

## Agenda: Workers' Compensation Advisory Council

Date: Wednesday, Feb. 24, 2021

Time: 10 a.m. to 12:30 p.m.

Location: Department of Labor and Industry, Webex meeting

### To join the meeting

**Panelists (council memers or alternates and speakers):** Registration is not required; join from your panelist invitation. To ensure your ability to connect, attempt login at least five minutes before the start of the meeting. If you are unable to connect, contact Gretchen Longbehn at [gretchen.longbehn@state.mn.us](mailto:gretchen.longbehn@state.mn.us) or 651-284-5116 for assistance.

**Attendees:** Registration is required. To join from a computing devise, register at <https://minnesota.webex.com/minnesota/onstage/g.php?MTID=e8f4e31907e529602a3b21575bfb8c87a> or visit the Workers' Compensation Advisory Council webpage for registration, Webex attendee instructions and meeting materials at [www.dli.mn.gov/about-department/boards-and-councils/workers-compensation-advisory-council](http://www.dli.mn.gov/about-department/boards-and-councils/workers-compensation-advisory-council). To participate by telephone, at the date and time listed above, call 415-655-0003 or 855-282-6330 and enter: 187 041 9193.

### Announcements – Roslyn Robertson, commissioner

- Workers' Compensation Advisory Council (WCAC) Webex meeting information

### Meeting minutes, agenda – Roslyn Robertson, commissioner

- Approval of Feb. 10, 2021 meeting minutes
- Approval of Feb. 24, 2021 meeting agenda

### Agenda items

1. Commissioner's update
2. Rep. Dan Wolgamott proposal – HF1203; SF1203 – to extend the sunset date for the workers' compensation COVID-19 presumption to May 1, 2022
  - a) Presentation: Rep. Dan Wolgamott
  - b) Testimony: Aaron Cocking, Insurance Federation of Minnesota
  - c) Testimony: Brian Rice, Minnesota Professional Firefighters and AFSCME Corrections Officers
  - d) Written submission: Association of Minnesota Counties and Minnesota Counties Intergovernmental Trust
  - e) Written submission: League of Minnesota Cities Insurance Trust

- f) Written submission: Minnesota Association of Townships Insurance and Bond Trust
3. **Rep. John Huot proposal – HF37; SF105 – COVID-19 workers' compensation presumption provided for education employee**
    - a) Presentation: Rep. Huot and Sen. Greg Clausen
    - b) Presentation: Cost estimates, Brian Zaidman, DLI Research and Statistics
    - c) Presentation: Potential impacts, Andrea Everling, Minnesota Workers' Compensation Insurers Association
    - d) Testimony: Kirk Schneidawind, Minnesota School Boards Association
    - e) Testimony: Aaron Cocking, Insurance Federation of Minnesota
    - f) Testimony: Tina Burkholder, Monticello Public Schools
    - g) Testimony: Carol Hanson, SEIU Local 284
    - h) Written submission: Tim Benz, Minnesota Independent School Forum, and Jason Adkins, Executive Minnesota Catholic Conference
  4. **Sen. Greg Clausen proposal – SF1035 – Presumption of occupational disease for firefighters with certain forms of cancer**
    - a) Presentation: Sen. Greg Clausen
    - b) Testimony: Captain Chris Parsons, Minnesota Professional Fire Fighters
    - c) Testimony: Steve Shapira, state director, Firefighter Cancer Support Network
    - d) Written submission: League of Minnesota Cities Insurance Trust
  5. **Department of Labor and Industry, presentations and proposals**
    - a) Minimum compensation rate adjustment: Brian Zaidman, Research and Statistics
    - b) Permanent partial disability (PPD) adjustment: David Berry, Research and Statistics
  6. **Department of Labor and Industry (DLI) legislative proposals – Ethan Landy, Office of General Counsel; Kate Berger, Office of General Counsel; Chris Leifeld, director, Compliance, Records and Training; Ralph Hapness, of Compliance, Records and Training; and Lisa Wichterman, of Compliance, Records and Training**
    - a) Inpatient hospital (DRG) payment calculator, as revised
    - b) Subpoena of DLI employees prohibited, as revised
    - c) Penalty for attempting to collect payment for medical treatment from employees, as revised
    - d) Ambulatory surgical center fee schedule
    - e) Prompt first action report
    - f) Prohibited practices penalty amendments
  7. **Cost of copies of medical records, proposed by Minnesota Association for Justice at the Jan. 13, 2021, WCAC meeting**
    - a) Testimony: Jim Reimann, Minnesota Medical Group Management Association
    - b) Written submission: Minnesota Ambulatory Surgery Center Association
    - c) Written submission: Minnesota Medical Association
  8. **Repeal of North Dakota exclusive remedy, proposed by Minnesota Association for Justice at the Jan. 13, 2021, WCAC meeting**
    - a) Testimony and written submission: Mark Rodgers, attorney
    - b) Testimony: Aaron Cocking, Insurance Federation of Minnesota

## **Handouts only**

- a) COVID-19 claims by essential workers, Brian Zaidman, DLI Research and Statistics
- b) COVID-19 claims by health care workers, Brian Zaidman, DLI Research and Statistics

## **Adjournment**