

Workers' Compensation Board

Meeting Minutes

May 18-19, 2023

Thursday, May 18, 2023

I. Call to Order

Workers' Compensation Director Charles Collins called the Board to order at 9:03 am on Thursday, May 18, 2023. The meeting was held in Anchorage, Alaska, and by Zoom video conference.

II. Roll call

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

Brad Austin	Randy Beltz	John Corbett	Micheal Dennis
Sara Faulkner	Bronson Frye	Steven Heidemann	Anthony Ladd
Sarah Lefebvre	Marc Stemp	Robert Weel	Lake Williams

Director Collins noted that Pamela Cline and Jonathon Dartt were excused. Members Randy Beltz and Sarah Lefebvre arrived after the roll call. A quorum was established.

III. Agenda Approval

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

IV. Approval of Meeting Minutes

A motion to adopt the minutes from the February 23, 2023 Board Meeting was made by member Weel and seconded by member Frye. The minutes were adopted without objection.

V. Director's Report

Director Collins reviewed the list of Board Designees. A motion to accept the board designees was made by Member Austin seconded by member Stemp. The motion passed unanimously.

Director Collins reviewed the Board Roster and discussed active legislation. Director Collins provided an overview of the Benefits Guaranty Fund sweep. The Board requested that the Director draft a Resolution for review at the October 2023 Board Meeting, to support legislation to designate the BGF as an unsweepable Designated Fund.

A motion to accept the 2024 Hearing Calendar was made by member Frye and seconded by member Weel. The motion passed unanimously.

Break 10:00am-10:15am

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

Penny Helgeson – Retired Workers’ Compensation Officer

- Supported the proposed regulation changes.
- Stated most specialists do their work well and timely, however there are outliers who do not. The burden falls with the Division to ensure statutes and regulations are being followed appropriately and promptly.

Janice Shipman, Rehabilitation Specialist

- Requested training specific to Decisions and Orders.
- Disagreed with requirement to submit bills to the Division. Stated there is no definition of fraudulent billing and no evidence that fraudulent billing occurs.
- Agreed with Ms. Helgeson that RB Specialist was already defined.

Jackie Doerner, Rehabilitation Specialist

- Submitted written public comment.
- Agreed with Ms. Helgeson.
- Supported the proposed regulation changes.

Dan LaBrosse, Rehabilitation Specialist – representing DAL Enterprises, LLC

- Submitted written public comment.
- Opposed the proposed regulation changes.

Josetta Cranston, Rehabilitation Specialist – representing Northern Country Services

- Submitted written public comment.
- Opposed the proposed regulation changes.
- Supported training from the Division.

Patti Wilson – representing UAS Self-Insured Program

- Supported the Board Resolutions related to Reemployment Benefits.

VII. Director’s Report Continued

In response to public comment, the Board discussed Resolutions that have been issued regarding the Reemployment Benefits program.

Administrative Officer Alexis Hildebrand provided an overview of Division staffing and the IAIABC Modernization project.

Chief Investigator Rhonda Gerharz announced her retirement and held a Q&A session with the Board.

Lunch Break 12:00pm-1:33pm

VIII. Reemployment Presentation

Reemployment Benefits Administrator Stacy Niwa and Rehabilitation Specialist Loretta Cortis presented the Reemployment Benefits process.

Break 2:43pm-2:55pm

IX. Reemployment Benefits 2022 Annual Report

Reemployment Benefits Administrator Stacy Niwa presented the 2022 Reemployment Benefits Annual Report.

Meeting Adjourned 3:30 pm

Friday, May 19, 2023

I. Call to Order

Director Collins resumed the Alaska Workers' Compensation Board meeting at 9:06 am on Friday, May 19, 2023, in Anchorage, Alaska and by Zoom video conference. The following Board members were present.

Bradley Austin	John Corbett	Mike Dennis	Sara Faulkner
Bronson Frye	Anthony Ladd	Sarah Lefebvre	Marc Stemp
Robert Weel	Lake Williams		

Director Collins noted that members Randy Beltz, Pam Cline, Jonathon Dartt and Steve Heidemann were excused. A quorum was established.

II. Old Business

Amend 8 AAC 45.410 through 45.900, relating to reemployment benefits. Member Lefebvre moved to adopt the amendment of 8 AAC 45.410 through 45.900. Member Weel seconded the motion. The Board discussed the motion.

Break 9:54 am - 10:16 am

Member Lefebvre retracted her original motion and moved to adopt the amendment of 8 AAC 45.410 through 45.900 to include non-substantive grammatical changes, to delete reference to "or (11)" in 8 AAC 45.440(f)(2) and to insert a new subsection under 45.440(f) as follows: "For acts under 8 AAC 45.440(a)(11) of this section, disqualify the rehabilitation specialist until such a time as they are deemed competent by a court of competent jurisdiction." Member Weel seconded. The motion passed unanimously.

Director Collins reminded the Board members that the Joint meeting of the Board and the Medical Services Review Committee is August 25, 2023, and the next regular board meeting is October 12-13, 2023. Motion to adjourn was made by member Frye and seconded by member Weel. The motion passed unanimously.

Meeting Adjourned 10:33am