

**MINUTES OF THE ILLINOIS WORKERS' COMPENSATION COMMISSION
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH STREET
CHAIRMAN'S CONFERENCE ROOM
HELD ON OCTOBER 15, 2014 at 10:00 AM**

Present at the meeting:

Chairman Michael Latz
Mario Basurto
Michael Brennan
David Gore
Thomas Tyrrell
Kevin Lamborn

Present by telephone:

Daniel Donohoo
Stephen Mathis

Not present at the meeting:

Charles DeVriendt
Ruth White

IWCC staff present at the meeting were:

Dennie Michelle Mogensen, Deputy General Counsel

Chairman Michael Latz called the meeting to order at 10:10 am and noted that a quorum was present. There was a motion by Commissioner Basurto and seconded by Commissioner Tyrrell and unanimously carried to approve the minutes from meeting held on July 16, 2014.

Chairman Latz first addressed old business. Four new Arbitrators have been appointed by the Governor: Stephen Friedman, Steven Fruth, Maria Bocanegra, and Michael Nowak. The Chairman encouraged the Commissioners to introduce themselves and meet the new Arbitrators if they have not yet done so.

Additionally, the Commission is trying to get two new hearing sites in order to ease up the burden on New Lenox and Wheaton. Currently, the call in New Lenox is untenable – there are four times as many cases per Arbitrator at that hearing site than any other hearing site in the state. The Commission is trying to get hearing sites in Kankakee and Elgin. If the Commission is able to get a Kankakee site, that will help with the efficiency of processing these cases and has the potential to save hundreds of thousands of dollars in attorney fees. Commissioner Tyrrell asked if the Elgin site has yet been determined. The Chairman responded that it has not as of yet. The Commission is looking to add a fourth Arbitrator to the zone, and move some of the cases. The Commission will need to get a lease in place for new locations, as well as get Arbitrator calendars in place to reflect new hearing sites. The Chairman is hoping to have both Arbitrator and Commissioner calendars in place by the end of the month.

Additionally, the landlord at the Waukegan hearing site recently announced that the Commission can now only hold hearings at that location on Fridays. Due to the “constructive eviction”, the Commission is negotiating with potential new hearing sites in Waukegan as well. Arbitrator Fratianni is working on a solution in

Waukegan, but the Commission may ultimately end up looking for a new hearing site elsewhere in Lake County.

The Commission is also hoping to have the RAF liabilities determined so the Commission can go to the Chancery Judge with the assertion that the Commission has reviewed all of the files and determined all of the recipients, so the Commission can access the settlement money and hopefully be able to move forward with some IT infrastructure projects to improve IT and efficiency at the Commission. The new Chief Technology Officer, Steve Gaffney, will be heading up the charge to revamp the Commission IT systems.

The Chairman is still planning to convene a rules committee and encourages all Commissioners that if the rules need changing, to please send proposals to the Chairman's Office. Commissioner Brennan has agreed to chair a rules committee. The Chairman would like to have rules that are more "common sense" and plans to have three meetings to go through a process that would allow the Commission to submit proposed rules to JCAR.

Chairman Latz next addressed new business. It is reporting season and NCCI has reporting that in Illinois, workers compensation loss costs are down 19.3% since 2011. The Chairman believes that this shows that reform is working. The Workers' Compensation Research Institute is going to report that workers' compensation costs for medical costs have gone down in Illinois 24% since the reform of 2011. There is an Oregon study by which Illinois has previously been criticized for being one of two highest states for premiums – Illinois is now down to seventh, and rates are dropping at a faster pace than any other state.

Chairman Latz next addressed that there has also been an issue with Orders that have come back from Circuit Court that unfairly and unnecessarily criticize the Commission. The transcripts of the circuit court hearings have included inappropriate allegations by a particular judge against the Commission. There are consist issues from a particular court and the comments are unprofessional and bordering on actionable. Chairman Latz has asked the Attorney General's office to appear in these cases. Additionally, the Chairman has collected these orders and will be asking for a meeting with the Chief Judge.

There was a motion by Commissioner Lamborn, seconded by Commissioner Brennan, and unanimously carried to adjourn the meeting at 10:30 am.