

**MINUTES OF THE ILLINOIS WORKERS' COMPENSATION COMMISSION
WORKERS' COMPENSATION ADVISORY BOARD MEETING
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH STREET
CHAIRMAN'S CONFERENCE ROOM
HELD ON JANUARY 23, 2013 at 1:00 PM**

Present at the meeting:

Chairman Mitch Weisz
Richard Alesky
Aaron Anderson
William Lowry

Not present at the meeting:

Phil Gruber
John Carpenter

Present by telephone:

Mitch Abbett
Michael Carrigan
Mark Denzler
David Halffield
Mark Prince
Sean Stott
Dave Vite

IWCC staff present at the meeting were:

Kimberly Janas, Secretary of the Commission
Ron Rascia, General Counsel

Chairman Mitch Weisz called the meeting to order and noted that a quorum was present. There was a motion by Mr. Denzler, seconded by Mr. Lowry and unanimously carried to approve the minutes from meetings held on October 24, 2012.

Next, Chairman Weisz provides the advisory board members with an update on activities and projects at the Commission. The Instructions and Guidelines for the Commission's Medical Fee Schedule are in the final stages of being updated and will be posted on the website sometime in the next week. In terms of personnel, there were several staff retirements at the end of 2012. The Commission is currently evaluating how those duties are being absorbed by current Commission staff. The Commission was able to hire a part-time adjuster for the workers' compensation claims administered by the Self Insurance Program. Last week, Commission staff had held interviews for a mainframe computer programmer position after conducting a nation-wide search to fill this position. Finally, Chairman Weisz informed the advisory board that the Commission was moving forward with ending the certification of non-insurance procedure that is currently performed by the Insurance Compliance Division for cases naming the Injured Workers' Benefit Fund. In the past few weeks, Commission staff has researched this issue, met with attorneys, and also representatives from the Office of the Attorney General, who are the attorneys that represent the Treasurer as ex-officio custodian of the Injured Workers' Benefit Fund.

The Chairman also noted that he had examined the schedules from the General Assembly and determined that the schedule April 17th meeting conflicted with a deadline week for both the House and Senate. He proposed that the meeting be moved to April 26th. The advisory board members agreed that this would be a more convenient time for a meeting.

Next, Ms. Janas provide a report on regulatory and legislative activity affecting the Commission. She stated that the Commission's regulatory agenda had been published in the Illinois Register on January 18th. The regulatory agenda is document which sets forth an agency's rulemaking plans for the next six months. The Commission's submission included general plans to update both the insurance compliance rules and the rules involving the qualifications and the procedure to be admitted to the Commission's Self Insurance Program. In terms of legislation, Ms. Janas briefly described several House Bills that have been filed since the start of the General Assembly that involve workers' compensation. There have been no Senate Bills filed involving workers' compensation. Mr. Stott inquired as to whether the Commission had prepared draft language for its legislative proposals described at the last advisory board meeting and whether the members could see a copy of that language. Chairman Weisz stated that he would send the language out to the advisory board members.

Chairman Weisz then moved on to the next agenda item, which was the Commission appointments. Currently, five members of the Commission are subject to reappointment by the Governor: himself, Commissioner White, Commissioner Basurto, Commission Tyrrell, and Commissioner Dauphin. Chairman Weisz indicated that he may call a meeting of the advisory board sometime in the near future in order for the advisory board to make a recommendation on the appointment of these Commissioners pursuant to Section 13.1 of the Workers' Compensation Act.

General Counsel Ron Rascia then addressed the advisory board on the next agenda item involving a possible pro se assistance program. Mr. Rascia stated that pro se petitioners often have no ability to seek advice, as Commission staff is unable to provide legal assistance. One possible way to address the needs of pro se petitioners is to create some sort of "help desk" staffed by volunteer attorneys, similar to other programs in circuit courts. Mr. Rascia stated that this was simply an initial discussion to create a dialogue on possible ideas on how to address this issue. Mr. Aleksy stated that he would be willing to reach out to the Workers' Compensation Law Association ("WCLA") to see if the WCLA board could make a recommendation on this issue. Mr. Prince inquired as to whether such a program could possibly be extended to the Commission's downstate hearing sites. Mr. Lowry added that any such plan should be implemented with caution so as to avoid adding any complications to the resolution of claims at the Commission. Mr. Anderson suggested that the Commission examine how other Commissions in other states address this issue. Mr. Rascia concluded the discussion by noting that the Commission would continue to examine this matter and that he welcomed any additional feedback.

Chairman Weisz then moved on to other matters from the advisory board members. He addressed several inquiries made the by board members, including the time limits on the rotation of arbitrators pursuant to the changes added to the Workers' Compensation Act by HB 1698.

There was a motion by Mr. Alesky, seconded by Mr. Lowry, and unanimously carried to adjourn the meeting.