

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, May 22, 2025

Call to Order: Chairwoman Maureen Quinn called the meeting to order at 9:31 a.m.

Present: Chairwoman Quinn, and Kathleen Evans, James R. Forrester, Asha J Jefferson, Allan Kittleman, James MacAlister, Howard Metz, and Stephane Romano.

Staff Members Present: Theresa A. Cornish, Chief Executive Officer, Scott Curtis, Assistant Attorney General, Stacey Roig, Director IC&R (telephone), Dr. Jerome Reichmister, Medical Director, and Elizabeth Fletcher, Secretary of the Commission.

Approval of Minutes: The minutes of the Commission meeting on May 8, 2025 were reviewed by the Commissioners. Upon the motion of Commissioner Kittleman, and seconded by Commissioner Jefferson, the minutes were approved with a unanimous vote.

Chair Report: Chair Quinn informed the Commissioners that the Governor signed Senate Bill 0695 (SB0695) and vetoed the other two UEF bills. SB0695 modifies the UEF Board and mandates the Board to establish reserves for claims. Commissioner MacAlister asked if UEF has an insufficient amount of reserves, who would be responsible for paying the claims. Chair Quinn advised that the legislature and/or the Governor could require the SIF to pay in the short term and raise the assessment to generate money in the long term. NCCI is confident that the industry can weather any significant modifications to the Medicare and Medicaid programs. She also stated that with respect to claims where there is no insurance coverage on record, a hearing will be scheduled without delay on the UEF related issues.

Chair Quinn reported on her attendance at the National Council on Compensation Insurance (NCCI) Conference in Orlando, Florida. She shared encouraging industry trends, including a continued fourteen-year decline in premiums and claim frequency. Insurance profitability remains strong, and carriers are well positioned to withstand potential economic challenges in the coming year. NCCI With regard to Medicare and Medicaid impacts, NCCI is confident in the insurance industry's preparedness. Although medical costs have increased by six percent overall, states with established medical fee guides continue to maintain effective cost control.

Chair Quinn discussed current vacancies within the Commission. She noted that over 100 applications were received for the Executive Assistant position. She announced that Chris Barrett has successfully filled the long-vacant Assistant Human Resources Director role in his Division. Scott Curtis reported that interviews are underway for the position of Assistant Attorney General. He will be recommending the top three candidates to the Attorney General for final interviews. Chair Quinn highlighted the recent reclassification efforts aimed at addressing pay inequities and extended her appreciation to Theresa Cornish and her team for their dedicated work on this project. Final approval will be made by the Department of Budget and Management.

Chair Quinn advised that Commissioners who will be traveling internationally this summer and use State issued cellphones will have to pay international usage fees of \$10 per day. She requested that checks be made payable to the State of Maryland and forwarded to Jay Moore for processing.

Closed Session: At 9:46 a.m., upon motion of Commissioner Kittleman and seconded by Commissioner Evans 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, IC&R, discussed a change in retention for the Maryland Association of Boards of Education (M.A.B.E.). After discussion, Commissioner Forrester made a motion to approve the change, which was seconded by Commissioner Kittleman. The motion was approved with a unanimous vote.

Stacey Roig also discussed a change in retention for Montgomery General Hospital (MHG) d/b/a MedStar MGH. After discussion, Commissioner Kittleman made a motion to approve the change, which was seconded by Commissioner Evans. The motion was approved with a unanimous vote

Ms. Roig also discussed six Government Self-Insured programs that had been granted an exemption from providing a security deposit, as per COMAR 14.09.13.06A and 14.09.13.06C(3). (The Commission may waive security requirements for individually self-insured governmental entities). The six governmental units also have an exemption from carrying an excess insurance policy, as per COMAR 14.09.13.07F. (The Commission may waive this requirement for excess insurance for individually self-insured governmental entities). The IC&R Division reviewed the self-insurance programs for the purpose of determining if the waivers should remain in place. After discussion, Commissioner Kittleman made a motion to approve the renewal of the waivers, which was seconded by Commissioner Forrester. The motion was approved with a unanimous vote.

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

Old Business: No old business.

New Business: Chair Quinn discussed the topic of waiver of issues process, requesting that the Commissioners reach a consensus on how such waivers should be handled, whether with a formal order or memo. Following a discussion on the appropriate process, the Commissioners agreed that, moving forward, memos will be issued in response to requests to waive issues.

Chair Quinn invited Commissioner Jefferson to provide an update on Kid's Chance. Commissioner Jefferson shared that she serves as the Commission's representative to the

organization and recently attended her first virtual meeting last Thursday. The annual Kid's Chance Crab Feast will be held on June 25th at Nick's Fish House., with tickets available for purchase online.

Commissioner Evans discussed the issue of attorneys appealing the denial of attorney excess fees requests. Scott Curtis advised that as legal counsel for the Commission, these appeals must be served on him. He advised the Commissioners about entering their decision on the records and he stated that their written orders do not have to be read into the record to be "on the record." He also suggested that when the new Assistant State's Attorney is on board, insurance appeals will be referred to him or her.

Commissioner Forrester discussed the withdrawal of certain issues and how the withdrawal of issues for payment of medical services impacts the remaining issues to be heard between the employer and the claimant. Commissioner Metz responds to these requests by advising the attorneys that the case will go forward on pending Issues and that the Issues being withdrawn will be noted at the time of the hearing. Chair Quinn agreed with this approach, noting that it will prevent the cancellation of other matters associated with the claim.

Chair Quinn requested the Commissioners notify Theresa Cornish of any attorneys they know are or will be retiring so that we can be prepared to update any attorney records in CompHub in a timely manner.

Medical Report: Dr. Jerome Reichmister shared insights from several recent articles published in the Journal of Occupational and Environmental Medicine. One article highlighted musculoskeletal issues observed in professional jockeys, emphasizing that the unique riding posture of a jockey places significant stress on the musculoskeletal system, particularly the joints and lower back. Studies conducted at Keeneland confirmed that the crouched position used in racing leads to chronic strain on the spine and lower extremities. Another study involving data from 13 countries and over 43,000 participants focused on sedentary behavior and its health impacts. It found that individuals who were sedentary for more than six hours per day reported high rates of musculoskeletal complaints. Notably, 82% of these complaints were linked to prolonged cell phone use, while 23% were related to computer use.

Dr Reichmister also discussed emerging research on the repurposing of older drugs for new clinical applications. A French study examined the use of high-dose vitamin D in treating multiple sclerosis. Participants were given large doses over a two-week period, and over a 10-year follow-up, researchers observed a reduction in new brain lesions. Another promising study looked at the use of Metformin in managing knee pain in obese patients. The four-year study indicated some improvement in symptoms, suggesting that further larger-scale trials may be warranted.

He went on to address concerns surrounding newer weight-loss medications, such as Ozempic and Wegovy, and oral agents like Jardiance. While effective in reducing weight, these drugs have been associated with a loss of muscle mass in addition to fat. This decrease in lean body mass can increase the risk of falls.

Dr. Reichmister discussed the evolving understanding of transient ischemic attacks (TIAs), once thought to be clinically insignificant. New long-term studies reveal that patients who suffer TIAs may experience cognitive changes and face a significantly higher risk of stroke even a decade later.

Adjournment: Upon a motion by Commissioner Forrester and seconded by Commissioner Jefferson, and upon a unanimous vote, the meeting adjourned at 10:35 a.m.

Maureen Quinn, Chairwoman

Elizabeth Fletcher, Secretary