VII. Old Business

The Board discussed the motion to review the reemployment benefits regulations, which was made and tabled at the October 2021 meeting. Member Austin motioned to remove the motion from the table and member Beltz seconded.

Break 9:55am-10:12am

Stacy Niwa and Grace Lee presented draft regulations regarding reemployment benefits. The board discussed the regulations and provided feedback for improvements.

Member Weel motioned to break for lunch early to allow Ms. Niwa and Ms. Lee to incorporate the suggestions into the draft regulations. Member Beltz seconded, and the motion passed unanimously.

Lunch Break 11:30am-1:36pm

Grace Lee presented the redrafted proposed regulations.

VIII. Old Business

Member Austin motioned to withdraw his earlier motion to remove the motion to review the rehabilitation regulations that was made at the October 2021 Board Meeting.

Approve 8 AAC 45.420 (b) and (d), to clarify the reasons a rehabilitation specialist may be removed, and to create a probationary rotation period for new rehabilitation specialists. Member Shaw moved to approve the amendment of 8 AAC 45.420 (b) and (d). Member Beltz seconded the motion. The motion passed unanimously.

Approve 8 AAC 45.440(e), to clarify the procedures for removing a rehabilitation specialist. Member Shaw moved to approve the amendment of 8 AAC 45.440(e). Member Beltz seconded the motion. The motion passed unanimously.

Approve 8 AAC 45.440(g), to create a probationary rotation period for rehabilitation specialists who are under review. Member Cline moved to approve the amendment of 8 AAC 45.440(g). Member Weel seconded the motion. The motion passed unanimously.

Approve 8 AAC 45.440(h), to clarify the procedures for removing a rehabilitation specialist. Member Dean moved to approve the amendment of 8 AAC 45.440(h). Member Weel seconded the motion. The motion passed unanimously.

Approve 8 AAC 45.500(b), to add the administrator as a recipient of billing statements. Member Cline moved to approve the amendment of 8 AAC 45.500(b). Member Beltz seconded the motion. The motion passed unanimously.

IX. New Business

Approve 8 AAC 45.410, to create a probationary rotation period for new rehabilitation specialists. Member Cline moved to approve the amendment of 8 AAC 45.410(d). Member Weel seconded the motion. The motion passed unanimously.

Approve 8 AAC 45.435, to establish procedures for reviewing rehabilitation specialists. Member Beltz moved to approve the amendment of 8 AAC 45.410(d). Member Weel seconded the motion. The Board discussed the language and made amendments. Members Beltz and Weel reaffirmed their motion with the revised language. The motion passed unanimously.

X. Old Business, continued

The board discussed the letter to Boards and Commissions that was discussed at the October 2021 meeting. Director Collins stated that the letter had not been drafted as planned, and stated he has met with Boards and Commissions and there have been no applications received, including prior member Jacob Howdeshell. With this new information, the board decided it would not be beneficial to send the letter. Member Beltz motioned to table the discussion and letter, and member Weel seconded. The motion passed unanimously.

XI. New Business, continued

Member Shaw requested additional board training at future board meetings, either by staff or by guest expert, and other board members stated their agreement.

Motion to adjourn was made by Member Austin and seconded by member Weel. The motion passed unanimously.

Meeting Adjourned 5:00 pm

Friday, January 14, 2022

I. Call to Order

Director Collins resumed the Alaska Workers’ Compensation Board meeting at 9:25 am on Friday, January 14, 2022. The meeting was held in Anchorage, Alaska and by video conference. The following Board members were present.

Bradley Austin	Randy Beltz	Pamela Cline	Christopher Dean
Sara Faulkner	Christina Gilbert	Anthony Ladd	Jason Motyka
Nancy Shaw	Robert Weel	Lake Williams	

Members Bob Doyle, Bronson Frye, and Sarah Lefebvre were excused. Member Michael Dennis was absent. Quorum was established.

II. Board Training

Acting Chief of Adjudications and Director Collins provided training to the Board regarding decorum, hearing scenarios, C&R review and social media common sense.

Break 11:15am-11:26am

Acting Chief of Adjudications and Director Collins continued to provide training to the Board.

Grace Lee brought forth an issue regarding the Fee Schedule regulations project for 8 AAC 45.083, that was adopted by the Board at the October 2021 meeting. This project was submitted to Dept of Law with a special effective date of January 1, 2022, however that date cannot be less than the minimum of 30 days after filing. The Dept of Law advised that “{effective date of regulations}” should be used in lieu of the special effective date, which identifies a placeholder for the lieutenant governor’s office. Once the regulations are filed and the effective date is known, that office will insert the actual date: “MMMM DD, 2022”. Member Beltz motioned to approve changes and effective date as written, and member Weel seconded. The motion passed unanimously.

Director Collins reminded the Board members the next regular board meeting is May 12-13, 2022.

Motion to adjourn was made by Member Weel and seconded by Member Dean. The motion passed unanimously.

Meeting Adjourned 12:08pm