

MINUTES OF THE ILLINOIS WORKERS' COMPENSATION COMMISSION
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH STREET
ROOM 9-039
HELD ON JUNE 10, 2016 at 10:00 AM

Present at the meeting:

Chairman Joann Fratianni
Mario Basurto
Michael Brennan
Charles DeVriendt
David Gore
Kevin Lamborn
Joshua Luskin
Thomas Tyrrell

Present by telephone:

Stephen Mathis
Ruth White

IWCC staff present at the meeting were:

Ronald Rascia, General Counsel
Dennie Michelle Mogensen, Deputy General Counsel
Darlene Senger, Chief Financial Officer
Annette Roti, Confidential Assistant to the Chairman

Chairman Joann Fratianni called the meeting to order at 10:00 am and noted that a quorum was present. There was a motion by Commissioner Tyrrell and seconded by Commissioner Lamborn and unanimously carried to approve the minutes from meeting held on September 29, 2015.

Chairman Fratianni first addressed old business. Chairman Fratianni wanted to thank all of those who served on the rules committee to help revamp the administrative rules of the Commission. She gave a special thank you to Commissioners Brennan and Mathis for heading the committee, as well as to the following individuals who served on the committee and assisted in preparing the amended and proposed rules for submission to JCAR: Arbitrators Steve Friedman, Molly Mason, Doug McCarthy, Christine Ory, and Maureen Pulia; Attorneys Matthew Belcher, Shawn Biery, Bruce A. Bonds, Frank Brady, Jack Cannon, James Clune, Richard D. Hannigan, Richard K. Johnson, Charles (Denne) Knell, William Lowry, David B. Manchetti, Elaine T. Newquist, John F. Power, Arnold G. Rubin, Frank A. Sommario, Jean Swee, and Ken Werts; Staff Attorneys Svetlana Kelmanson, Elaine Llerena, Tim Melford, and Mary Sweeney-Bach; and Deputy General Counsel Dennie Michelle Mogensen. She also thanked Mrs. Dianne Rascia for providing the Commissioners with bound copies of the proposed amendments and rules. Commissioner Mathis thanked the Chairman for her hard work in setting up the committee and facilitating the rules. There was a motion by Commissioner Brennan, seconded by Commissioner Mathis, and unanimously carried to submit the proposed amendments and rules to the Secretary of State for publication in the Illinois Register.

Chairman Fratianni next addressed new business. General Counsel Rascia advised that the Commission may need to talk about subject matter jurisdiction as it relates to settlement agreements and the rate adjustment fund,

but since this may relate to potential litigation, it will be addressed at the next meeting when it can be discussed in closed session.

Chairman Fratianni also addressed the issue of proposed decisions being sent to arbitrators as potentially constituting *ex parte* communications when the opposing party (or counsel therefor) is not copied at the same time. As any communication between a party and either Arbitrator or Commissioner about a pending case, when the opposing side is not copied, may be *ex parte* communication, all judges should be mindful. This will also be addressed in an email blast and at the WCLA luncheon as a reminder to all attorneys to make sure the other side simultaneously is sent copies at the same time they are sent to Arbitrators and Commissioners.

The Commission is in the process of working on schedules for the Arbitrators. There is no new word on hearing sites and whether any will have to change.

Chairman Fratianni thanked all of the Commissioners for conducting hearings in Collinsville. The practitioners are very happy with the additional hearing site. The Chairman is also open to suggestions for additional hearing sites/locations to conduct orals. The next round of Commissioners' orals in Collinsville will be August 4, 2016, at 8:30 a.m.

The Commission is currently in the process of an RFP for IT. Three bids came back and are being analyzed and scored as part of the procurement process. Chairman Fratianni will advise the Commissioners when there are to be presentations by the bidders. She also wants the Commissioners and Arbitrators to be involved after a bid is granted to make sure the new system will meet the administrative and legal needs of the Commission.

There was a motion by Commissioner Brennan, seconded by Commissioner DeVriendt, and unanimously carried to adjourn the meeting at 10:20 am.