

# **MINUTES OF THE ILLINOIS WORKERS' COMPENSATION COMMISSION**

**HELD ON MARCH 17, 2023 at 10:00 AM**

## **Board Members Present In Person**

Chairman Michael J. Brennan  
Commissioner Deborah Baker  
Commissioner Carolyn Doherty  
Commissioner Kathryn Doerries  
Commissioner Christopher Harris  
Commissioner Stephen Mathis  
Commissioner Marc Parker  
Commissioner Maria Portela  
Commissioner Deborah Simpson  
Commissioner Thomas Tyrrell

## **IWCC Staff Present In Person**

Cole D. Garrett, Deputy General Counsel  
Michele Kowalski, Secretary of the Commission  
Whitney Martin, Manager Research and Education  
Ron Rascia, General Counsel  
Annette Roti, Confidential Assistant to the Chairman  
Andrew Schafer, Law Clerk (Via WebEx)

On March 17, 2023, at 10:04 AM, Chairman Michael J. Brennan called the Workers' Compensation Commission Meeting to order. Michele Kowalski took roll and verified a quorum was present. Chairman Brennan advised that draft minutes for the December 19, 2023 Board Meeting had been circulated. Upon Motion by Commissioner Mathis and seconded by Commissioner Parker, the minutes of the Board Meeting held on December 19, 2022 were unanimously approved as presented.

As to old business, Chairman Brennan advised that the office relocation to 9<sup>th</sup> and Capitol is complete. When the new furniture for the Oral Argument room arrives likely in 6-8 weeks, in person oral arguments can resume.

As to new business, Chairman Brennan announced that JCAR approved the proposed changes to the administrative rules that were submitted. Chairman Brennan read a synopsis of those changes, a copy of which is attached. The Board voted unanimously to adopt the rule changes and affixed their signatures to the Order, a copy of which is attached. The rules are effective immediately, but not enforceable until published by JCAR in approximately three weeks.

General Counsel Ron Rascia updated the Commission that the Governor's Executive Order allowing business of the Board to be held remotely due to the pandemic will expire in May. Therefore, a quorum by physical appearance will be required at the next Board Meeting in June. Mr. Rascia then clarified an issue on the statement of economic interest.

Next, Chairman Brennan congratulated Commissioner Tyrrell on his retirement, effective at the close of business March 17, 2023. Chairman Brennan read a letter he composed to Commissioner Tyrrell, thanking him for his distinguished career in public service. Commissioner Tyrrell thanked the Commission for their help and friendship.

Chairman Brennan addressed an MSA process issue causing ambiguity with the Appellate Court. The Commissioners discussed and asserted that CompFile allows parties to request amending a contract without an Order. Chairman Brennan stated he would ask the IT department about this.

Next, Chairman Brennan addressed an issue regarding insurance compliance contracts. Commissioner Baker explained the ambiguity in the contract language that may possibly be construed to find a commissioner as a party to the proceedings. Chairman Brennan and Mr. Rascia will meet with the Department of Insurance to further discuss the issue.

Chairman Brennan asked the members if anyone had any new or old business to discuss. There was none.

Chairman Brennan asked if there was any member of the public on the call. There being none, he asked if there was a Motion to Adjourn. Commissioner Tyrrell moved to adjourn, Commissioner Parker seconded the motion, and the motion was approved unanimously. The meeting adjourned at 10:59 AM.