

**MINUTES OF THE ILLINOIS WORKERS' COMPENSATION COMMISSION
COMMISSION REVIEW BOARD MEETING
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH STREET
CHAIRMAN'S CONFERENCE ROOM
HELD ON JULY 31, 2012 at 10:00 AM**

Present at the meeting were:

Chairman Mitch Weisz
Commissioner Mario Basurto
Commissioner David Gore
Arbitrator Milton Black
Robert Hanaford, Attorney, Robert H. Hanaford, Ltd
Arbitrator Douglas Holland

Not present at the meeting:

Velisha Haddox, Office of the Governor

IWCC staff present at the meeting were:

Kimberly Janas, Secretary of the Commission
Carolyn Parks, Executive Director of the Commission
Ron Rascia, General Counsel
Dennie Michelle Zankel, Deputy General Counsel
Lola Dada-Olley, Deputy General Counsel

Chairman Mitch Weisz called the meeting to order at 10:06 am and noted that a quorum was present. Changes to the minutes from the April 25, 2012 meeting were discussed. Specifically, Chairman Weisz suggested that specific names be replaced with "Petitioner" and "Complainant." There was a motion by Commissioner Basurto, seconded by Arbitrator Holland, and unanimously carried to approve the amended minutes from meetings held on April 25, 2012.

Next, Executive Director Carolyn Parks reported on communications received since the last meeting of the Board. Ms. Parks indicated that very few complaints had been communicated to the Commission and there have been no walk-in complaints. Most of the communications that she had received did not involve the conduct of Arbitrators or Commissioners. They involved issues such as the rotation of Arbitrators in the downstate hearing zones and an issue regarding workers' compensation dental care.

There was one communication by a Petitioner who contacted the Governor's Office because he had not received his decision. He was sent the decision immediately, but was not satisfied with the award. He returned to the Commission with a subsequent complaint. Ms. Parks relayed the complaint to the Commission legal department.

General Counsel Rascia remarked that he had looked at the complaint and it appears that the Petitioner is not satisfied with the medical portion of his decision. Petitioner's concerns involve Medicare set-asides, a matter that is outside the Commission's jurisdiction. Since the Commission has no subject matter jurisdiction, the matter has since been closed. The Commission has responded to his Complaints and the Governor's office is satisfied that the Commission has done all it can. Mr. Rascia further commented that the communications

received since the Board's last meeting that were allegedly "complaints" did not meet the standards for an actual complaint within the jurisdiction of the Commission Review Board.

There was a motion by Arbitrator Black, seconded by Commissioner Gore, and unanimously carried to accept Ms. Parks' report.

Secretary Janas then provided the Board with an update on the revisions to Part 7500 of the Commission's rules, which set forth the procedures of the Commission Review Board. She relayed that the Commission had voted to forward these changes to Part 7500 to the Joint Committee on Administrative Rules at its last meeting. She summarized the major revisions to Part 7500, noting that the most significant change made to these rules was to address an audit finding set forth by Auditor General William Holland in the audit directed pursuant to House Resolution 131 of the 97th General Assembly. Specifically, the audit stated that the Commission Review Board has failed to comply with Section 7500.10 of the Commission's rules, which requires the Commission Review Board to call a meeting within fifteen days of receipt of any complaint against an Arbitrator or Commissioner. The revised rule creates a process where the General Counsel of the Commission evaluates all communications received and determines whether the communication is a complaint within the meaning of the rule. Any complaints will then be considered by the Board during its next regularly scheduled meeting.

There was a motion by Commissioner Gore, seconded by Attorney Hanaford, and unanimously carried to adjourn the meeting. The meeting adjourned at 10:21 am.