

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, April 24, 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, Dr. Jerome Reichmister, Medical Director, 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 April 10, 2025 were reviewed by the Commissioners. Upon the motion of Commissioner Metz and seconded by Commissioner Jefferson, the minutes were approved with a unanimous vote.

Chair Report: Chair Quinn reminded the Commissioners that their ethics reports are due. She advised that she had some IT issues when submitting hers, however, the agency's representative was very helpful.

Chair Quinn discussed an issue of attorneys not receiving subpoenas back from the Department of Labor. Theresa Cornish replied that the subpoena process is working without issues on our end, and she will work with the attorney to make sure that they understand that the subpoenas are returned via email and the importance of timely checking their email.

Chair Quinn discussed the importance of notifying the recall Commissioners of any changes made during Commissioners' meetings that affect hearing and deciding cases. These changes will be documented and formally written by the Secretary, reviewed by the Chair and forwarded to the recall Commissioners. Scott Curtis will be reviewing and forwarding any relevant cases of interest to the recall Commissioners.

Chair Quinn announced that Commissioners MacAlister and Romano have completed "baby judge" school and will begin to hear dockets on their own on Monday, May 5th.

Amy Lackington reviewed the conferences and the conference dates. She requested that the Commissioners forward their requested conference and travel dates to her by the next Commissioners' meeting.

Old Business: Chair Quinn reminded the Commissioners of the Maryland State Bar Association (MSBA) Zoom call today.

Commissioner Forrester addressed ongoing issues related to the document correction form when employers add or change address noting the form does not have a place to request a change of address. Theresa Cornish clarified that while there is no designated form specifically titled "Change of Address" within CompHub for employers, the appropriate form to facilitate employer address updates is available on the agency's website.

To enhance data accuracy and improve routing efficiency, she further noted that the agency is planning to introduce a set of preliminary questions during the Consent for Document Correction filing process. These questions are intended to help differentiate between non-substantive changes and substantive changes, thereby reducing the likelihood of filing errors or processing delays. She emphasized that when errors are clearly the result of identifiable data entry mistakes—such as typographical errors—corrections will be made by Claims staff or Commissioner Assistants, if a Commissioner Order is involved, without requiring further action from the filer.

Lastly, she reminded the team that system changes are not retroactive; they apply only from the date of deployment onward. As such, although the issue has been resolved, some residual discrepancies from prior filings may persist.

The Commissioners discussed the challenges when parties are not responding to document corrections or consent form filings as well as their frustration about determining who must sign a document request. Some filers are making multiple attempts and receive no answer from the opposing party. A common complaint is that some parties (especially opposing counsel) ignore communication attempts, forcing the filer into unnecessary delays or requiring them to file issues or appeals. The concern is that letting documents move forward by default after a set number of days without response may unfairly penalize parties who are on vacation or otherwise unavailable. However, claimants should not have to suffer delays simply because the opposing party is unresponsive. The Commissioners discussed filing parties receive a notification listing which parties have and have not responded, confirming that the responsibility remains on the filing party to obtain consent and if consent is not received, the next step is to file issues or request a hearing. Theresa Cornish suggested that the language in the forms may need to be clearer about what the next steps are when the filer does not receive a response.

New Business Commissioner Metz discussed the disputes between healthcare providers, a Preferred Provider Organization (PPO), and Chesapeake, involving the application of PPO discounts to medical bills that are supposed to be governed by a statutory fee guide. He stated that healthcare providers are being paid less than the medical fee guide rate due to PPO discounts. Providers argue they're entitled to the full fee guide amount under statute, especially for causally related workers' compensation care. The PPO is taking a cut or applying its contracted rate, even though the PPO itself isn't providing the service. Providers and the Commission do not have access to the PPO contracts. Chair Quinn stated that before any decisions are made, Scott Curtis will be the fact finder and review for legal accuracy.

Commissioner Evans discussed the issue of settlements in CompHub not matching the hard copy settlements the attorneys are filing. This issue is well known with the Commissioners and the consensus is to rely on the hard copy settlements with the live signatures.

Medical Report: Dr. Reichmister provided a series of medical and public health updates. He began by noting a sustained 14% decline in the U.S. birthrate since 1990. Despite governmental consideration of pronatalist incentives modeled after Hungary's largely ineffective approach, he reported no compelling evidence of efficacy to date. He referenced new data suggesting an elevated cancer risk among both infants born with congenital heart defects and their mothers. In contrast, recent findings published in a leading pediatric journal have reaffirmed the safety of COVID-19 vaccination during pregnancy, with no observed association with birth defects.

Dr. Reichmister cited a large-scale study demonstrating a 7% increased risk of dementia in individuals with hearing loss. In this context, he noted the FDA's recent approval of Apple AirPods Pro 2 as over-the-counter hearing aids. He highlighted the ongoing issue of inaccurate pulse oximeter readings in patients with darker skin tones, leading to new FDA labeling mandates and initiatives aimed at improving device accuracy across diverse populations. He also reported that non-cigarette tobacco products continue to be linked to elevated systemic inflammatory markers.

Dr. Reichmister advised of a Class A recall affecting several generic medications manufactured by Landmark Laboratories (India), including Gabapentin, Metformin, Acetaminophen (Tylenol), and Ibuprofen (Advil), some of which were distributed through major retailers such as Walmart and Amazon.

Looking ahead, he announced plans to present comparative efficacy data on methadone versus naloxone for opioid use disorder. He also previewed promising preclinical results for a novel glioblastoma therapy involving a drug-antibody hydrogel, which has demonstrated 100% tumor clearance in murine models and is advancing toward human trials.

Adjournment: Upon a motion by Commissioner Forrester and seconded by Commissioner Parker-Warren, and upon a unanimous vote, the meeting adjourned at 10:30 a.m.