

**Workers' Compensation Advisory Council**  
**May 9, 2012**  
**Minutes**

**Members present**

Walter Frederickson  
Ryan Holmes  
Jason George for Glen Johnson  
Shar Knutson  
Sen. Ted Lillie  
Robert Lux  
Rep. Tim Mahoney  
Susan Olson  
Larry Rice

**Members absent**

Mike Bredeck  
Wayne Ellefson  
Sen. Ken Kelash  
Rep. Andrea Kieffer  
David Olson  
Edward Reynoso  
Gary Thaden

**Visitors, DLI staff  
members present**

Kate Berger  
Brad Lehto  
Dawn Carlson  
Buzz Cummins  
Karen Ebert  
Kris Eiden  
Ben Gerber  
Susan Giguere  
Natalie Haefner  
Liesl Hagens  
Kathy Hansen  
Rose Hatmaker  
Mike Hill  
Lesley Hinz  
Meg Kasting  
Heather Keenan  
Stacy Kohlnhofer  
Chris Leifeld

Wendy Legge  
Dr. William Lohman  
Matt Marquis  
Mark McCrea  
Phil Moosbrugger  
Tim O'Malley  
Tom Mottaz  
Donna Olson  
Ken Peterson  
John Rajkowski  
Karen Ryba  
Joe Schindler  
Jessica Stimac  
Greg Schmidt  
Anna Thompson  
Jake Thompson  
Dee Torgerson  
Elizabeth Welch  
Lisa Wichterman  
Dan Wolfe

**I. Call to order**

The meeting was called to order by Commissioner Ken Peterson at 9:40 a.m. Members introduced themselves and a quorum was declared.

**II. Announcements**

- Assistant Commissioner Gary Hall was appointed to the Workers' Compensation Court of Appeals; Deputy Commissioner Kris Eiden is acting assistant commissioner of the Safety and Workers' Compensation Division.
- A St. Paul *Pioneer Press* news story, based on the Workers' Compensation annual report, has been included in member folders. Claims paid have dropped, as health care costs continue to rise. Cost cutting will be looked at this fall. A copy of the report will be sent to the members.

**III. Approval of previous meeting minutes**

The Feb. 8, 2012, meeting minutes were approved.

**IV. Approval of agenda**

The May 9, 2012, agenda was approved.

**V. New business**

- a. 2012 Workers' Compensation Summit – Kris Eiden: The summit is at Cragun's Conference Center in Brainerd, Minn., June 12 and 13. Register online at [www.dli.mn.gov](http://www.dli.mn.gov) by May 25.

- b. Discussion of spinal fusion disclosure statement – Dr. William Lohman: The state of Washington has mandated use of a disclosure statement and Minnesota would like to have something similar. The lumbar fusion information sheet could be used as a disclosure and informed consent document for patients/physicians for further discussion when back surgery is considered. Simple and easy information provided to patients equalizes the discussion. The Medical Services Review Board (MSRB) and the Workers’ Compensation Insurers’ Task Force (WCITF) have been asked to review the draft; and ideas, comments and suggestions are being solicited from the WCAC members. Contact Kate Berger, Office of General Counsel, at (651) 284-5295 or [kate.berger@state.mn.us](mailto:kate.berger@state.mn.us) or contact Bill Lohman at (651) 284-5275 or [bill.lohman@state.mn.us](mailto:bill.lohman@state.mn.us). ***Further discussion of this topic will continue Sept. 12.***
- c. Proposed rules recommended by the MSRB – Dr. William Lohman: The draft rules 5221.6200 low back pain were provided to the members for discussion.
- d. Ombudsman six-month report – Phil Moosbrugger: The Office of the Workers’ Compensation Ombudsman has been in place since September 2011, initiated as a result of the legislative auditor’s 2009 report. The purpose of the office is to assist injured workers and small businesses who are having difficulty navigating the workers’ compensation system, to ensure those benefits are available to injured workers, to clarify the responsibilities and requirements of small business owners, to educate injured workers about how to understand their claim and to make appropriate referrals to outside agencies. Requests for assistance have increased as word of the program has spread.
- e. Data analytics contract – Chris Leifeld: DLI is working with a firm to analyze medical cost data. ***Topic tabled for Sept. 12.***
- f. Member term expirations, June 30, 2012 – Commissioner Ken Peterson: Five-year member terms expire June 30 (except for Shar, David and the legislative liaisons). Members must contact their appointing authority if interested in reapplying to the council.

**VI. Meeting schedule**

The tentative, remaining 2012 meeting schedule is: Sept. 12, Nov. 14 and Dec. 12. A meeting notification and announcement will be sent to the council in advance.

**VII. Future topics**

Reworking and updating statutes will keep the council active this fall.

**VIII. Adjournment**

***Jason George motioned to adjourn and Bob Lux seconded the motion. All voted in favor and the motion to adjourn carried.*** The meeting adjourned at 12:05 p.m.

Respectfully submitted,

*Pamela McLaughlin*

Executive Secretary