

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, April 10, 2025

Call to Order: Chairwoman Maureen Quinn called the meeting to order at 9:30 a.m.

Present: Chairwoman Quinn, and James R. Forrester, Asha J Jefferson, Allan Kittleman, James MacAlister, Howard Metz, Stephane Romano, Delia T Schadt, and Tracey Parker-Warren

Staff Members Present: Theresa A. Cornish, Chief Executive Officer, Scott Curtis, Assistant Attorney General, Stacey Roig, Director IC&R, Amy Lackington, Administrator and Elizabeth Fletcher, Secretary of the Commission.

Approval of Minutes: The minutes of the Commission meeting on March 27, 2025 were reviewed by the Commissioners. Upon the motion of Commissioner Kittleman, and seconded by Commissioner Metz, the minutes were approved with a unanimous vote.

Chair Report: Chair Quinn introduced the new Commissioners, James MacAlister and Stephane Romano. They received a warm welcome from all of the Commissioners and the staff.

Chair Quinn advised that there were some facility issues this past week and how pleased she is with how fairly quickly these issues were resolved. She did announce that there is a major effort to clean every HVAC unit in our space.

Chair Quinn announced that five Workers' Compensation bills have passed both chambers and are headed to the Governor's desk for signature. Scott Curtis reviewed the SB830 – Claims Application bill. This bill expands access to a Claimants' other workers' compensation claims and to their financial information by requiring consent to that access via changes to the medical authorization form. The subpoena process will no longer be required for access to these documents. This bill will be effective October 1st. At this time, it is unclear how CompHub will match the claims. Chair Quinn stated that April 22nd may be the day of signing. Scott Curtis also advised that all of these bills will be sent to him by the Attorney General's office for legal review.

Theresa Cornish reported on SB1473 - State Government – Equal Access to Public Services for Individuals with Limited English Proficiency and Individuals with Disabilities, which is a legislative initiative aimed at enhancing accessibility to public services. The bill mandates that state agencies, including the Workers' Compensation Commission (WCC), develop comprehensive language access plans to ensure effective communication with individuals who have limited English proficiency or disabilities. The implementation of the bill is effective October 1, 2025 with full compliance required by July 1, 2028. Theresa Cornish reported that prior to the introduction of this bill, WCC had already taken preliminary steps to transition the interpreter program out of general operational workflows and efforts were initiated to formalize external and internal policies and procedures specific to language access services, including the

development of mandatory requirements to ensure consistency and accountability across the program.

Chair Quinn stated that the conclusions of the legislative work group addressing the long-term solvency of the Uninsured Employers' Fund (UEF) inspired the passage of several bills. Nearly all of the proposed legislation was passed. SB227 – Payment from UEF Fund – Revisions amends the statute to bring the UEF into a claim earlier and to pay benefits more quickly. SB695 – Board Membership and Reserves requires the UEF to set reserves and to increase the advisory board membership from three members to five members with insurance expertise qualifications. Commissioner Forrester shared his concerns about the UEF not having the funding for these set reserves. Chair Quinn advised that this bill will force UEF to align with industry standards so that the legislature will know what UEF unfunded liabilities are. SB219 – Assessments Awards and Settlements increases the assessment by .05%, which is expected to produce an additional two million dollars a year. This bill also provides for a special monitor. The Commission has been empowered to appoint a special monitor. She vetted Jeff Herwig to be the monitor, and the Senate was impressed with his qualifications. He is thrilled to have this assignment. Chair Quinn reminded the Commissioners that the budget committees are requiring UEF and DBM to work together to determine whether the CorVel work should be transferred to in-house employees or terminated in part or whole before the five-year contract term ends.

Chair Quinn reviewed the status of the pharmacy fee guide bill, which did not pass. Senator Beidle is requesting the Pharmaceutical Drug Affordable Board (PDAB) study be completed which will provide the analysis needed to adopt a pharmaceutical fee guide.

Chair Quinn announced that some of the rule changes around the Consent Document Correction Request were posted on the Workers' Compensation Community Facebook page as well as on the Commission's website.

Commissioner Kittleman asked about the budget surplus and the use of it for other things. She advised that unused funds as of June 30th are returned to the insurance companies.

Closed Session: At 9:59 a.m., upon motion of Commissioner Kittleman and seconded by Commissioner Metz and upon unanimous vote, pursuant to GP §§3-305(13), LE §§9-402, 9-403, 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.

ICR Report: Stacey Roig, Director of the Insurance, Compliance and Reporting Division, discussed her recommendation of an increase of retention for the Town of Ocean City (Ocean City).

After discussion, Commissioner Kittleman made a motion to approve an increase in retention for The Town of Ocean City (Ocean City), which was seconded by Commissioner MacAlister. The motion was approved with a unanimous vote.

Stacey Roig, Director of the Insurance, Compliance and Reporting Division, discussed her recommendation of an increase of retention for Washington County.

After discussion, Commissioner Kittleman made a motion to approve an increase in retention for Washington County, which was seconded by Commissioner Forrester. The motion was approved with a unanimous vote.

Open Session: At 10:15 a.m., upon a motion from Commissioner Kittleman and second from Commissioner Metz, and upon a unanimous vote, the Commission re-opened the meeting.

Old Business: Therasas Cornish reported that over the upcoming weekend, the Enterprise Management (EM) Team will implement system enhancements designed to streamline the review process for combination/global settlements. As part of these updates, all such settlements will be automatically routed to a single designated Commissioner to ensure consistency and efficiency in adjudication. Filing parties will have the ability to explicitly identify the parties involved in the settlement, enhancing accuracy and transparency. Additionally, the instructional language within the settlement submission process has been revised to provide clearer and more comprehensive guidance. Feedback on these changes, once deployed this weekend, will be greatly appreciated to support continued improvement and user experience.

New Business Commissioner Metz solicited input from the Commissioners regarding contested death claims in which the employers/insurers wish to withdraw their contesting issues, but do not want a final order issued. After discussion, the Commissioners agreed to issue an order saying a hearing was held but that all Issues are reserved.

Medical Report: Dr. Jerome Reichmister advised that hyaluronic acid injections for the treatment of knee osteoarthritis have been shown to be helpful in patients with diabetes, obesity, gout, cardiovascular, or renal issues and less helpful in patients with recurrent knee effusions or obesity with a BMI over 40. Hyaluronic acid acts by encouraging the joint to produce more normal fluid and lubricates joints. Dr. Reichmister discussed the 2024 6th Edition of the AMA Guides, noting that although some physicians advocate using the current edition, Maryland continues using the 4th edition. The newer revised 2024 version of the 6th Edition is being tested and may be considered at a later date. He emphasized the difference in qualifications and experience between nurse practitioners and medical doctors.

Adjournment: Upon a motion by Commissioner Forrester and seconded by Commissioner Parker-Warren, and upon a unanimous vote, the meeting adjourned at 10:40 a.m.