

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday, February 13, 2025
Virtual Meeting - Zoom

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

Present: Chairwoman Quinn, Kathleen A. Evans, James R. Forrester, Asha J Jefferson, Allan Kittleman, Morrisann Martin, Howard Metz, Ju Y Oh, and Delia T Schadt.

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

Approval of Minutes: The minutes of the Commission meeting on January 23, 2025, were reviewed by the Commissioners. Upon motion of Commissioner Evans and seconded by Commissioner Martin, the minutes were approved with a unanimous vote.

Closed Session: At 9:33 am, upon motion of Commissioner Martin and seconded of Commissioner Forrester 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 into 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 increasing Federal Express Corporation's (FedEx) security deposit.

After discussion, Commissioner Martin made a motion to approve an increase in Federal Express Corporation's (FedEx) security deposit, which was seconded by Commissioner Forrester. The motion was approved with a unanimous vote.

Open Session: At 9:42 a.m., upon a motion from Commissioner Jefferson and second from Commissioner Forrester and upon unanimous vote, the Commission re-opened the meeting.

Chair Report: Chairwoman Quinn provided an update on the final budget hearings in the House and Senate, focusing on workforce challenges, such as vacancies and the aging workforce. The growing concern over increased vacancies compared to last year was discussed, with potential reasons being the reclassification of 43 positions and the utilization of established probationary period guidelines and policies to terminate employment relationships when behavioral and performance expectations are not met. The Uninsured Employer Fund (UEF) was also discussed, with further talks planned. The Senate expressed interest in integrating artificial intelligence (AI) into operations, although current systems aren't yet AI-integrated. The committee recommended developing a plan to explore AI and report back next year.

Chairwoman Quinn reminded the Commissioners that the 2024 Maryland State Ethics Financial Disclosure Filing Period was opened and that on January 14th, Chris Barrett sent an email with the annual list of institutions doing business with the Workers' Compensation Commission. The Ethics Financial Disclosure Statement must be submitted by the April 30th, 2025, deadline. She reviewed two documents sent to Commissioners with the meeting agenda: a request to NCCI for the top ten Maryland prescription drugs by payments and a glossary of terms related to a Senate Mandate on acquisition methodology. Commissioner Forrester will clarify these terms at the next meeting.

Scott Curtis discussed collaborating with Senator Hayes's office on drafting SB0830, which amends claim application processes by including additional sections (9-710 and 9-711) and revising the medical authorization form. The bill also clarifies that the commission decides what constitutes relevant medical information and ensures the form allows for the release of information about prior and subsequent claims. The bill aligns with HIPAA standards, although HIPAA doesn't apply directly. A friendly amendment is expected to refine the bill. Chairwoman Quinn also mentioned that Theresa Cornish and her management team will work with the EM Team to integrate the new authorization form into CompHub once it is finalized.

Chairwoman Quinn expressed gratitude for the efforts that staff is putting into the microfilm project, which involves converting and digitalizing claim information that is currently stored on microfilm to a cloud-based storage platform. She noted that the agency has kept records longer than most jurisdictions.

Old Business: Commissioner Martin reminded the Commissioners about upcoming events in support of Kid's Chance. The bowling fundraiser will be held on March 12th at Bowlero in Columbia. Currently, 29 of the 32 lanes are already sold out. The crab feast is scheduled for June 25th at Nick's Crab House, with Multi-Specialty contributing \$10,000 as a sponsor to cover expenses. The funds raised will go directly toward Kid's Chance scholarships. Additionally, the golf tournament will take place on July 24th. Details on this tournament will be sent out soon. Commissioner Martin encouraged everyone to attend these events, as Kid's Chance greatly appreciates the Commission's ongoing support.

New Business: Commissioner Jefferson informed the Commissioners about a new date for the MSBA's panel event, Death Claims, next Thursday evening at Union Jacks in Columbia at 5:00 p.m.. Chairwoman Quinn mentioned that Angela Koslowski's discussion of the MWCEA Conference agenda has been rescheduled for the next in-person Commissioner's meeting. Theresa Cornish updated the Commissioners on a couple of changes, which included updates to the priority labels for cases on the docket, which will take effect in April, and the deployment of changes for global settlements, which will ensure that copies of the settlement are included in all associated cases. She also shared that the Solo Attorney designation has been successfully deployed, with over 100 attorneys signed up so far.

Commissioner Schadt reminded the group about the MSBA event on March 27th at 11:30 a.m. and will send reminders.

Theresa Cornish raised concerns regarding the claims department and support staff receiving requests to change employers and insurers on claims after settlements have been submitted. She emphasized the need for clear guidelines in managing these requests, particularly those received following the Commissioner's final ruling. It was noted that such changes do not always produce verifiable proof of coverage. To address these issues and support the training of new employees while ensuring compliance with expected standards, Theresa recommended forming a work group to develop comprehensive protocols. In the interim, she will instruct the claims department to document specific details regarding any potential coverage issues on the submitted document requests prior to submitting them to the Commissioners for their review and decision-making.

Finally, the Commissioners discussed the process and costs associated with multiple requests for transcripts of the same hearing and the concerns that the court reporters expressed about not being able to charge for the additional copies. Chairwoman Quinn advised the Commissioners that she would investigate the matter and meet with the Director of Court Reporting for further discussion.

Adjournment: Upon a motion by Commissioner Forrester and seconded by Commissioner Jefferson, and upon a unanimous vote, the meeting adjourned at 11:00 a.m.

Maureen Quinn, Chairwoman

Elizabeth Fletcher, Secretary