

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