



STATE OF MAINE  
WORKERS' COMPENSATION BOARD  
*Board of Directors' Business Meeting*

**March 8, 2016**

A business meeting of the Maine Workers' Compensation Board of Directors was held on Tuesday, March 8, 2016, at the Workers' Compensation Board Augusta Central Office.

**PRESENT:** Paul H. Sighinolfi (*Chair*), Ron Green, Glenn Burroughs, Emery Deabay, Gary Koocher, Richelle Wallace, and Andy Charles.

**I. CALL TO ORDER**

Chair Sighinolfi called the meeting to order at 10:04 a.m.

**II. APPROVAL OF MINUTES**

**1. Draft Minutes of 1/18/2016.**

Director Green MOVED TO ACCEPT THE MINUTES OF 1/18/16; Director Koocher seconded with an amendment. **MOTION PASSES WITH AMENDMENT 6-0-1** (*Chair abstained*).

**III. SUBCOMMITTEE REPORTS**

No subcommittee meetings were held since the last meeting.

**IV. EXECUTIVE DIRECTOR REPORT**

**1. NCCI Meeting**

Director Sighinolfi met with representatives from NCCI to discuss the status of workers' compensation in Maine, rating recommendations, and the new president and chief executive officer, Bill Donnell.

**2. LD 1553**

A public hearing and work session were held for LD 1553. Director Sighinolfi attended and participated in both.

**3. Performance Evaluations**

Senior staff performance evaluations were completed at the end of January.

#### **4. Imbalance of Caseloads**

Caseload territories will need to be redefined in order to address an imbalance between the offices.

#### **5. Presentation to Private Practice Network for Business Survival**

Director Sighinolfi gave a presentation to a group of medical professionals: Private Practice Network for Business Survival. This group works independently and is not hospital based. Fundamentals about workers' compensation, the role of healthcare providers, and the Board's expectations were discussed.

#### **6. Maine HR Convention**

Director Sighinolfi will participate in the Maine HR Convention, giving presentations on the shared economy (Uber, etc.) and medical marijuana.

#### **7. Comp Summit**

Bud Bernstein has been coordinating with Director Sighinolfi on Comp Summit. They are working on ways to commemorate the 100<sup>th</sup> anniversary of the Maine Workers' Compensation Act.

#### **8. National Meeting**

Experts from across the country will be getting together in May to discuss whether workers' compensation should be nationalized. The meeting will be moderated by Bob Wilson, and there will only be about 45 attendees.

#### **9. Central Office – Potential Space**

Time was spent looking at potential office space for the Central office.

#### **10. Massachusetts Department of Industrial Accidents Seminar**

Omar Hernandez, the senior judge of the Massachusetts Department of Industrial Accidents contacted Director Sighinolfi to invite Maine to participate in a regional seminar to discuss commonalities in workers' compensation.

#### **11. Carpenters Union**

Director Sighinolfi met with the regional president of the Carpenters' Union, John Leavitt, and a major contractor to discuss misclassification of employees. If LD 1553 passes, a study will be conducted to better identify how to address this issue.

#### **12. Vermont Legislation**

Vermont is working on legislation to redefine who is an independent contractor, and they are reviewing Maine's definition in the process.

#### **13. Passing of Employee**

A valued employee, Shari Leveille, passed away recently. She was smart, thoughtful, hardworking, and optimistic. She will be missed by her coworkers.

## V. GENERAL COUNSEL REPORT

General Counsel John Rohde was not present. The General Counsel report was given by Deputy General Counsel, Seanna Crasnick.

### 1. Coverage Calls from Canadian Companies

The Board has been receiving calls from Canadian companies asking about obligations to have workers' compensation insurance on employees performing work in Maine.

### 2. Medical Release Form

Questions and complaints involving the medical release form are being handled by Deputy Director Kimberlee Barriere.

### 3. Abuse Investigation Unit

The Abuse Investigation Unit has been working on research involving the presumption of employment.

If LD 1553 passes, the Unit will also be examining the predetermination process to improve it.

### 4. Employee Pamphlet

The address for the Portland office will be incorrect on the employee pamphlets for approximately one month. These pamphlets are sent out with lost time first reports.

## VI. OLD BUSINESS

### 1. Legislation

**LD 1553**, *An Act to Improve the Workers' Compensation System*: Director Sighinolfi testified at a public hearing on this agency bill. A group of stakeholders met after the public hearing and amended the bill. At the work session, the amendments were adopted and the bill was voted out of committee unanimously "ought to pass." A fiscal note was then attached to the bill for \$1.8 million. The note was related to the cap increase outlined in LD 1553, however, it was a misunderstanding because the increase is in the assessment, not in the state allocations. An additional amendment will be made to the bill so the cap increase becomes effective for the 2017-18 fiscal year. This should resolve any issues with the fiscal note.

### 2. Office Space Update

Portland: Renovations in the new Portland office are complete. The office is located at 1037 Forest Avenue. The office will be closed to the public March 17-22 during the move.

Central: The Central office will be renovated and, therefore, the Board is looking to relocate. There is potential space in Hallowell which would be large enough to combine the Central, Regional and Advocate offices.

**VII. NEW BUSINESS**

No new business was discussed.

**VIII. ADJOURNMENT**

Director Burroughs MOVED TO ADJOURN; Director Green seconded. **MOTION PASSES 6-0-1** (*Chair abstained*).

The meeting formally adjourned at 10:55 a.m.