

Meeting minutes: Rehabilitation Review Panel

Date: Oct. 3, 2019

Minutes prepared by: Executive secretary of the Rehabilitation Review Panel

Location: Minnesota Room, Department of Labor and Industry

Attendance

RRP members present

Duane Butorac (chairman)
Roslyn Robertson
David Dubovich
Steve Hollander
Laura Jerde
Steve Patton (via phone)
Mary Wells (via phone)
Richard Hills
Alissa O'Hara
Paul Osterbauer (via phone)

Visitors, DLI staff members present

Rob Otos, visitor
Chris Leifeld, DLI
Mike Hill, DLI
Patty Rutz, DLI
Brad Morse, DLI
Valerie Brophy, CapTech
Anna Donnelly, visitor (CorVel)
Kate Berger, DLI
Jon Brothen, DLI

Call to order

Chairman Duane Butorac called the meeting to order at 1:10 p.m. He announced there are three members attending via telephone today. He also passed on a message from Dr. Richard Hills that former Rehabilitation Review Panel (RRP) Chairman Dr. Joseph Sweere continues to recover from his illness and is responding positively to treatment.

Approval of minutes

Butorac asked for a motion to approve the minutes from the July 11, 2019 meeting. Alissa O'Hara moved and Steve Hollander seconded the motion. A verbal vote was taken and the motion carried to approve the minutes.

Approval of agenda

Butorac made a motion to approve the agenda, Laura Jerde seconded the motion. A verbal vote was taken and the motion carried to approve today's agenda.

Deputy commissioner's update – Roslyn Robertson

Legislation and department updates

Deputy Commissioner Roslyn Robertson announced a safety issue, reminding individuals to get prepared for the cold weather season, be aware of the potential for slippery conditions and take extra caution during this time period.

Robertson said the Department of Labor and Industry (DLI) is developing a strategic plan and working closely with the governor's office to ensure the plan takes into consideration the impact on children and healthy families, equity and inclusion, and the climate. DLI has a vital role in these purposes, from healthy and safe workplaces to ensuring labor laws are enforced. The plan is due to the governor's office this week.

A major initiative of the department is wage theft and how to combat it in the workplace. With that, the department is in the process of hiring wage theft investigators as part of that plan.

Robertson pointed out some of the highlights of 2020 legislation that will be proposed by DLI. The draft proposals will be presented to the Workers' Compensation Advisory Council (WCAC) during the next couple of months. To date, DLI has six proposals, including removal of qualified rehabilitation consultant (QRC) intern signatures on documents, a prompt first action report for employee injuries, and rulemaking authority to amend or repeal rules that conflict with electronic filing requirements. WCAC will be meeting every month through the end of the year to vote on these legislative proposals. The goal of the department is to have final proposals completed by January 2020.

Robertson also pointed out that an updated fee schedule was included in the members' packets for their review. A copy is attached to these minutes.

Agenda items

1. Minnesota Workers' Compensation System Statistics and Interstate Comparisons – David Berry, DLI Research and Statistics

David Berry presented a comparison of the CompScope Benchmarks for Minnesota and the Minnesota workers' compensation system report for 2017. Through the presentation, Berry discussed the reduction of injuries since 1997, estimated system costs and interstate rankings. The report obtained statistics from the Minnesota Workers' Compensation Insurers Association (MWCIA) and other agencies and compared Minnesota to other states in terms of workers' compensation claims, medical benefits, indemnity benefits and benefit-delivery expenses.

The full presentation of this report is attached to this agenda.

2. Workers' Compensation Modernization Program (WCMP), Work Comp Campus update – Brad Morse, DLI WCMP, and Valerie Brophy, CapTech

Brad Morse and Valerie Brophy presented an updated slide presentation to RRP. Key highlights of the presentation included: feedback from DLI stakeholders being critical to the success of the program; in addition to stakeholders, DLI leaders are involved in testing and providing feedback; and various parties' need to stay up to date about claims, ensuring the file size limits are sufficient to accommodate various forms and attachments, and the ability to add documents after certain forms have been submitted.

Morse explained there will be a Stakeholder Showcase meeting in November. Additionally, RRP and WCMP's Rehabilitation Provider Advisory Committee (RPAC) will be invited to do training three months before the system goes live in August 2020. The program continues to be on budget and on time. The slide presentation is attached to these minutes.

3. 2019 legislation and draft 2020 rehabilitation proposal – Kate Berger, DLI Office of General Counsel, and Jon Brothen, DLI Compliance, Records and Training, management analyst

Kate Berger reported the primary goal of Work Comp Campus is to replace DLI's outdated imaging system, in addition to having a web-based interactive electronic system. Parties involved with workers' compensation matters will have the ability to directly access that information electronically and will no longer have to request each file. She pointed out the handouts include highlights of the amendments to Minnesota Statutes. Some highlights include the following.

- The effective date for most of these changes is Aug. 31, 2020.
- This clarifies the changes of what needs to be reported to the commissioner for a first report of injury.
- This specifies when an authorization is required to access the division file and the requirements for the authorizations.
- This specifies who must create a Campus account; this also permits an injured employee to create an account, but does not require the employee to create an account.
- This describes requirements of filing documents electronically and who must file electronically file.
- This allows that rehabilitation providers can attest that signatures have been obtained on electronically filed documents and retain those documents, which avoids having multiple signatures on documents.
- This allows parties to electronically serve documents through Campus.
- This includes new language relating to QRC intern supervision requirements, including the supervisor need not sign the intern's work, but the intern must verify the supervisor has reviewed the document when filing in Campus. This avoids having to obtain multiples signatures.

Additional information is available at www.dli.mn.gov/business/workers-compensation/work-comp-compact-newsletter in the June/July 2019 edition.

4. Agenda items for the next meeting

Robertson re-announced DLI's effort to go paperless. The department is asking all stakeholder groups to bring meeting materials to the meetings if they wish to have copies. The members will get all documents electronically at least five days in advance of the meetings, so they will have sufficient time to either review or print their own copies. The department will continue to print a few copies to have on the table for guests. If any information changes between the notifications, copies of materials will be available at the meeting.

Butorac asked panel members with any other topics for discussion to contact either him or Mike Hill.

Other

Next Meeting Dates

Butorac announced the next meeting date will be **Jan. 9, 2020**.

Adjournment

At 2:34 p.m., Butorac made a motion to adjourn the meeting, it was seconded by O'Hara. A verbal vote was taken and all voted in favor, after which the meeting was adjourned.

Respectfully submitted,
Executive secretary
Rehabilitation Review Panel