

OKLAHOMA WORKERS' COMPENSATION COMMISSION
REGULAR MEETING MINUTES
JULY 18, 2024, AT 2:00 P.M.

STATEMENT OF OKLAHOMA OPEN MEETING ACT COMPLIANCE

Notice of this Regular Business Meeting was filed with the Secretary of State's office in compliance with the Open Meeting Act.

The agenda was posted at least 24 hours in advance of the meeting, in compliance with the Open Meeting Act. It was posted on the Commission website and at 1915 N. Stiles Ave., Oklahoma City, Oklahoma, the Commission's principal office.

MINUTES OF THE JULY 18, 2024, REGULAR BUSINESS MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION COMMISSION

The members of the Oklahoma Workers' Compensation Commission met at 1915 N. Stiles Ave., in the En Banc Courtroom, Oklahoma City, Oklahoma, on July 18, 2024.

Members present: Chairman Jordan Russell, Commissioner Megan Tilly, and Commissioner Scott Biggs.

Others Present: Ian Steedman, WCC; Lauren Hammonds Johnson, WCC; Andrea Delling, WCC; Collin Fowler, WCC; Alexander Watkins, WCC; and David O., LegisOK.

Chairman Russell expressed appreciation for those in attendance. After the roll was taken, Chairman Russell found a quorum present and called the meeting to order at 2:00 p.m.

1. **Discussion and Possible Action to Approve Minutes**

The drafted minutes of the June 20, 2024, Regular Meeting of the Commission were considered for approval.

Commissioner Tilly moved to approve the Minutes. Commissioner Biggs seconded the motion. Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

2. **Discussion and Possible Action to Approve the Consent Agenda for Travel Vouchers Currently Outstanding**

Title 85A O.S. § 23 states, [a]ny Commissioner or employee of the Commission shall be entitled to receive his or her necessary traveling expenses as provided in the State Travel Reimbursement Act. The expenses shall be certified by the person who incurred them and shall be allowed and paid on presentation of vouchers approved by the Commission.” In accordance with this section, the Commission considered a vote to approve the currently outstanding vouchers.

All travel vouchers and one reimbursement listed within this Consent Agenda were made available to each Commissioner prior to the meeting, are considered routine, and will be enacted by one motion of the Commission. If separate discussion is desired, that item may be removed from the Consent Agenda and voted upon separately.

Commissioner Biggs moved to approve the travel vouchers as circulated. Commissioner Tilly seconded the motion. Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

3. **Discussion and Possible Action to Approve Bid Quotation and Requisition with Walker Companies to Produce Interior Signage and Oklahoma State Seals for the Oklahoma City and Tulsa Offices.**

Chairman Russell presented and answered questions of the Commission.

Commissioner Tilly moved to approve bid quotation and requisition with Walker Companies. Commissioner Biggs seconded the motion. Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

4. **Request and Possible Action to Release Security Deposit for Patterson – UTI Energy Inc. fka Seventy-Seven Energy LLC, Own Risk Permit #20188**

UTI Energy Inc. fka Seventy-Seven Energy LLC left the self-insured Own Risk program on June 30, 2016. The Commission held a Letter of Credit in the amount of \$4,300,000.00 issued by The Bank of Nova Scotia, NY Agency, as a security deposit. They petitioned the Commission to release their collateral in full.

Seventy-Seven Energy LLC. complied with Commission Rule 810:25-9-19.

Commissioner Tilly moved to release the security deposit. Commissioner Biggs seconded the motion. Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

5. **Request and Possible Action to Release Security Deposit for Pilot Travel Centers fka Flying J Inc., Own Risk Permit #18771**

Pilot Travel Centers fka Flying J Inc. left the self-insured Own Risk program on June 30, 2010. The Commission held a Surety Bond in the amount of \$525,000.00 issued by Argonaut Insurance Company, as a security deposit. They petitioned the Commission to release their collateral in full.

Flying J Inc. complied with Commission Rule 810:25-9-19.

Commissioner Tilly moved to release the security deposit. Commissioner Biggs seconded the motion. Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

6. **Request and Possible Action to Reduce Security Deposit for Locke Supply Co. Own Risk Permit #17645**

Locke Supply Co (“the Company”), own risk permit #17645, was a self-insured employer in the Own Risk program until January 1, 2018. The Commission held a \$550,000 Letter of Credit, issued by BOK Financial as a security deposit. They requested a reduction of their security deposit to \$100,000.00. The company had (1) outstanding claim with reserves totaling \$60,647.00.

Locke Supply Co. complied with Commission Rule 810:25-9-19.

Commissioner Tilly moved to reduce the security deposit to \$100,000. Commissioner Biggs seconded the motion. Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

7. **Request and Possible Action to Release Security Deposit for Turner Roofing & Sheet Metal Inc. Own Risk Permit #15768**

Turner Roofing & Sheet Metal Inc. left the self-insured Own Risk program on June 1, 2022. The Commission held a Letter of Credit in the amount of \$200,000.00, issued by Mabrey Bank, as a security deposit. They petitioned the Commission to release their collateral in full.

Turner Roofing & Sheet Metal Inc. complied with Commission Rule 810:25-9-19.

Commissioner Tilly moved to release the security deposit in full. Commissioner Biggs seconded the motion. Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

8. **Discussion and Possible Action to Approve a change to CC-Form-463 and Setting the Effective Date.**

Executive Director Lauren Hammonds Johnson was recognized, presented, and answered questions of the Commission.

Commissioner Tilly moved to approve the changes to CC-Form-463 as outlined and set the effective date for August 1, 2024. Commissioner Biggs seconded the motion. Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

9. **Discussion and Update Regarding Security at the Tulsa and Oklahoma City Offices**

Commissioner Biggs presented and answered questions of the Commission.

No action was taken.

10. **Update and Discussion on the 2024 WCC Annual Conference**

The Commission plans to host its 2024 Annual Conference at the OSU Alumni Center, located in Stillwater, OK, on October 24 and 25, 2024.

Communication and Outreach Director Collin Fowler was recognized, presented, and answered questions of the Commission.

No action was taken.

11. **Court of Existing Claims Transition Update**

Executive Director Lauren Hammonds Johnson was recognized, presented, and answered questions of the Commission.

No action was taken.

12. **Update and Discussion on CaseOK**

Compliance Director Ian Steedman was recognized, presented, and answered questions of the Commission.

No action was taken.

13. **Legislative Update and Discussion**

Commissioner Biggs presented and answered questions of the Commission.

No action was taken.

14. **Proposed Executive Session to Discuss and Possible Vote to Approve Adjustment of Commission Employees’ Salaries (pursuant to 25 O.S. § 307(B)(1))**

A. Motion and Vote to Enter into Executive Session

Commissioner Biggs moved to enter Executive Session. Commissioner Tilly seconded the motion. Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

B. Discussion in Executive Session

The Commission discussed the employment, performance, and/or salary of each individual Commission employee pursuant to 25 O.S. § 307(B)(1).

C. Motion and Vote to Reconvene in Open Session

Commissioner Tilly moved to reconvene in Open Session. Commissioner Biggs seconded the motion. Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

D. Motion and Vote on Any Action Regarding Subject of the Proposed Executive Session

Commissioner Tilly moved to modify the pay as discussed in Executive Session. Commissioner Biggs seconded the motion. Those voting aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

The motion carried.

15. **New Business**

“[A]ny matter not known about or which could not have been reasonably foreseen prior to the time of the posting.” 25 O.S. § 311.

Commissioner Biggs informed the Commission of a percentage error found in the Fee Schedule’s example calculation this morning. He proposed a clarifying statement be issued on behalf of the Commission explaining that the error only applies to the example and does not affect the rule.

ADJOURNMENT.....Chairman Russell

Commissioner Tilly moved to adjourn. Commissioner Biggs seconded the motion. Those voting aye: Those voting aye: Chairman Russell, Commissioner Tilly, Commissioner Biggs.

The motion carried, and the meeting adjourned at 2:52 p.m.