

**Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, January 13, 2022**

Call to Order: Chairman Aumann called the meeting to order at 9:15 a.m. and did a Roll Call to establish that there was a quorum.

Present: Chairman Aumann and Commissioners Kathleen Evans, James Forrester, Allan Kittleman, Morrisann Martin, Howard Metz, Ju Oh, Maureen Quinn, Delia Schadt and Tracey Parker-Warren.

Staff members attending were Mary Ahearn, Scott Curtis, Steven Jones, Amy Lackington and Stacey L. Roig, Secretary of the Commission.

Closed Session: At 9:18 a.m., upon motion of Commissioner Metz and second of Commissioner Forrester and upon unanimous vote, pursuant to GP §§3-305(13), LE §§9-402, 9-403, 9-405, 9-406 and 9-1104, and COMAR 14.09.13.12, the Commission entered a closed session for the sole purpose of discussing self-insured employers' financial information.

Steven Jones, Director of the Insurance, Compliance & Regulation (ICR) Division discussed with the Commissioners the following request. After discussion, a motion was made and seconded and with a unanimous vote with Chairman Aumann abstaining, the results are noted in the following chart:

SELF-INSURED	Motion	Motion by:	Second	Action	Special Notes
Ryder Systems, Inc.		Martin	Metz	motion approved	Chairman Aumann abstaining

The meeting was reopened at 9:22 a.m., upon motion of Commissioner Evans and second of Commissioner Martin and after unanimous vote.

Call to Order: The meeting was reconvened after the closed session and Chairman Aumann called the meeting to order at 9:32 a.m.

Present: Chairman Aumann and Commissioners Kathleen Evans, James Forrester, Allan Kittleman, Morrisann Martin, Howard Metz, Ju Oh, Maureen Quinn, Delia Schadt and Tracey Parker-Warren.

Staff members attending were Mary Ahearn, Scott Curtis, Steven Jones, Amy Lackington, Jerome Reichmister, M.D., and Stacey L. Roig, Secretary of the Commission.

Members of the public present for the meeting were Doug Gross and Antonio R. Lopez

Approval of Minutes: The Minutes of the December 9, 2021 Commission meeting were reviewed and, upon motion of Commissioner Martin and second of Commissioner Evans, the Minutes were approved with a unanimous vote.

Chairman's Report: Chairman Aumann discussed the return to stricter COVID precautions for the next few weeks. The Commission meetings will be fluid and a decision on virtual vs. in person meetings will be made meeting to meeting. The Chairman reported that the Budget Committee meetings are coming up and all will be virtual. The Economic Matters Committee will be chaired by Delegate CT Wilson of Prince Georges County. Derrick Davis, former Chair of ECM has become State Treasurer and Laura Atas, former Committee Liaison, has moved to the State Treasurer's Office with Derrick Davis. A new Staff Liaison for Economic Matters has not been named. Delegate Wilson is anxious to learn about all matters that will come before his committee. There are some pre-filed bills that are workers' compensation related and the Oversight Committee is looking at all of them. A meeting of the Oversight Committee is expected to be set soon. Chairman Aumann asked Commissioner Morrisann Martin to report on upcoming Kids' Chance events and activities. Commissioner Martin reported that the Bowling event scheduled for February 9th has been postponed until May 4th, and the Anniversary Gala has been moved from April 30th until July 23rd. The Gala will be held at the B&O Museum from 6:00 pm until 10:00 pm. Commissioner Martin asked all the Commissioners to please put these events on their calendars. Finally, the Chairman reported that the backlog of cases has almost disappeared, and he thanked all members of the workers' compensation community for their help in making this happen. Chairman Aumann also announced that one of the longest serving Commissioners, Stephen Rosenbaum, passed away on January 7th.

Old Business: No Report

New Business: No Report

Medical Alerts: Dr. Reichmister reminded all in attendance that COVID variants present risks and to be diligent about wearing masks and avoiding crowds. Dr. Reichmister reported that he has been collecting data from his colleagues around the country on IME no-show costs and he will present his findings at the January 27, 2022 meeting. Dr. Reichmister also presented several interesting medical alerts of interest to the Commissioners.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Parker-Warren and upon unanimous vote, the meeting was adjourned at 9:54 a.m.

R. Karl Aumann, Chairman

Stacey L. Roig, Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, January 27, 2022

Call to Order: Chairman Aumann called the meeting to order at 9:16 a.m. and did a Roll Call to establish that there was a quorum.

Present: Chairman Aumann and Commissioners Kathleen Evans, James Forrester, Allan Kittleman, Morrisann Martin, Howard Metz, Ju Oh, Maureen Quinn, Delia Schadt and Tracey Parker-Warren.

Staff members attending were Mary Ahearn, Scott Curtis, Steven Jones, Amy Lackington and Stacey L. Roig, Secretary of the Commission.

Closed Session: At 9:18 a.m., upon motion of Commissioner Evans and second of Commissioner Metz and upon unanimous vote, pursuant to GP §§3-305(13), LE §§9-402, 9-403, 9-405, 9-406 and 9-1104, and COMAR 14.09.13.12, the Commission entered a closed session for the sole purpose of discussing self-insured employers' financial information.

Steven Jones, Director of the Insurance, Compliance & Reporting (ICR) Division reported that he would not be discussing Yellow Transportation at this meeting and is moving the discussion to the February 10th meeting. Mr. Jones discussed with the Commissioners a request. After discussion, a motion was made and seconded and, with a unanimous vote, the results are noted in the following chart:

SELF-INSURED	Motion by:	Second	Action
Washington Post Company	Quinn	Martin	Approved

The meeting was reopened at 9:23 a.m., upon motion of Commissioner Parker-Warren and second of Commissioner Martin and after unanimous vote.

Call to Order: The meeting was reconvened after the closed session and Chairman Aumann called the meeting to order at 9:32 a.m.

Present: Chairman Aumann and Commissioners Kathleen Evans, James Forrester, Allan Kittleman, Morrisann Martin, Howard Metz, Ju Oh, Maureen Quinn, Delia Schadt and Tracey Parker-Warren.

Staff members attending were Mary Ahearn, Scott Curtis, Steven Jones, Amy Lackington, Jerome Reichmister, M.D., and Stacey L. Roig, Secretary of the Commission.

The only member of the public present for the meeting was Antonio R. Lopez

Approval of Minutes: The Minutes of the December 13, 2021 Commission meeting were reviewed and upon motion of Commissioner Martin and second of Commissioner Evans, the Minutes were approved with a unanimous vote.

Chairman's Report: Chairman Aumann discussed the Budget Committee meetings before the House and Senate subcommittees. The Chairman gave special thanks to Jay Moore and David Jones for their work on the budget. The Chairman discussed salary recommendations from the Judicial Compensation

Commission to be implemented over the next four years. The Chairman announced that the backlog of cases has returned to pre-COVID levels, and he thanked the Commissioners and staff for their part in making this a reality. The Chairman discussed personnel replacement challenges with 17 open positions at the Commission. Interviews are ongoing and the Commission is working hard to fill the positions with good candidates.

Old Business: Dr. Reichmister and Scott Curtis reported on IME no-show fees and Dr. Reichmister shared information that he has gathered from other Medical Directors across the country. Fees are determined differently by most jurisdictions but, the use of the Medical Fee Guide was recommended. Dr. Reichmister recommended using a Level 5 consultation fee of \$352.25 for 2022 as a guideline to order the fee based on a fair assessment and using the Medical Fee Guide as the basis for the amount.

New Business: Commissioner Parker-Warren asked about weather closure guidelines when schools don't close but go to virtual learning due to weather. The Chairman thought that the current policy should remain the same for now.

Commissioner Schadt reported that Commissioner Oh was the featured speaker on the MSBA Winter Panel discussion of handling specialty cases. Commissioner Schadt stated that the program was well presented with excellent speakers. The next program is scheduled for March 24th and will also be done virtually. The MSBA will be reaching out to the Commissioners to be speakers at these events and Commissioner Schadt asked that everyone consider accepting a speaker engagement. There are several new lawyers attending these virtual events. Commissioner Forrester also commented on the value of these events for new lawyers.

Commissioner Metz discussed attorneys not providing updates on cases on dockets when interpreters are needed.

Medical Alerts: Dr. Reichmister reminded all in attendance that COVID variants present risks and to be diligent about wearing masks and avoiding crowds. Dr. Reichmister also presented several interesting medical alerts of interest to the Commissioners.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Martin and upon unanimous vote, the meeting was adjourned at 10:06 a.m.

R. Karl Aumann, Chairman

Stacey L. Roig, Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, February 10, 2022

Call to Order: Chairman Aumann called the meeting to order at 9:30 a.m.

Present: Chairman Aumann and Commissioners Kathleen Evans, James Forrester, Allan Kittleman, Morrisann Martin, Howard Metz, Ju Oh, Maureen Quinn, Delia Schadt and Tracey Parker-Warren.

Staff members attending were Mary Ahearn, Scott Curtis, Steven Jones, Amy Lackington and Stacey L. Roig, Secretary of the Commission.

Approval of Minutes: The Minutes of the January 27, 2022 Commission meeting were reviewed and upon motion of Commissioner Forrester and second of Commissioner Evans, the Minutes were approved with a unanimous vote.

Closed Session: At 9:31 a.m., upon motion of Commissioner Parker-Warren and second of Commissioner Forrester and upon unanimous vote, pursuant to GP §§3-305(7) and (13), LE §§9-402, 9-403, 9-405, 9-406 and 9-1104, and COMAR 14.09.13.12, the Commission entered a closed session for the purpose of discussing self-insured employers' financial information and legal advice of Counsel.

Steven Jones, Director of the Insurance, Compliance & Reporting (ICR) Division made a report to the Commissioners. After discussion, a motion was made and seconded and, with a unanimous vote, the results are noted in the following chart:

SELF-INSURED	Motion by:	Second	Action
Yellow Transportation	Evans	Quinn	Approved

Legal Advice of Counsel: Scott Curtis, Principal Counsel, provided legal advice on the Statute of Limitations under a declared State of Emergency and calculations of missed IME fees.

The meeting was reopened at 9:45 a.m., upon motion of Commissioner Quinn and second of Commissioner Evans and after unanimous vote.

Chairman's Report: Chairman Aumann discussed the budget meetings in the House and Senate subcommittees. The meetings are now complete and were smooth with no discussions or concerns. The Chairman discussed some legislation that has been introduced and is on the radar. A presumption for 911 Operators for PTSD has been introduced and medical marijuana is also a topic of discussion. The Chairman asked the Commissioners to continue to keep track of cases where medical marijuana is raised as an issue. The Chairman also reported that personnel challenges continue but, our HR department is working hard to get the positions filled and progress is being made in IT and other areas.

Old Business: Commissioner Evans requested an update on judicial salaries and the Chairman provided the update.

New Business: Commissioner Quinn requested a remembrance for Commissioner Stephen Rosenbaum of a posting of his obituary on the Commission's website. Commissioner Rosebaum was a member of the Commission, both active and recall, for 35 years.

Commissioner Kittleman discussed transcripts on appeal and non-payment for the transcripts to the Court Reporters.

Commissioner Metz requested a review of the number of cases on the dockets and the length of dockets.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Parker-Warren and upon unanimous vote, the meeting was adjourned at 10:20 a.m.

R. Karl Aumann, Chairman

Stacey L. Roig, Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, February 24, 2022

Call to Order: Chairman Aumann called the meeting to order at 9:30 a.m.

Present: Chairman Aumann and Commissioners Kathleen Evans, James Forrester, Morrisann Martin, Howard Metz, Ju Oh, Maureen Quinn, and Delia Schadt.

Staff members attending were Scott Curtis, Amy Lackington, Jerome Reichmister, M.D. and Stacey L. Roig, Secretary of the Commission.

Approval of Minutes: The Minutes of the February 10, 2022 Commission meeting were reviewed and upon motion of Commissioner Evans and second of Commissioner Forrester, the Minutes were approved with a unanimous vote.

Chairman's Report: Chairman Aumann reported that Senator Klausmeier and Delegate Valderrama will again Co-Chair the Oversight Committee and Senator Feldman will also return to the committee. A meeting for review of workers' compensation bills has not been scheduled but is expected to be held in the near future. Chairman Aumann also reported that the Commission budget for FY2023 has been approved. Personnel vacancies continue to be a challenge but, of the 17 vacancies there have been 6 offers, and several have been accepted. Chairman Aumann also discussed the challenges with the building and asked Stacey Roig to update the Commissioners on the upcoming paint and carpet project that will be taking place in our Baltimore offices this Spring. The Chairman announced that masks are no longer required in state offices and the changes were implemented in accordance with the Governor's announcement.

Old Business: No Report

New Business: Commissioner Metz discussed the procedures for subpoenas for employment records from the MD Department of Labor.

Medical Alerts: Dr. Reichmister discussed several medical alerts of interest to the Commissioners, including some long-term mental and physical effects of COVID reported by those who were hospitalized for COVID.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Evans and upon unanimous vote, the meeting was adjourned at 9:59 a.m.

R. Karl Aumann, Chairman

Stacey L. Roig, Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, March 10, 2022

Call to Order: Chairman Aumann called the meeting to order at 9:30 a.m.

Present: Chairman Aumann and Commissioners Kathleen Evans, James Forrester, Alan Kittleman, Morrisann Martin, Howard Metz, Ju Oh, Maureen Quinn, Delia Schadt and Tracey Parker-Warren.

Staff members attending were Mary Ahearn, Scott Curtis, and Stacey L. Roig, Secretary
Guest attending: Harmony Aumann, Law School Intern from Germany

Approval of Minutes: The Minutes of the February 24, 2022 Commission meeting were reviewed and upon motion of Commissioner Metz and second of Commissioner Evans, the Minutes were approved with a unanimous vote.

Chairman's Report: Chairman Aumann discussed proposed workers' compensation legislation and Committee meetings in Annapolis during the legislative session. The Chairman also asked the Commissioners to share any names of workers' compensation attorneys who might be interested in being nominated for induction to the College of Workers' Compensation Lawyers. All conferences scheduled for 2022 are presenting good programs with significant and timely information. The Chairman reminded everyone to see Amy Lackington about registering for upcoming conferences. The Chairman thanked all Commission staff for their hard work on addressing the personnel challenges and serving on interview panels to bring good candidates to the Commission.

Old Business: Commissioner Forrester discussed the Statute of Limitations and asked for clarification of the pertinent dates. Scott Curtis, Principal Counsel, confirmed that the State of Emergency and subsequent Executive Order began on March 12, 2020 and ended on June 30, 2021. The Executive Order allowed for an additional 30 days after the State of Emergency was lifted, which makes the last day to file any action that would have expired between March 12, 2020 and June 30, 2021 to be filed by July 30, 2021 and be within the Statute of Limitations.

New Business: Commissioner Martin provided the following updates on Kids' Chance events:

- "May the 4th Be with You" Bowling Event is postponed until May 4, 2022 6:00 pm – 8:30 pm. If you want to bowl, please talk to Commissioner Martin to register to bowl as a team.
- Annual Golf Tournament is scheduled for July 18, 2022 from Sunrise until 12:00 noon.
- The Kids' Chance Gala is July 23, 2022 at the B&O Museum outdoor pavilion. Please plan to wear cocktail attire for the event.
- Walk for Kids' Chance is scheduled for September 20, 2022 in Ocean City, MD

Commissioner Schadt suggested making sure the retired or recall Commissioners know about the dates for the various Kids' Chance events.

Commissioner Schadt also discussed the MSBA Spring Outreach Event to be held virtually on April 14, 2022 at 12:00 noon. Chairman Aumann and Commissioners Schadt, Quinn, Metz and Parker-Warren are scheduled to participate.

Commissioner Forrester asked about cases being set with less than 30 days' notice. In addition, questions arose regarding the number of interpreter cases on UEF and SIF dockets. Mary Ahearn, Chief Executive Officer, will look into the issues for correction.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Parker-Warren and upon unanimous vote, the meeting was adjourned at 9:58 a.m.

R. Karl Aumann, Chairman

Stacey L. Roig, Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, March 24, 2022

Call to Order: Acting Chairman Quinn called the meeting to order at 9:30 a.m.

Present: Acting Chairman Quinn and Commissioners Kathleen Evans, James Forrester, Allan Kittleman, Morrisann Martin, Howard Metz, Ju Oh, and Tracey Parker-Warren.

Staff members attending were Mary Ahearn, Scott Curtis, Amy Lackington, Dr. Jerome Reichmister and Stacey L. Roig, Secretary

No members of the public attended this meeting.

Approval of Minutes: The Minutes of the March 10, 2022 Commission meeting were reviewed and upon motion of Commissioner Forrester and second of Commissioner Evans, the Minutes were approved with a unanimous vote.

Chairman's Report: Acting Chairman Quinn discussed the promotion of her Assistant, Cindy Cauthorne to Director of the Hearing Division. Tara Bates will move to the position of Assistant to Commissioner Quinn.

Old Business: No Report

New Business: Commissioner Forrester reported that he will be attending a meeting of the Maryland Association for Justice and will be discussing the importance of being prepared for Hearings. Dr. Reichmister suggested an introductory class for new lawyers to help them learn and better understand the medical conditions most common to workers' compensation. The Commissioners discussed a possible workshop at the MWCEA Convention in September. Mary Ahearn reported that about 7% of all settlements submitted are returned for mistakes that could easily be corrected before submitting. Commissioner Kittleman discussed a Request for Withdrawal of Counsel that he plans to deny. Commissioner Metz discussed a 911-operator PTSD case. Commissioner Parker-Warren discussed parking requests. Commissioner Martin discussed challenges with viewing documents in our current document system. The Commissioners generally discussed several cases.

Medical Alerts: Dr. Reichmister discussed several medical alerts of interest to the Commissioners.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Evans and upon unanimous vote, the meeting was adjourned at 10:10 a.m.

Maureen Quinn, Acting Chairman

Stacey L. Roig, Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, April 14, 2022

Call to Order: Acting Chair, Commissioner Maureen Quinn called the meeting to order at 9:31 a.m.

Present: Acting Chair, Commissioner Maureen Quinn, and Commissioners Kathleen Evans, Allan Kittleman, Morrisann Martin, Howard Metz, Delia Turano Schadt and Tracey Parker-Warren.

Staff members attending were Dr. Jerome Reichmister, Medical Director, Scott Curtis, Assistant Attorney General, and Amy Lackington, Acting Secretary. Member of the public observing: Sara El-Shall, Esquire

Approval of Minutes: The Minutes of the March 24, 2022 Commission meeting were reviewed and two typographical errors were addressed. Upon motion of Commissioner Kittleman and second of Commissioner Evans, the Minutes, as amended, were approved with a unanimous vote.

Chair's Report: Commissioner Quinn gave an update on the 2022 Legislative Session, which just concluded on a successful note. The only bill of consequence, which will be reviewed again at the 2023 Session is HB0650 – Execution on a Judgment – Child Support Arrearage – Workers Compensation, which proposes to set aside 25% of indemnity benefits for any child support liens.

Old Business: Commissioner Martin gave an update on Kids' Chance activities including bowling, the Gala, and the Ocean City Fun Run. A reminder was also given that the Porth Award ceremony will be held on April 21, 2022 at 2:30 p.m. on the 4th floor of the Commission in honor of Nancy Harrison. All are encouraged to attend.

New Business: Commissioner Parker-Warren expressed concern over cases which are being continued and given hearing dates before the continued date, at times on the same date, and those that are set inside the 30 day period. Mary Ahearn will be made aware of this concern.

Medical Alerts: Dr. Reichmister answered several questions from the Commissioners regarding a variety of topics.

Adjournment: Upon a motion by Commissioner Kittleman and second by Commissioner Evans and upon unanimous vote, the meeting was adjourned at 10:15 a.m.

Maureen Quinn, Acting Chair

Amy S. Lackington, Acting Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, April 28, 2022

Call to Order: Chairman Aumann called the meeting to order at 9:30 a.m.

Present: Chairman Aumann and Commissioners James Forrester, Allan Kittleman, Morrisann Martin, Howard Metz, Ju Oh, Maureen Quinn and Delia Schadt.

Staff members attending were Mary Ahearn, Scott Curtis, Steven Jones, Amy Lackington, Jerome Reichmister, M.D. and Stacey L. Roig, Secretary of the Commission.

Closed Session: At 9:31 a.m., upon motion of Commissioner Forrester and second of Commissioner Martin and upon unanimous vote, pursuant to GP §§3-305(13), LE §§9-402, 9-403, 9-405, 9-406 and 9-1104, and COMAR 14.09.13.12, the Commission entered a closed session for the sole purpose of discussing self-insured employers' financial information.

Steven Jones, Director of the Insurance, Compliance & Reporting (ICR) Division reported on a request to add a subsidiary and a request for reduction in security deposit. After discussion, motions were made and seconded and, with a unanimous vote, the results are noted in the following chart:

SELF-INSURED	Motion	Motion by:	Second	Action
	add			motion
UMMS-Charles Regional Health	sub	Kittleman	Metz	approved
	Sec			motion
Safeway, Inc.	dep	Forrester	Martin	approved

The meeting was reopened at 9:39 a.m., upon motion of Commissioner Quinn and second of Commissioner Kittleman and after unanimous vote.

Mr. Jones also reported that a new Compliance Officer was hired by ICR. Kristy DuBose has started strong and is a good fit in the Division.

Approval of Minutes: The Minutes of the April 14, 2022 Commission meeting were reviewed and upon motion of Commissioner Kittleman and second of Commissioner Quinn, the Minutes were approved with a unanimous vote.

Chairman's Report: Chairman Aumann announced that the backlog has been effectively eliminated, which has impacted the speed of cases coming up to the point that some are scheduled and come up before all the parties are ready. The Chairman also noted that continuance requests should continue to be reviewed carefully by the Commissioners. The Chairman mentioned that the community is working hard to keep cases moving and finding common ground. The Chairman also discussed priorities on the dockets and cases that may need to be taken first and accommodating when possible.

Chairman Aumann asked Commissioner Martin to discuss Kids' Chance upcoming events. Commissioner Martin discussed the following events: Kids' Chance Gala on July 23, 2022; OC Fun Run at the MWCEA Convention and May the 4th be With You Bowling Event on May 4, 2022.

Chairman Aumann also discussed the Porth Award recipient, Nancy Harrison, who continues to contribute and be a resource to the workers' compensation community. The award was presented to Nancy Harrison on April 21, 2022. The Chairman discussed several upcoming conferences and the opportunity for everyone to participate in discussions and learning sessions regarding current trends in workers' compensation. He suggested that the Commissioners explore the opportunities to attend and participate. Several members of the Commission are presenting at conferences with SAWCA, IAIABC and the MWCEA. The topics for Breakfast with the Commissioners at the MWCEA have not yet been assigned but will be assigned by the Program Chair in the coming weeks.

Chairman Aumann asked Stacey Roig to discuss the upcoming painting and carpeting project in our Baltimore Office. Please begin reviewing personal items in offices and preparing to pack and move out of offices while they are being painted and carpeted. The timeline is still fluid but, the target is June to begin the work.

The Chairman commented that the legislative session is now complete and there were no changes that directly impact the WCC.

Old Business: Commissioner Schadt discussed the MSBA Program, which will be virtual with live Q&A on May 12, 2022. Commissioner Schadt asked the Commissioners to please mention the program at hearing sites before beginning their dockets. The program will be very informative.

New Business: Commissioner Quinn discussed the differences between Medical Cost Projection and Medical Set Aside.

Medical Alerts: Dr. Reichmister presented several interesting medical alerts of interest to the Commissioners. Dr. Reichmister is also working on a resource for new lawyers similar to the Primer he provides to new Commissioners. The resource will focus on the correct nomenclature for Disc Pathology seen on imaging studies.

The Chairman discussed the upcoming European Forum, which was to be held in Moscow and has been moved to Berlin in June 2022.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Quinn and upon unanimous vote, the meeting was adjourned at 10:28 a.m.


R. Karl Aumann, Chairman


Stacey L. Roig, Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, May 12, 2022

Call to Order: Acting Chair Quinn called the meeting to order at 9:30 a.m.

Present: Acting Chair Maureen Quinn and Commissioners James Forrester, Morrisann Martin, Howard Metz, Ju Oh, Maureen Quinn, Tracey Parker-Warren and Delia Schadt attended a portion of the meeting by telephone.

Staff members attending were Mary Ahearn, Scott Curtis, Jerome Reichmister, M.D., Amy Lackington via telephone and Stacey L. Roig, Secretary of the Commission.

Approval of Minutes: The Minutes of the April 28, 2022 Commission meeting were reviewed and upon motion of Commissioner Forrester and second of Commissioner Evans, the Minutes were approved with a unanimous vote.

Acting Chair Report: Acting Chair Maureen Quinn opened a discussion regarding long distance double dockets and the attorneys sometimes struggling to make both appearances in a timely manner. There was much discussion regarding this subject and the Commissioners discussed various scenarios to deal with the situations as they arise. The Commissioners agreed that each situation can be unique, and they will be handled by the Commissioners at their discretion when the double docket situation occurs.

Old Business: Commissioner Martin thanked everyone for attending the May the 4th Be With You Bowling event to benefit Kids' Chance Maryland. She also reminded the Commissioners that the Gala is scheduled for July 23, 2022.

New Business: Commissioner Parker-Warren discussed some unusual docket scheduling situations. Mary Ahearn will review the claim files with IT to determine the issue and how to resolve it. Commissioner Forrester discussed the Statute of Limitations information posted on the WCC website and how much that has helped the workers' compensation community.

Medical Alerts: Dr. Reichmister presented several interesting medical alerts of interest to the Commissioners. Dr. Reichmister also discussed a workers' compensation symposium being held by Ortho MD in November 2022, The Commissioners were invited to attend if they are available during that time.

Commissioner Quinn announced that she will be Acting Chair during the period of May 18, 2022 through June 28, 2022 while Chairman Aumann is out of the country on vacation.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Evans and upon unanimous vote, the meeting was adjourned at 9:59 a.m.

Maureen Quinn, Acting Chairman

Stacey L. Roig, Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, May 26, 2022

Call to Order: Acting Chair Quinn called the meeting to order at 9:30 a.m.

Present: Acting Chair Maureen Quinn and Commissioners Kathleen Evans, James Forrester, Allan Kittleman, Morrisann Martin, Howard Metz, Ju Oh, Delia Schadt and Tracey Parker-Warren.

Staff members attending were Mary Ahearn, Scott Curtis, Jerome Reichmister, M.D., Amy Lackington and Stacey L. Roig, Secretary of the Commission.

Approval of Minutes: The Minutes of the May 12, 2022 Commission meeting were reviewed and upon motion of Commissioner Metz and second of Commissioner Evans, the Minutes were approved with a unanimous vote.

Acting Chair Report: Acting Chair Maureen Quinn opened with a brief acknowledgement of the induction of new officers to the MSBA Board at a recent MSBA dinner meeting. Commissioner Quinn also briefly reopened the long-distance docket discussion with a request that if a Commissioner is going to accommodate a long-distance docket request, please clear the decision with any other Commissioner who may be impacted by the decision.

Old Business: Commissioner Martin again thanked everyone for attending the May the 4th Be With You Bowling event to benefit Kids' Chance Maryland. The event raised \$10,000 for Kids' Chance. Commissioner Martin also reminded the Commissioners that the Gala is scheduled for July 23, 2022. It is going to be a significant event and she asked all Commissioners to add it to their calendars. Flyers were handed out as reminders and the opportunity to order tickets. Commissioner Parker-Warren discussed some questions regarding new parties entered in claims. Commissioner Parker-Warren also requested that AAG Scott Curtis research an Uber case that may be on appeal at the circuit court.

New Business: Commissioner Quinn discussed an occupational disease case in Prince Georges County.

Medical Alerts: Dr. Reichmister presented several studies and other medical alerts of interest to the Commissioners. Dr. Reichmister also praised the Commissioners for their diligence in keeping current and expanding their medical knowledge.

Mary Ahearn reported that the Commissioners have a choice of using the Language Line when an interpreter is not available, and they need to hear a case. All choices have their positives and negatives, but the Language Line remains an option when needed.

Commissioner Schadt expressed her thanks and gratitude to the Commissioner Assistants and Director, Cindy Cauthorne, for their help while her Assistant has been out of the office.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Evans and upon unanimous vote, the meeting was adjourned at 10:13 a.m.

Maureen Quinn, Acting Chairman

Stacey L. Roig, Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, June 9, 2022

Call to Order: Acting Chair Quinn called the meeting to order at 9:30 a.m.

Present: Acting Chair Maureen Quinn and Commissioners Kathleen Evans, James Forrester, Allan Kittleman, Morrisann Martin, Ju Oh and with Delia Schadt and Tracey Parker-Warren participating by telephone.

Staff members attending were Mary Ahearn, Steven Jones, Scott Curtis, Jerome Reichmister, M.D., Amy Lackington by telephone and Stacey Roig, Secretary.

Approval of Minutes: The Minutes of the May 26, 2022 Commission meeting were reviewed and upon motion of Commissioner Evans and second of Commissioner Kittleman, the Minutes were approved with a unanimous vote.

Closed Session: At 9:31 a.m., upon motion of Commissioner Kittleman and second of Commissioner Martin and upon unanimous vote, pursuant to GP §§3-305(13), LE §§9-402, 9-403, 9-405, 9-406 and 9-1104, and COMAR 14.09.13.12, the Commission entered a closed session for the sole purpose of discussing self-insured employers' financial information.

ICR Report: Steven Jones, Director of the Insurance, Compliance and Reporting Division, presented the application by Frederick County to enter the self-insurance program. After a brief discussion and questions from the Commissioners, Acting Chair Maureen Quinn motioned to table the discussion for a brief period during the meeting to allow Mr. Jones to gather some additional information for the Commissioners. **Commissioner Evans then made a motion to open the meeting to continue with the agenda. Commissioner Martin seconded that motion and upon a unanimous vote, the meeting reopened at 9:40am.**

Acting Chair Report: Acting Chair Quinn reported that COVID struck the Commission with more than one Commissioner at the same time. Commissioner Quinn thanked Amy Lackington for all of her hard work to move dockets and she thanked all the Commissioners who pitched in and took extra cases and, in some cases, extra dockets to avoid cancelling dockets. Commissioner Quinn also discussed the 25th Anniversary Gala for Kids Chance on July 23, 2022 and asked those planning to attend to confirm as soon as possible so that we have the right number of tables reserved for the event. Commissioner Quinn will be joining a panel discussion for MidAtlantic BONES, a professional development association for orthopedic practice executives in MD, PA and DE. The panel discussion is scheduled for August 25, 2022 in Annapolis as part of the annual meeting of the association.

Commissioner Quinn presented the proposed program for the MWCEA Convention in September. Commissioner assignments were finalized with Commissioner Forrester joining the SIF panel on September 20th. Mary Ahearn will confirm with the Program Chair that all Commissioner assignments are accepted.

Old Business: No Report

New Business: Commissioner Forrester praised the professionalism of one of the Spanish interpreters who was assigned to the Beltsville hearing site on June 8, 2022. Stacey Roig provided an update on the Paint and Carpet project, which has been postponed until September when carpet will be delivered. Principal Counsel, Scott Curtis discussed a recent US Supreme Court decision where the Court ruled that

Medicaid can seek reimbursement from settlement funds regardless of how the settlement is structured. Commissioner Forrester discussed independent contractors vs. employees in the Amazon Flex program.

Closed Session: At 10:12 a.m., upon motion of Commissioner Forrester and second of Commissioner Evans and upon unanimous vote, pursuant to GP §§3-305(13), LE §§9-402, 9-403, 9-405, 9-406 and 9-1104, and COMAR 14.09.13.12, the Commission re-entered a closed session for the sole purpose of discussing self-insured employers' financial information.

The ICR Report continued with additional information provided by Commissioner Forrester. After further discussion, Commissioner Martin made a motion to admit Frederick County into the self-insurance program under terms discussed in the meeting. Commissioner Forrester seconded the motion, and with a unanimous vote, the motion carried.

The meeting was reopened at 10:13 a.m., upon motion of Commissioner Martin and second of Commissioner Forrester and after unanimous vote.

Medical Alerts: Dr. Reichmister presented several studies and other medical alerts of interest to the Commissioners.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Evans and upon unanimous vote, the meeting was adjourned at 10:18 a.m.

Maureen Quinn, Acting Chairman

Stacey L. Roig, Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, June 23, 2022

Call to Order: Acting Chair Quinn called the meeting to order at 9:30 a.m.

Present: Acting Chair Maureen Quinn and Commissioners Kathleen Evans, James Forrester, Allan Kittleman, Morrisann Martin, Howard Metz, Ju Oh, Delia Schadt and Tracey Parker-Warren.

Staff members attending were Mary Ahearn, Steven Jones, Scott Curtis, Jerome Reichmister, M.D., Amy Lackington and Stacey Roig, Secretary.

Acting Chair Quinn recognized Commissioner Parker-Warren who thanked the Commissioners for their assistance during her recent absence.

Approval of Minutes: The Minutes of the June 9, 2022 Commission meeting were reviewed and upon motion of Commissioner Forrester and second of Commissioner Evans, the Minutes were approved with a unanimous vote.

Closed Session: At 9:32 a.m., upon motion of Commissioner Martin and second of Commissioner Parker-Warren and upon unanimous vote, pursuant to GP §§3-305(13), LE §§9-402, 9-403, 9-405, 9-406 and 9-1104, and COMAR 14.09.13.12, the Commission entered a closed session for the sole purpose of discussing self-insured employers' financial information.

ICR Report: Steven Jones, Director of the Insurance, Compliance and Reporting Division, discussed an update and amendment to the application of Frederick County, MD to enter the self-insurance program. After discussion, Commissioner Quinn requested a motion to rescind the previous motion of June 9, 2022, which was voted on and passed. Commissioner Martin motioned that the previous approval be rescinded with a second from Commissioner Evans. After a unanimous vote, the motion of June 9, 2022 was rescinded. Commissioner Metz motioned to approve entry to the program under the amended terms, which was seconded by Commissioner Martin and after unanimous vote was approved by the Commission.

Open Session: At 9:35 a.m., upon a motion from Commissioner Parker-Warren and second from Commissioner Metz and upon unanimous vote, the Commission re-opened the meeting.

Acting Chair Report: Acting Chair Quinn discussed changes to the mileage and meal reimbursement rates effective in June 2022.

Old Business: Commissioner Martin reminded everyone to get checks to her as soon as possible for the Kids' Chance Gala on July 23, 2022.

New Business: No Report

The Commissioners had a general conversation regarding meal reimbursement rates while traveling to cities deemed to be "high cost" locations.

Medical Alerts: Dr. Reichmister presented a discussion of the knee and common injuries and other medical alerts of interest to the Commissioners.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Martin and upon unanimous vote, the meeting was adjourned at 10:18 a.m.

Maureen Quinn, Acting Chairman

Stacey L. Roig, Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, July 7, 2022

Call to Order: Chairman Aumann called the meeting to order at 9:32 a.m.

Present: Chairman Aumann and Commissioners James Forrester, Allan Kittleman, Morrisann Martin, Howard Metz, Ju Oh, Maureen Quinn and Delia Schadt.

Staff members attending were Scott Curtis, Amy Lackington and Stacey Roig, Secretary.

The Commissioners welcomed Chairman Aumann back from his vacation.

Approval of Minutes: The Minutes of the June 28, 2022 Commission meeting were reviewed and upon motion of Commissioner Quinn and second of Commissioner Kittleman, the Minutes were approved with a unanimous vote.

Chairman's Report: Chairman Aumann discussed the European Forum, which was held in June as a 2-day conference in Berlin, Germany. The discussions included similar topics to what are being discussed in the US and Canada. Finland will be the President of the Forum in the coming year and a program is being developed for the Forum in Helsinki in 2023. The Chairman reminded the Commissioners that Early Voting has started, and the Primary Election Day is July 19, 2023. The Chairman also discussed the 25th Anniversary Gala celebrating 25 years of Kids' Chance of MD. The Commission has three tables reserved for those who have purchased tickets in support of this very worthy cause. He thanked Commissioner Martin for coordinating the tickets for the Commission. The Chairman asked Stacey Roig to provide an update on the carpet and paint project in the Baltimore Offices. The Chairman discussed several upcoming conferences and the opportunity for staff to attend. The Chairman was also very pleased to announce that the case backlog is essentially gone, putting the Commission in a unique position amongst its judicial peers in MD.

Old Business: No Report

New Business: The Commissioners discussed logistics and coordination of cases in Beltsville when all three hearing rooms have dockets that include a particular Employer/Insurer and only one lawyer is on hand to defend all of the cases on the dockets. The Commissioners continue to coordinate their dockets as much as possible but, it is an on-going issue that impacts all of the parties in the cases.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Kittleman and upon unanimous vote, the meeting was adjourned at 10:00 a.m.

R. Karl Aumann, Chairman

Stacey L. Roig, Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, August 11, 2022

Call to Order: Chairman Aumann called the meeting to order at 9:30 a.m.

Present: Chairman Aumann and Commissioners Kathleen Evans, James Forrester, Allan Kittleman, Howard Metz, Ju Oh, Maureen Quinn, Delia Schadt and Tracey Parker-Warren.

Staff members attending were Scott Curtis, Dr. Jerome Reichmister, Amy Lackington, Mary Ahearn via telephone and Stacey Roig, Secretary of the Commission.

Approval of Minutes: The Minutes of the July 21, 2022 Commission meeting were reviewed and upon motion of Commissioner Metz and second of Commissioner Forrester, the Minutes were approved with a unanimous vote.

Chairman's Report: Chairman Aumann announced that the Kids' Chance 25th Anniversary Gala was successful and raised approximately \$25,000, a very appropriate amount for the 25th anniversary celebration. The Chairman also discussed changes to accommodations at the MWCEA conference in September. The sale of the hotel and the adjoining building has impacted the availability of certain accommodations. The NAWCJ meeting at the WCI conference in Orlando will take place in August. The Chairman also announced that Commissioner Ju Y. Oh has been nominated to the Board of the NAWCJ. The Chairman discussed the continuing challenges in personnel and the impact of retirements and reduced payroll on the overall budget. Commissioner Metz thanked the other Commissioners for the continued assistance to him from all the Commissioner Assistants since the retirement of Lally Abraham at the end of June.

Old Business: No Report

New Business: No Report

Medical Alerts: Dr. Reichmister discussed several medical alerts that were of interest to the Commissioners. Dr. Reichmister provided some information about monkey pox and the ways in which it can be transmitted person to person. Dr. Reichmister explained that it is a virus from the same family of viruses as the smallpox virus but, less severe and transmittable as smallpox.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Evans and upon unanimous vote, the meeting was adjourned at 9:54 a.m.

R. Karl Aumann, Chairman

Stacey L. Roig, Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, August 25, 2022

Call to Order: Acting Chair Quinn called the meeting to order at 9:30 a.m.

Present: Acting Chair Quinn and Commissioners Kathleen Evans, James Forrester, Allan Kittleman, Morrisann Martin, Howard Metz, Delia Schadt and Tracey Parker-Warren.

Staff members attending were Mary Ahearn, Scott Curtis, Dr. Jerome Reichmister, Steven Jones, Amy Lackington and Stacey Roig, Secretary.

Approval of Minutes: The Minutes of the August 11, 2022 Commission meeting were reviewed and upon motion of Commissioner Martin and second of Commissioner Metz, the Minutes were approved with a unanimous vote.

Closed Session: At 9:34 a.m., upon motion of Commissioner Evans and second of Commissioner Parker-Warren and upon unanimous vote, pursuant to GP §§3-305(7) and GP §§3-305(13), LE §§9-402, 9-403, 9-405, 9-406 and 9-1104, and COMAR 14.09.13.12, the Commission entered a closed session for the purpose of discussing self-insured employers' financial information and to obtain legal advice of Counsel.

ICR Report: Steven Jones, Director of the Insurance, Compliance and Reporting Division, reported that Chevron USA has requested adding a subsidiary to the self-insurance program. After discussion and a motion by Commissioner Kittleman and second by Commissioner Forrester and unanimous vote, the motion was approved by the Commission.

Scott Curtis, Principal Counsel provided legal advice to the Commissioners regarding protected information for public employees. He also advised the Commissioners on the role of the Property & Casualty Guaranty Fund.

Open Session: At 9:44 a.m., upon a motion from Commissioner Forrester and second from Commissioner Martin and upon unanimous vote, the Commission re-opened the meeting.

Chairman's Report: Acting Chair Maureen Quinn thanked Commissioner Martin for the Order that she wrote in a death claim case. Commissioner Martin will make the Order available to all the Commissioners. Acting Chair Quinn also discussed the hotel accommodations for the MWCEA conference. The Marigot Beach condominiums are available but any Commissioners wanting to stay there must make their own arrangements and pay for them. Please let Amy know your preference. MWCEA is expecting over 700 participants in the convention this year. The Commissioners then discussed the topics for Breakfast with the Commissioners.

Old Business: Commissioner Martin announced that Kids' Chance made over \$22,000 on the Gala and \$20,000 on the Golf Outing. Stacey Roig reported that the carpet and paint project should be underway in October. More information will be available as we get closer to the beginning of the project.

New Business: No Report

Medical Alerts: Dr. Reichmister discussed several medical alerts that were of interest to the Commissioners, including more details on monkey pox.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Evans and upon unanimous vote, the meeting was adjourned at 9:57 a.m.

Maureen Quinn, Acting Chair

Stacey L. Roig, Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, September 8, 2022

Call to Order: Acting Chair Quinn called the meeting to order at 9:30 a.m.

Present: Chairman Aumann and Commissioners Kathleen Evans, James Forrester, Allan Kittleman, Morrisann Martin, Howard Metz, Ju Oh, Maureen Quinn and Delia Schadt.

Staff members attending were Dr. Jerome Reichmister, Steven Jones and Stacey Roig, Secretary.

Approval of Minutes: The Minutes of the August 25, 2022 Commission meeting were reviewed and upon motion of Commissioner Quinn and second of Commissioner Kittleman, the Minutes were approved with a unanimous vote.

Closed Session: At 9:35 a.m., upon motion of Commissioner Quinn and second of Commissioner Martin and upon unanimous vote, pursuant to GP §§3-305(13), LE §§9-402, 9-403, 9-405, 9-406 and 9-1104, and COMAR 14.09.13.12, the Commission entered a closed session for the purpose of discussing self-insured employers' financial information and to discuss a personnel matter.

ICR Report: Steven Jones, Director of the Insurance, Compliance and Reporting Division, reported on updates to the self-insurance of The Great Atlantic & Pacific Tea Company (A&P) and explained that the claims need to be reviewed to determine the appropriate amount to be held in reserve by the Commission. The Commission also needs to determine amounts paid out by the Uninsured Employers' Fund. Mr. Jones asked that the claims be reviewed by the Commissioners to determine the risk of reopening and reserves that may be required for the claims. Chairman Aumann assigned the claims to the Commissioners from a list provided by IC&R. Findings should be reported to the Chairman as soon as they are complete.

The Chairman discussed a personnel matter with the Commissioners.

Open Session: At 10:00 a.m., upon a motion from Commissioner Quinn and second from Commissioner Kittleman and upon unanimous vote, the Commission re-opened the meeting.

Chairman's Report: The Chairman provided an update on CompHub and the presentation that will be made at the MWCEA Conference. The project is now being managed in-house by Kevin Nauman, CIO and while the "Go Live" date is not known at this time, the project is moving forward at a much better pace. The Chairman thanked Mary Ahearn and Kevin Nauman for their vigilance in getting CompHub back on track. The Chairman reported that the insurer payback this year was due mainly to vacant PIN's and the ongoing challenges to filling open positions. The Chairman also discussed upcoming conferences including IAIABC, MWCEA and SAWCA. The topics are growing beyond COVID, and the subject matter being discussed is important and a big factor in the rebuilding of attendance at the conferences. The Commission continues to support the educational value of these conferences.

New Business: Commissioner Metz discussed Decision Memos and the formulas used to calculate benefits. Death claim pop-ups are not always correct, and some templates are inaccurate. The Chairman asked the Commissioners to share their similar experiences with Commissioner Metz so that he can develop a comprehensive list of what needs to be reviewed and/or changed.

Old Business: No Report

Medical Alerts: Dr. Reichmister discussed several medical alerts that were of interest to the Commissioners, including infertility claims in the workplace due in part to the use of formaldehyde in cleaning products; studies that have shown that Dermatologists treating skin conditions are the highest prescribers of antibiotics and, a report from the National Center for Health Statistics finding a 25% increase in the number of deaths due to alcohol consumption between 2019 and 2020 and a 30% increase in the number of deaths due to opioids over the same period.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Quinn and upon unanimous vote, the meeting was adjourned at 10:26 a.m.

R. Karl Aumann, Chairman

Stacey L. Roig, Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, October 13, 2022

Call to Order: Chairman, R. Karl Aumann called the meeting to order at 9:37 a.m.

Present: Chairman Aumann, Commissioners Kathleen Evans, James Forrester, Allan Kittleman, Morrisann Martin, Howard Metz, Lynn Oh, Maureen Quinn, Delia Turano Schadt and Tracey Parker-Warren.

Staff members attending were Mary Ahearn, Chief Executive Officer, Dr. Jerome Reichmister, Medical Director, Scott Curtis, Assistant Attorney General, and Amy Lackington, Acting Secretary.

Approval of Minutes: The Minutes of the September 8, 2022 Commission meeting was reviewed. Upon motion of Commissioner Forrester and second of Commissioner Evans, the Minutes were approved with a unanimous vote.

Closed Session: At 9:39 a.m., upon motion of Commissioner Evans and second of Commissioner Quinn and upon unanimous vote, pursuant to GP §§3-305(13), LE §§9-402, 9-403, 9-405, 9-406 and 9-1104, and COMAR 14.09.13.12, the Commissioner entered into a closed session for the purpose of discussing self-insured employers' financial information.

ICR Report: Steven Jones, Director of the Insurance, Compliance and Reporting Division, reported on the application of Johns Hopkins Health System Corporation ("JHHS") requesting the addition of the subsidiaries, Sibley-Suburban Home Health Agency, Inc., and Potomac Home Support to its self-insurance program. Mr. Jones also advised that after review of JHHS's 2022 IC-1, the security analysis indicated the need for an increase in security deposit. The proposals were reviewed and discussed. Upon motion of Commissioner Martin and second of Commissioner Oh, JHHS's request to add Sibley-Suburban Home Health Agency, Inc., and Potomac Home Support, as subsidiaries, and the increase in security deposit were approved with a unanimous vote. Mr. Jones also advised that Dart Container f/k/a Solo Cup has left the self-insurance program.

Open Session: At 9:45 a.m., upon a motion from Commissioner Forrester and second from Commissioner Schadt and upon unanimous vote, the Commission re-opened the meeting.

Chair's Report: Chairman Aumann gave a review of the MWCEA Ocean City Conference indicating it was a great success. He then discussed his approaching retirement at the end of 2022. The Chairman indicated he has spoken to the Governor about appointing a new chairperson at his departure. The Governor's Office has not yet appointed a new chair because the Commission regulations and the Maryland Constitution are in conflict. The Constitution states that after a primary election where the Governor is considered a "lame duck" he cannot make any appointments. As such, there is no definitive answer. The Chairman then said that if no action is taken by December 30, Chairman Aumann will name Commissioner Maureen Quinn as Acting Chair until the new Governor takes action on an appointment.

The Chairman discussed the Ocean City presentation and the overall Enterprise Modernization project, thanking Mary Ahearn and the EM team for their efforts in keeping the project moving. Commissioner Quinn asked if there was a timeline for training the Commissioners and Mary Ahearn estimated early February given the development needs that still need completion. The Chairman said the first major component rollout would be in the first quarter of 2023.

The Chairman reminded the Commissioners to check the history of claim before ruling on any documents that may previously have been ruled on by another Commissioner so as not to have contrary rulings on the same matter. If another Commissioner has already ruled on something, please pass the document you are handling on to that other Commissioner or call them to discuss. Be mindful of the history of the case so there are no contrary Orders.

The Commission will hold a mandatory Educational/Holiday event on December 8, 2022. If someone does not attend the event they must take leave.

The Commission is now beginning its 3-year audit review.

Commissioner Evans asked if the remote work schedule for staff would remain in place. The Chairman indicated it would unless other instructions were given from the Governor's office.

Old Business: None.

New Business: Commissioner Martin gave an update on Kids' Chance recruitment of new members which includes a former recipient of a Kids' Chance scholarship. She also gave a breakdown of upcoming events and said that Bowling with the Commissioners would again be held in 2023. Commissioner Martin also discussed a call she received from an attorney at Franklin & Prokopik about a mass exodus of employees that everyone seems to be experiencing.

The Chairman discussed the status of the Commission's court reporters stating that there may be 2-3 retirements in the future. The Commission is exploring an audio-electronic system of court reporting and an RFP is to be issued. The change will be piecemeal, not all locations at once, starting in the City.

Medical Alerts: Dr. Jerry gave medical information to the Commissioners regarding a variety of topics.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Quinn and upon unanimous vote, the meeting was adjourned at 10:37 a.m.

R. Karl Aumann, Chairman

Amy S. Lackington, Acting Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, October 27, 2022

Call to Order: Chairman, R. Karl Aumann called the meeting to order at 9:37 a.m.

Present: Chairman Aumann, Commissioners Kathleen Evans, James Forrester, Morrisann Martin, Howard Metz, Ju Oh, Maureen Quinn, Delia Turano Schadt and Tracey Parker-Warren.

Staff members attending were Mary Ahearn, Steven Jones, Scott Curtis, Dr. Jerome Reichmister and Stacey L. Roig, Secretary.

Approval of Minutes: The Minutes of the October 13, 2022 Commission meeting were reviewed. Upon motion of Commissioner Metz and second of Commissioner Quinn, the Minutes were approved with a unanimous vote.

Closed Session: At 9:33 a.m., upon motion of Commissioner Parker-Warren and second of Commissioner Quinn and upon unanimous vote, pursuant to GP §§3-305(13), LE §§9-402, 9-403, 9-405, 9-406 and 9-1104, and COMAR 14.09.13.12, the Commissioner entered into a closed session for the purpose of discussing self-insured employers' financial information.

ICR Report: Steven Jones, Director of the Insurance, Compliance and Reporting Division, reported on the need for an increase in security deposit for FedEx Ground Package Systems, Inc. After discussion and motion by Commissioner Quinn and second of Commissioner Evans, and with a unanimous vote, the motion was approved.

Open Session: At 9:37 a.m., upon a motion from Commissioner Forrester and second from Commissioner Quinn and upon unanimous vote, the Commission re-opened the meeting.

Chair's Report: Chairman Aumann discussed several election questions on the ballot this year. One question would change the names of the appellate courts in Maryland. The Chairman discussed the prescription drug payment dockets that he hears regularly. The hearings are structured differently and with the Chairman's retirement, Commissioner Forrester will be taking these dockets. The Chairman expressed the need for consistency in the hearings. The Chairman discussed the upcoming SAWCA conference in November.

Old Business: Principal Counsel Scott Curtis and Commissioner Howard Metz presented and discussed proposed changes to attorney fee calculation in the Regulations. After discussion, Commissioner Forrester made a motion to approve the proposed regulation changes subject to non-substantive corrections for style and consistency. Commissioner Evans seconded the motion, and, after unanimous vote, the motion was approved. Commissioner Metz will plan to meet with the Commissioner Assistants to discuss the changes and new calculations.

New Business: Commissioner Martin asked about "Medical Provider" information being a required field in CompHub. Mary Ahearn explained that this is not a required field because it is not currently mandated data that we are required to collect.

Commissioner Parker-Warren discussed a case that she had with the Cherokee Nation as the subcontractor of a large construction company. The Cherokee Nation was claiming sovereign nation status but, they carried workers' compensation insurance, so she kept the insurer in the case.

Medical Alerts: Dr. Reichmister presented several medical alerts and information of interest to the Commissioners.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Parker-Warren and upon unanimous vote, the meeting was adjourned at 10:41 a.m.

R. Karl Aumann, Chairman

Stacey L. Roig, Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, November 10, 2022

Call to Order: Acting Chair, Delia T. Schadt called the meeting to order at 9:28 a.m.

Present: Acting Chairman Schadt, Commissioners James Forrester, Morrisann Martin, Howard Metz, Ju Oh, and Tracey Parker-Warren.

Staff members attending were Mary Ahearn, Steven Jones, Amy Lackington, Scott Curtis, Theresa Cornish, Dorothy Smith and Stacey L. Roig, Secretary.

Approval of Minutes: The Minutes of the October 27, 2022 Commission meeting were reviewed. Upon motion of Commissioner Forrester and second of Commissioner Oh, the Minutes were approved with a unanimous vote.

Closed Session: At 9:29 a.m., upon motion of Commissioner Metz and second of Commissioner Parker-Warren and upon unanimous vote, pursuant to GP §§3-305(13), LE §§9-402, 9-403, 9-405, 9-406 and 9-1104, and COMAR 14.09.13.12, the Commissioner entered into a closed session for the purpose of discussing self-insured employers' financial information.

ICR Report: Steven Jones, Director of the Insurance, Compliance and Reporting Division, reported that the University of Pittsburgh Medical Center (UPMC) has requested to add a subsidiary, UPMC Western Maryland, to their self-insurance program. After discussion and motion by Commissioner Metz and second of Commissioner Martin, and with a unanimous vote, the motion was approved.

Open Session: At 9:31 a.m., upon a motion from Commissioner Forrester and second from Commissioner Martin and upon unanimous vote, the Commission re-opened the meeting.

Acting Chair's Report: No Report

Old Business: No Report

New Business: Commissioner Forrester discussed the use of interpreters in Video Remote Hearings (VRH) and the challenges in the video setting and language barriers with interpreter services. After discussion the Commissioners decided to discuss the topic again at the December 8, 2022 meeting.

Mary Ahearn introduced Theresa Cornish and Dorothy Smith, who provided detailed information on setting interpreters and what happens when there are last minute cancellations of interpreters. Dorothy Smith requested that the Commissioners contact her with details when the quality of an interpreter is not acceptable. In addition, Dorothy requested that the Commissioners contact her with the names of the interpreters who perform well, so the Commission can specifically request them when making interpreter assignments in the future. Mary Ahearn shared that the Commission is looking into the possibility of contracting directly with specific interpreters. The Commissioners requested a specific voir dire to be used, if agreed by all the parties, when an interpreter is brought to a hearing by one of the parties or their counsel.

Scott Curtis reported that it was announced at the MSBA Section Counsel Dinner that a settlement document is being developed to be available to all members, which will place all of the boilerplate items in the same place to make them easier to find and review. Commissioner Schadt will be the Commission connection as this agreement is developed.

Medical Alerts: No Report as Dr. Reichmister did not attend this meeting.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Parker-Warren and upon unanimous vote, the meeting was adjourned at 10:22 a.m.

Delia T. Schadt, Acting Chair

Stacey L. Roig, Secretary

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, December 8, 2022

Call to Order: Chairman R. Karl Aumann called the meeting to order at 9:31 a.m.

Present: Chairman Aumann, Commissioners Kathleen Evans, James Forrester, Allan Kittleman, Morrisann Martin, Howard Metz, Ju Oh, and Delia Turano Schadt.

Staff members attending were Mary Ahearn, Steven Jones, Amy Lackington, Scott Curtis, Dr. Jerome Reichmister and Stacey L. Roig, Secretary.

Approval of Minutes: The Minutes of the November 10, 2022 Commission meeting were reviewed. Upon motion of Commissioner Metz and second of Commissioner Forrester, the Minutes were approved with a unanimous vote.

Closed Session: At 9:32 a.m., upon motion of Commissioner Kittleman and second of Commissioner Metz and upon unanimous vote, pursuant to GP §§3-305(13), LE §§9-402, 9-403, 9-405, 9-406 and 9-1104, and COMAR 14.09.13.12, the Commissioner entered into a closed session for the purpose of discussing self-insured employers' financial information.

ICR Report: Steven Jones, Director of the Insurance, Compliance and Reporting Division, reported that M&T Bank has requested a reduction in security deposit. After discussion and motion by Commissioner Kittleman and second of Commissioner Martin, and with a unanimous vote, the motion was approved.

Mr. Jones also reported that MGM Resorts International requires an increase in security deposit. After discussion and motion by Commissioner Forrester and a second of Commissioner Evans, and with unanimous vote, the motion was approved.

Open Session: At 9:39 a.m., upon a motion from Commissioner Forrester and second from Commissioner Metz and upon unanimous vote, the Commission re-opened the meeting.

Chairman's Report: Chairman Aumann reminisced for a moment at this, his last meeting of the Commissioners after 17 years as a member and Chairman of the Commission. The Average Weekly Wage Report was recently distributed to the Commissioners and the Chairman noted that the AWW has doubled in the last 20 years. The Chairman reported that the paint and carpet project is almost finished and he gave a shout out to Stacey Roig for her organization, coordination and selection of the products and her hard work to get the project finished well ahead of the schedule. The Chairman also gave a shout out to Scott Curtis for recent updates he provided regarding an unpublished report from the Court of Special Appeals. The unpublished report was clear that orders should be consistent unless there is a reason to not follow a previous finding in a case. The parties to any claim should not have to appeal to the circuit court because the Commission reversed a finding without a reason. The Chairman reported that he has not received notification of any scheduled meetings of the Oversight Committee or other legislative meetings. The contacts for the Commission will not change but, they are waiting for the new administration to get started before proceeding with 2023 session meetings. The Chairman urged the Commissioners and staff to keep the contacts that we have with SAWCA and IAIABC and others and to continue our presence there. Finally, the Chairman expressed his thanks to all the Commissioners', current and past, and the Commission staff for their support during his 17 years as Chairman of the Commission.

Old Business: The Commissioners discussed the use of interpreters in Video Remote Hearings (VRH) and the challenges in the video setting and language barriers with interpreter services. After further discussion the Commissioners decided that Video Remote Hearings (VRH) requests will be reviewed by the Duty Commissioner to determine if the VRH is necessary, based on the reason that is given in the request for a VRH. Interpreter and SIF cases will not be heard via VRH unless there are exceptional circumstances. Principal Counsel Scott Curtis will provide the Notice for the Commission website.

Commissioner Kittleman asked a general question to clarify that when a settlement comes in, and it was previously denied by another Commissioner, the settlement should be sent to that previous Commissioner to review.

The Chairman reminded the Commissioners of their CompHub Training Day on February 27, 2023. No Hearings are scheduled on that day and no leave will be granted for that date.

The Commissioners discussed docket sizes and the current size of 25 cases per docket. They also discussed Emergency Hearings and requests for late arrivals at hearings.

New Business: Mary Ahearn reminded the Commissioners that TikTok and other designated APPS are not allowed on State owned devices. If you have a question about APPs on your devices and what is or is not allowed, contact IT for more information.

Medical Alerts: Dr. Reichmister reported on several medical alerts of interest to the Commissioners.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Oh and upon unanimous vote, the meeting was adjourned at 10:40 a.m.

R. Karl Aumann, Chairman

Stacey L. Roig, Secretary

R. Karl Aumann, Chairman

Stacey L. Roig, Secretary