

## Meeting minutes: Workers' Compensation Advisory Council

Date: Jan. 14, 2026

Minutes prepared by: Alyssa Westergard, executive secretary to the Workers' Compensation Advisory Council

Location: Department of Labor and Industry, Minnesota Room, 443 Lafayette Road N., St. Paul, MN

### Attendance

#### Members attended

Bill Gschwind  
Bernie Burnham  
Burt Johnson  
David Henrich  
Doug Loon  
Gary Thaden  
Hannah Alstead  
John Thorson  
Maggie Hobbs  
Matthew Schmidt  
Sen. Paul Utke

#### DLI staff members attended

Commissioner Nicole Blissenbach  
Assistant Commissioner Jessica Stimac  
Alyssa Westergard  
Alexis Johnson  
Bretta Hines  
Brian Mak  
Brian Zaidman  
Carey Wagner  
Denise Holmes  
Elisabeth Griswold  
Ethan Landy  
Jeanne Vogel  
Jennifer Bucholz  
Joe Lolich  
Jon Brothen  
Josiah Moore  
Laura Alsides  
Laura Zajac  
Lisa Wichterman  
Melissa Parish

Michelle Doheny  
Sandy Stoddard  
Sharon Benkufsky  
Tom Garza  
Yuri Jelokov

#### Visitors attended

Adam TeBrake, VC Minnesota  
Adam Wolkoff, Court of Administrative Hearings  
Alison Khan, WCRA  
Ames Gascoigne, Wilson McShane  
Andrea Rau, Winthrop  
Andrew Essling, MCIT  
Anna Kim, LMC  
Auntara De, MWCIA  
Bill Marshall, UCWCP  
Brandon Miller, SISF  
Carla Ferrucci, MAJ  
Chris DeLaForest, WCRA  
Dana Gerber, Atkinson Gerber  
Darin Richard, LMC  
David Hoffman, MCIT  
Iona Shepherd, MCIT  
James Heer, WCRA  
Jill Gustafson, Ram Mutual  
Jonathan Boesche, NFIB  
Jonathon Kycek, Teamsters 638  
Kara Huberty, LMC  
Karen Clayton-Ebert, MCIT  
Kathleen Moulton, Allina  
Kathy Bray, SFM  
Kathy Carlson, Workers' Compensation Court of Appeals  
Karie Storms, Aafedt

Kim Barnes, MCIT  
Lauryn Schothorst, Minnesota Chamber of  
Commerce  
Mark Freeman, Teplinsky Law Group  
Melissa LaRoca, WNINS  
Michael Tupy, Hennepin County

Rebecca Yang, WCRI  
Shep Harris, Fredrickson Gov. Relations  
Stacie Goodrich, Comp Rehab  
Terrence Miller, SFM  
Tom Atkinson, Atkinson Gerber

## Call to order and roll call

Commissioner Nicole Blissenbach called the meeting to order at 9:39 a.m. A roll call was taken and a quorum was present.

## Approval of the minutes and agenda

Bernie Burnham moved to accept today's agenda and the minutes from Nov. 12, 2025. Doug Loon seconded the motion. The motion carried.

## Announcements

Commissioner Blissenbach advised the council members that after hearing some of its concerns with coordination of benefits as it relates to workers' compensation benefits and Minnesota Paid Leave benefits, she has reached out to the Department of Employment and Economic Development and it is open to coming to a Workers' Compensation Advisory Council (WCAC) meeting to present to the council. She also noted the Office of Administrative Hearings is now the Court of Administrative Hearings, and the revisor's office will be issuing instructions about how to update statutory references to the Office of Administrative Hearings, so the council does not have to go through all of the statutes.

Assistant Commissioner Jessica Stimac announced to the council that Karen Kask-Meinke, director of the Special Compensation Fund, has retired after more than 40 years of service with the state of Minnesota. Jeanne Vogel, who was the director of the Vocational Rehabilitation unit (VRU), has taken the job of director of the Special Compensation Fund; the agency is in the process of hiring a new director for VRU. Stimac also noted the Department of Labor and Industry (DLI) has identified a couple of housekeeping changes to Minnesota Statutes 176 and plans to present them at the February WCAC meeting. The department was also asked by the International Association of Industrial Accident Boards and Commissions (IAIABC) to present about the findings from the post-traumatic stress disorder (PTSD) study. Stimac and Nichole Sorenson, DLI Research and Data Analytics director, will be presenting at a webinar hosted by IAIABC on Feb. 26.

## Agenda items

### 1. Non-legislative recommendations from PTSD study

Stimac addressed the council regarding the non-legislative recommendations from the PTSD study. She and Jennifer Wolf, MWCA, have been collaborating on how to most efficiently accomplish the first recommendation, which was to improve data quality on the first report of injury for mental injury claims. The current plan is to work with WCIO on a recommended coding structure for PTSD claims. Stimac noted that based on the current pace of work, a meeting for approval with WCIO will most likely take place in late spring.

Another recommendation was to provide education around statutory requirements in the claim process. Stimac said there were multiple areas where the department thought it could do more education, so DLI approached this recommendation in various ways. The first step it took was to develop some plain-language information about the claims process for PTSD claims. Stimac said this information – and more as the resources are created – will be added to a PTSD-specific webpage on DLI’s website. The department is also updating the mandatory workplace poster to include types of compensable claims, as well as adding details about the PTSD claims process to the “An employee’s guide to the Minnesota workers’ compensation system.” Stimac anticipates most of these educational items will be complete within the next month.

Stimac moved to the next recommendation, which was increased education and enforcement around PTSD denial narratives. The department analyzed DLI’s current audit and penalty assessment process. Stimac noted the audit demonstrated more outreach and education is necessary. The department is currently in the process of developing guidance about administration of PTSD claims, which will likely be rolled out via email within the next month. Stimac said the idea is education about compliance before increased enforcement.

Another recommendation was to regularly update best practices for PTSD diagnosis and treatment. Stimac noted the DLI Office of General Counsel has reviewed the updated APA guidelines and determined there are updates that could be made to treatment parameters for PTSD. Because the Medical Services Review Board (MSRB) is the group that recommends rules to the commissioner in this space, the department will be working with MSRB on the next steps.

The final recommendation was to have targeted outreach about vocational rehabilitation services available from DLI’s VRU for denied PTSD claims. Stimac said a flyer has been created with a link to VRU resources and a QR code to track engagement. The department plans to use the flyer for outreach to nonprofits that support first responders and their families and will include a link in coming editions of *COMPACT* and *Campus Connect*.

Council members had a few additional questions, which Stimac addressed.

## **2. A recap and Q&A with the UCWCP**

Bill Marshall thanked the council, the commissioner and the assistant commissioner for asking him to present today. After a brief summary of his background, his cohort Ames Gascoigne introduced himself and also gave a brief summary of his background. Marshall and Gascoigne then gave an overview of the UCWCP’s worker’s compensation program. Marshall said the program was intended to promote collaboration, to provide quality care to employees, to help claims move faster and to reduce claim costs. There are four main components to the program: the alternative dispute resolution system (ADR); the exclusive provider organization (EPO); the neutral physician examiner panel; and the exclusive rehabilitation consultant network. Marshall said the ADR system has four main components: intervention; facilitation; mediation; and arbitration. The program manages about 400 claims annually, emphasizing a structured approach to care.

Marshall gave an overview of the EPO, which directs employees to specialized doctors familiar with the construction industry. The UCWCP has a board of trustees that reviews and approves all EPO providers.

Another part of the programs is dispute resolution exams (DREs). Marshall said DREs replace traditional independent medical examinations, providing a neutral assessment for claims. Each side gets a list of two or three doctors to choose from. After the doctor is chosen, each side has an opportunity to submit letters and questions to the examiner; the program also writes a letter and sends it to the doctor.

The final part of the program Marshall spoke about is the exclusive rehabilitation consultant network. The program maintains a panel of qualified rehabilitation consultants (QRCs) with experience in the construction sector. Marshall said there are no interns. He also said they meet with the QRCs annually, offer training and survey them on a regular basis.

Marshall reviewed the number of claims, broken down into the number of interventions, facilitations, mediations, arbitrations and neutral exams during the past 18 years. He also said membership has grown steadily, indicating positive engagement from contractors and employees in the program.

Council members had questions throughout the presentation and Marshall and Gascoigne addressed them as they were presented.

### **3. WCRA legislative proposal**

James Heer, president and CEO, and Alison Khan, vice president of actuarial and claims, appeared before the council to present WCRA's legislative proposal. Heer said WCRA has been working on this proposal for a very long time and gathered input from various stakeholders during the process to get feedback from the various organizations that would be impacted by the potential change. He also said they had worked closely with DLI and the Department of Commerce in terms of reaching an agreement on both the concept and the statutory language for the proposal. The proposal relates to surplus distributions; Heer gave an overview of the current process for surplus distributions. Heer said the proposal only affects a portion of the statutes related to administration of distributions and assessments, and there are very few changes to the assessment side. Heer explained the proposal would create parallel administrative processes for distributions and assessments. He also noted the process that exists today for distributions is a retrospective process and they are trying to make it prospective process. The proposed legislation would also reduce the financial risk to the association and the workers' compensation system. Heer explained that insured employers would now receive a policy credit instead of a check, eliminating issues with uncashed checks, check fraud and tax withholding issues. For the workers' compensation system, the benefit is mainly a simpler administration process for insurers and consistency in processes for distributions and assessments. The benefits for WCRA are the ability to reduce financial risk through multi-year distributions and assessments and an administrative cost savings of at least \$1 million.

Heer said the proposal went in front of its board Dec. 4 and was unanimously approved to move forward. WCRA's request to WCAC is to either include WCRA's proposal with WCAC's bill this year, if there is one, or have the support of WCAC if WCRA brings it as a standalone bill.

After some questions from the council members and additional discussion, Loon made a motion for the council to approve WCRA's legislative recommendation, if WCAC has a legislative vehicle this year WCRA's proposal would become part of it and, if it does not, WCAC would call on the Legislature and the governor to expeditiously move the proposal forward. Burnham seconded and the motion carried.

## **Other business**

The next Workers' Compensation Advisory Council meeting will be Feb. 11, 2026.

## **Adjournment**

Burt Johnson moved to adjourn the meeting and Gary Thaden seconded. The meeting adjourned at 11:06 a.m.

Respectfully submitted,

Alyssa Westergard, executive secretary