

Meeting notes: Workers' Compensation Insurers' Task Force (WCTIF)

Date: March 19, 2025

Notes prepared by: Katrina Namad

Location: Hybrid – Minnesota Room at the Department of Labor and Industry (DLI) and via Webex

Members present

Gary Westman, co-chair

Lee Ingrassia, co-chair

Evan Cordes

Mike Johns (remotely)

Stacy Kohlhofer (remotely)

Deb Norsten

Steve Patton (remotely)

Michael Schneider (remotely)

Ryan Shaughnessy (remotely)

John Wiatros (remotely)

Lee Ziegler (remotely)

Bretta Hines

Brian Mak

Cheryl Scherbel (remotely)

Denise Holmes

Donna Olson (remotely)

Ethan Landy (remotely)

Jeanne Vogel (remotely)

Jessica Stimac, assistant commissioner

Joe Lolich

Jon Brothen (remotely)

Katrina Namad

Lisa Wichterman

Melissa Parish (remotely)

Michelle Doheny

Sandy Stoddard

Sharon Benkufsky

Tom Garza (remotely)

Virginia Prax (remotely)

Members absent

Matthew Fasse

Sarah Groskreutz

Laura Mundt

DLI staff members attended

Abdi Takhal (remotely)

April DelCastillo (remotely)

Visitors attended

None

Agenda items

- 1. Call to order** – The meeting was called to order by co-chair Lee Ingrassia at 9:05 a.m. Roll call was taken. Brief introductions were made. Sandy Stoddard introduced herself, because this was her first WCITF meeting, as the director of the DLI Compliance, Records and Training (CRT) unit.
- 2. Assistant Commissioner Jessica Stimac** –
 - The legislative session is underway. During the past year, DLI has dedicated significant resources to legislative matters.

- The University of Minnesota has completed the data collection phase of the post-traumatic stress disorder study, as discussed in recent meetings. The focus now shifts to structuring the report and finalizing it for the Workers' Compensation Advisory Council (WCAC).
 - The next WCAC meeting is scheduled for 2 p.m., Wednesday, March 26. During this meeting, DLI may seek a vote on its technical housekeeping proposals presented previously, although the agenda is not yet finalized. The subsequent meeting is April 9, the council's regularly scheduled meeting. Typically, proposals are presented at one meeting and voted on at the next. These coming meetings are crucial for finalizing the legislative package to meet deadlines.
 - Finally, Karen Kask-Meinke recently briefed the task force about annual claim processing. A temporary compliance services officer has been hired to assist with this effort, beginning April 9.
- 3. Training module, Business Technology Office – Joe Lolich** – The CRT unit has been actively engaged in training activities. Last month, the unit successfully conducted a full-day orientation session for qualified rehabilitation consultants (QRCs) and QRC interns, receiving positive feedback from attendees. In late February, the Alternative Dispute Resolution (ADR) and CRT units jointly presented to the rehabilitation community, focusing on how the Workers' Compensation Division can help resolve unpaid rehabilitation bills. Currently, the CRT training team is developing a permanent partial disability training module and updating training materials for employer entities. To ensure everyone is informed when the training modules are complete, updates will be communicated via email list, reported to this task force and posted online. This information also will be included in *Campus Connect*, the new monthly Work Comp Campus newsletter, which is separate from the quarterly *COMPACT* newsletter.
- 4. Rulemaking updates, Office of General Counsel (OGC) – Bretta Hines** – The department has been working to finalize updates to the rehabilitation registration rules. Since WCITF was last updated, the rule's dual notice received no comments and the comment period ended. The order adopting the rules was signed in January, with no veto from the governor. We are now collaborating with the Business Technology Office (BTO) unit to update Campus functionality to support the new rules when they take effect; the notice of adoption will be published after these updates are complete. Additionally, the Medical Services Review Board (MSRB) and department are working on updating treatment parameters, beginning with low back issues, specifically medical imaging and injections, with plans to expand as time and progress allow. Updates on long-term opioid treatment and post-traumatic stress disorder are not being considered with potential rule updates at this time. A request for comments was published in the *State Register* Feb. 24. Since August 2024, a work group has been meeting monthly to propose updates to treatment parameters. Two sets of updated rules have been presented to MSRB, with feedback incorporated. A new draft will be reviewed at the April MSRB meeting. Next on the agenda are updates focusing on neck injections, followed by thoracic spine considerations.
- 5. Legislative update, Office of General Counsel (OGC) – Bretta Hines** – As Assistant Commissioner Stimac highlighted, there are several DLI proposals that have gone before WCAC. Below is an overview.
- Minnesota Statutes 176.011, Definitions: A proposal to amend subdivision 9, item 17, clarifies the "employee" definition concerning direct support services tied to the Department of Human Services. It removes a broken cross-reference and adds clarification to ensure accuracy across various programs.

- Minnesota Statutes 176.041, Executive officer definition: To address confusion about insurance exclusions for executive officers, the proposed amendment aligns the definition with the corporate statute, ensuring clarity through cross-referencing.
- Minnesota Statutes 176.135, Family-provided nursing services: Based on the McKissic decision from the Workers' Compensation Court of Appeals, there is a proposal to expand eligibility for reimbursement to household members for nursing services provided to an injured worker to fit with current practice and easing the burden to intervene.
- Minnesota Statutes 176.151, Statute of limitations for injury reports: Aims to apply the three-year statute of limitations regardless of who files the first injury report, streamlining the process for uninsured employer cases.
- Minnesota Statutes 176.175, Nonassignability of workers' compensation benefits: Current focus is on revising the exemption limit from \$1 million to potentially \$5 million to reduce impacts on workers' compensation claims.
- Minnesota Statutes 176.361, Intervention: Proposed amendments codify notice requirements and simplify document submission. Exceptions are suggested to protect family and household members claiming reimbursement for services without needing formal intervention motions.
- Minnesota Statutes 176.421, Appeals to Workers' Compensation Court of Appeals: Proposes removing the requirement to file appeal notices with the commissioner, aligning statutes with current procedures and proposed Workers' Compensation Court of Appeals rules.
- Minnesota Statutes 176.129, rule repeal: Repealing Minnesota Rules 5220.2840 because its provisions are now codified in statute.

6. **Next meeting** – The next WCAC meeting is at 2 p.m., March 26, to discuss updates.

7. **Solutions for vocational rehabilitation providers at the Workers' Compensation Division – ADR – Denies Holmes and Brian Mak** – Denise Holmes and Brian Mak recently addressed the QRC community regarding concerns about unpaid rehabilitation bills. DLI clarified existing solutions and resources, aiming to facilitate timely resolutions without assigning blame. Key avenues include the following.

- **Workers' Compensation Help Desk:** Overseen by BTO Director Michelle Doheny and her team, this service assists all stakeholders, including adjusters, QRCs, injured workers and medical providers. Issues can be escalated to CRT or ADR units and are often resolved through simple communication.
- **ADR unit:** ADR specializes in early dispute-resolution via phone or email, helping to clarify whether bills require denial, payment or more information. Open communication is encouraged to address billing concerns efficiently.
- **Dispute certification process:** This process is used to confirm genuine disputes through phone or email communication. Adjusters are urged to respond promptly to avoid unnecessary certifications and potential legal complications.
- **Administrative conferences:** These are informal phone meetings for unresolved disputes that allow parties to present their positions. Adjusters should attend or have defense counsel present to avoid default judgments.

- **Mediation:** Mediation is a voluntary process available anytime through the ADR's dispute-resolution specialists. Mediations may be conducted by phone, in person or at counsel offices to resolve issues flexibly.

QRCs can also request compliance action by CRT. Penalty reviews are considered carefully, with potential fines for failure to pay within 30 days or prohibited practices under relevant statutes. Prompt communication with CRT or compliance officers helps prevent penalties and ensures smooth processes. These resources are valuable for both QRCs and insurers, emphasizing efficiency and collaboration in resolving billing concerns. For questions, contact ADR, CRT or the help desk.

8. **Updates from BTO – Michelle Doheny** – BTO launched *Campus Connect*, a monthly newsletter that consolidates updates such as for training modules, materials, statutory changes and other timely news, while urgent messages will still be sent via existing email lists. The newsletter aims to streamline communication and reduce message overload. The user experience team is conducting usability studies that review system functionality for internal user areas, such as for the Vocational Rehabilitation unit and CRT. Two new roles – enterprise architect and data engineer – are focused on system improvements, including architecture evaluation and enhancing the data mart for better reporting. In 2024, the team delivered 311 items and 24 deployments, showing consistent progress. Work continues on QRC access management, which is expected to launch soon, followed by improvements to the benefits tab. The technology modernization fund supports enhancements such as locking navigation during scrolling and better tab naming. Efforts also target permissions, assessments and targeted user interface features, with flexibility for shifting priorities. Data initiatives include documenting and optimizing the data mart – while infrastructure updates focus on the demonstration environment – are delayed due to QRC access management. Once released, it will provide a training space outside production. Finally, a new electronic data interchange resource offers solutions for common errors, helping users troubleshoot and train staff members. For enhancement ideas, contact Sarah Munson, part of the user experience team. These efforts aim to improve functionality and user experience across Campus.
9. **Future agenda items** – If you have items for future agendas, reach out to co-chairs Ingrassia and Gary Westman.
10. **Next meeting** – The next WCITF meeting is May 21, 2025.

Adjournment

Ingrassia declared the meeting adjourned at 10:02 a.m.