

Meeting minutes: Workers' Compensation Advisory Council

Date: June 8, 2022

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

Location: Webex meeting

Attendance

Members

Bernie Burnham
Bill Gschwind
Maggie Hobbs
Doug Loon
Gary Thaden

Legislative liaisons

Rep. Tony Albright
Rep. Mike Sundin

DLI staff members

Commissioner Roslyn Robertson
Assistant Commissioner Kate Daly
Assistant Commissioner Kate Perushek
Mike Hill
Ethan Landy
Chris Leifeld
Hared Mah
Josiah Moore
Jessica Stimac
Ann Tart
Jeanne Vogel
Carey Wagner
Alyssa Westergard
Lisa Wichterman
Laura Zajac
Brian Zaidman
Nichole Sorenson

Visitors

Kathy Bray, SFM Mutual Insurance Company

Kyle Brown, Messerli and Kramer
Melissa Carey, United Hospital
Joel Carlson
Lynn Carroll, Workers' Compensation Reinsurance Association
Paul Cassidy
Aaron Cocking
Evan Cordes, of Aafedt Forde Gray Monson and Hager, P.A.
Julie Donnelly, Almeida P.A.
Andrew Essling
Andrea Everling
Carla Ferrucci, MAJ
Anne Finn, League of Minnesota Cities
Adam Fowler, Optum
Daniel Greensweig, League of Minnesota Cities
Tiffany Gustin
Shep Harris, Fredrikson and Byron
Cody Holliday
Sarah Hunter, SFM
Suzanna Kennedy, Stinson LLP
Bruce Kleven, Kleven Law Office
Amy Kockelman
John Kysylyczyn, K Solutions LLC
Brad Lehto, AFL-CIO
Peter Lindquist
Matt Massman, Minnesota Inter-County Association
Patricia Milun
Richard Nelson, Arthur Chapman
Deb Norsten, SFM
Jessica Nyman
Helen Roberts, Minnesota House of Representatives
Matt Schmidt, UPS
Lauryn Schothorst, Minnesota Chamber of Commerce
Jessica Stoeckman, SFM
Sophie Thaden
Michael Tupy
Lauren Weaver

Call to order

Commissioner Roslyn Robertson called the meeting to order at 9:37 a.m. A roll call was taken and a quorum was not present. Pursuant to Minnesota Statutes § 13D.021, the meeting was held remotely because an in-person meeting was “not practical or prudent” due to the ongoing COVID-19 health pandemic.

Meeting minutes and agenda

No vote was taken to approve the June 8 agenda or the April 12 minutes because a quorum was not present. Commissioner Robertson directed anyone with corrections to the minutes to contact DLI staff members.

Agenda items

1. 2022 legislative update

Assistant Commissioner Kate Perushek thanked the members of the council and legislative liaisons for all their efforts on the 2022 Workers' Compensation Advisory Council (WCAC), with particular thanks on the COVID-19 presumption extension bill. Perushek reviewed the specifics of the bill as well as some of the difficulties in getting it drafted and passed. One mistake, in terms of what passed out of the council recommendations, was that the effective dates were missed when the senate passed the bill. Corrections to add the effective dates were part of DLI's supplemental budget bill, but the bill ran into some roadblocks at the end of the session. Therefore, the technical fixes in the WCAC bill have an effective date of Aug. 1.

The Frontline Worker Pay bill also passed. The application period opened June 8 and will close July 22, 2022. The Legislature approved up to \$500,000,000 in payments to eligible frontline workers.

Perushek also noted a Pension Policy omnibus bill passed and appropriated \$125,000 to DLI for DLI to conduct a study about the adequacy of workers' compensation and PERA disability benefits available to disabled or injured Minnesota police officers.

Perushek doubted that Gov. Tim Walz would call a special session. Many committee chairs reconvened the past week and legislative leaders were scheduled to meet within one week to determine if any progress had been made.

2. Potential legislative initiatives for the 2023 session

Commissioner Robertson opened this up to discussion and no topics were raised.

3. Future WCAC meetings

Commissioner Robertson proposed having monthly meetings instead of every other month to allow sufficient time to properly research and discuss the items that come before the council. She proposed the council meet every month, beginning in August. The council would then meet every month from August through December, with the expectation that the January meeting would be reserved for walking through the final proposal that will be recommended to the Legislature.

Bernie Burnham agreed with the proposed new schedule. Doug Loon also agreed with the new schedule, with the caveat that if there was not clear legislation or proposals to be considered prior to a scheduled

meeting, then it would be up to the commissioner to cancel that meeting. The commissioner agreed with Loon's caveat, but also did not want all discretion to cancel a meeting to reside with her.

As far as a deadline for topics to be submitted, Robertson recommended proposals be submitted by October, with the understanding that that is not a hard deadline and that proposals could be submitted on that date. Burnham and Loon voiced their agreement.

Loon asked if it would be possible for DLI to draft a document to share with stakeholders that outlines the council's process and expectations, as well as statutory requirements for reporting to the Legislature.

Assistant Commissioner Kate Daly and Commissioner Robertson both agreed this was a good idea. DLI will draft a document for the council's review.

Other business

Assistant Commissioner Daly informed the council DLI is hosting a Workers' Compensation Summit on Tuesday, Sept. 13, 2022, from 7:30 a.m. to 3:30 p.m. at the Heritage Center of Brooklyn Center. Registration is now open on the DLI website. If there are any questions regarding the summit, reach out to Daly directly.

The next WCAC meeting is scheduled for Aug. 10.

Adjournment

The meeting was adjourned at 10:32 a.m.

Respectfully submitted,
Alyssa Westergard, executive secretary