

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, January 12, 2023

Call to Order: Acting Chair, Maureen Quinn, called the meeting to order at 9:32 a.m.

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

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

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

Acting Chair Report: Acting Chair Quinn discussed travel and referred the Commissioners to a list of conferences available for the coming year. The MWCEA Conference in September is the only mandatory attendance conference for the Commissioners. Please let Amy Lackington know your selections so that travel arrangements can be made for you. Acting Chair Quinn will be more involved working with MWCEA. Due to budget concerns, there will be some changes to the conference program. The Commissioners discussed possible scenarios for change. Acting Chair Quinn discussed concerns regarding building security and courtroom security at all hearing sites. There was some discussion regarding installation of metal detectors and other security measures at all hearing sites. Mary Ahearn discussed the cost concerns and the need for more space and personnel to properly install and use metal detectors. Other security measures discussed, included a new "escape door" that was recently installed in Public Service and possible installation of video cameras. Acting Chair Quinn put Commissioner Evans in charge of developing a task force to look at security and make recommendations for what is needed.

Acting Chair Quinn discussed a recent medical emergency in Beltsville and recommended a training session for security officers to include medical emergencies and active shooter situations. Dr. Reichmister will put together a package of information on how to handle a medical emergency in line with HIPAA. Acting Chair Quinn asked that a presentation be set up with the MD Ethics Commission to provide information on how to properly handle gifts on the annual ethics statement. Stacey Roig will coordinate that presentation. Acting Chair Quinn discussed weather related closings and asked that Theresa Cornish provide information on what Baltimore City and all county schools are doing in the post-COVID era of virtual learning. Acting Chair Quinn will make all final decisions on weather closings. Acting Chair Quinn asked the Commissioners not to open a site, even if they are there, if it was previously closed by the Commission. Acting Chair Quinn discussed the calendar and even distribution of dockets at some of the more inconvenient locations. Setting dockets requires three (3) months' notice for leave requests; however, Acting Chair Quinn will give three (3) days of leave per year to each Commissioner to use when (3) months' notice is not possible. The days will only be granted without the required notice if Acting Chair Quinn is available to take the docket. During the legislative session (January – April), short notice is the best notice because legislative hearings will take priority. Finally, Acting Chair Quinn announced that EnBanc Commission hearings will be assigned to retired Commissioners to hear. She also asked that the Commissioners try to solve problems from the bench while all parties are present and reset hearings before the parties leave the hearing site.

Old Business: Scott Curtis, Principal Counsel, reported that the attorney fee reform Regulations are to be published in the MD Register on Friday, January 13th. Acting Chair Quinn asked Commissioner Metz to prepare and send her a synopsis of the proposed regulations. Acting Chair Quinn asked that Commissioner Metz and Mr. Curtis work with Cindy Cauthorne, Hearing Division Director, for the training of the Commissioner Assistants on the new calculations of the attorney fees. Final adoption of the proposed Regulations will be on the Agenda for a future Commission meeting date.

New Business: Commissioner Parker-Warren discussed the new hearing site in Cumberland at the Fairfield Inn and Commissioner Martin agreed that the hearing site is nice. There are some changes that the new location brings, and everyone is starting to get used to those changes. Commissioner Metz discussed a trending situation where light duty is needed but not available with the employer so the claimant is sent to an outside entity that may be a charitable organization and the payment for the light duty is being claimed as a charitable contribution. Commissioner Parker-Warren asked about processing VRH requests. Mary Ahearn reminded the Commissioners that VRH requests should be annotated and then the Assistant is notified that if the request is denied, the Assistant will issue a Memorandum. If it is approved, without selecting “approved” in the system, the Assistant routes it upstairs to Amy Lackington to put the case on the VRH list. Nothing is issued if it’s approved.

Acting Chair Quinn will be briefing the Economic Matters Committee in the House of Delegates, at their request, on January 17th. There have been some changes to both ECM and Finance on the Senate side. As well as the subcommittees for the 2023 general session.

Medical Alerts: Dr. Reichmister reported on several medical alerts of interest to the Commissioners, including a discussion on the Damar Hamlin injury and, an upcoming discussion on opioids and pain management in general. The pain management presentation and discussion will take place on a future Commission meeting day. Commissioner Quinn commented that she asked Dr. Reichmister to serve as an ambassador with the medical community to keep doctors interested in treating workers’ compensation claimants.

Adjournment: Upon a motion by Commissioner Forrester and second by Commissioner Martin and upon unanimous vote, the meeting was adjourned at 11:01 a.m.

Maureen Quinn, Acting Chair

Stacey L. Roig, Secretary