



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

May 13, 2025

A business meeting of the Maine Workers' Compensation Board of Directors was conducted remotely via Teams and in person at the Board's Bangor Regional Office at 396 Griffin Road, Suite 105, Bangor, on Tuesday, May 13, 2025.

BOARD MEMBERS PRESENT: John Rohde (*Executive Director/Chair*), Paul Gendreau, Penny Picard, Glenn Burroughs, Ron Green, Serina DeWolfe, and Lynne Gaudette (*Directors*), and Richard Hewes (*General Counsel*) attended in person.

CALL TO ORDER

Executive Director Rohde called the meeting to order at 10:06 a.m. with over 30 people participating in person and via Teams. Executive Director Rohde reviewed the hybrid meeting format, remote participation procedures, and welcomed participants. Board members and staff introduced themselves for the recording.

I. APPROVAL OF MINUTES

1. Draft Minutes of the April 8, 2025 business meeting of the Board of Directors

Director Gaudette MOVED TO ACCEPT THE MINUTES OF THE APRIL 8, 2025, BOARD MEETING AS WRITTEN; Director Green SECONDED. **MOTION PASSED 7-0.**

II. SUBCOMMITTEE REPORTS

1. Personnel Subcommittee

Director Picard MOVED TO REAPPOINT ADMINISTRATIVE LAW JUDGE DAVID HIRTLE FOR A TERM OF 7 YEARS TO BEGIN ON JULY 13, 2025. Director DeWolfe SECONDED. **MOTION PASSED 7-0.**

2. Budget Subcommittee

Director Green MOVED TO ACCEPT THE BUDGET SUBCOMMITTEE'S RECOMMENDATION TO REDUCE THE FISCAL YEAR 2025-26 ASSESSMENT FROM THE STATUTORY CAP OF \$14,700,000 TO AN ACTUAL ASSESSMENT OF \$13,200,000, WHICH REPRESENTS A REDUCTION OF \$1,500,000, AND TO AUTHORIZE BOARD STAFF TO RAISE \$5,514,166 FROM SELF-INSURED EMPLOYERS AND TO CHARGE INSURED EMPLOYERS A RATE OF 2.75% BASED ON AN ESTIMATED PREMIUM MARKET FOR INSURED EMPLOYERS OF \$279,063,137. Director Gendreau SECONDED. **VOTE 7-0.**

Minutes of May 13, 2025 Workers' Compensation Board Meeting
Approved June 10, 2025 VOTE 7-0

3. Framework Subcommittee

The subcommittee will present more suggestions as to form changes at the next Board meeting. The monthly report will not be overly detailed this time as the subcommittee is still processing data. The final report is due in August.

4. IME Subcommittee

The annual review of independent medical examiners will begin soon.

III. EXECUTIVE DIRECTOR REPORT

1. PTSD Seminar

Executive Director Rohde attended part of a PTSD seminar. Director Green also attended the full seminar on behalf of the Professional Firefighters of Maine.

2. GEA Report

Per Title 3 §956, the Board is due to provide a Government Evaluation Act report this year. The report will be due in November. Agencies are required to do GEA reports every 8 years.

IV. GENERAL COUNSEL REPORT

1. Advocate Division

General Counsel Hewes thanked the Advocate Division staff for their hard work and patience during this very challenging transition period. Advocates and support staff have stepped up to cover numerous tasks to keep files moving toward resolution.

2. Hearing in *Clark v. TWC Administration*

The Board of Directors will hear and decide the Employer's Motion to Dismiss in the hardship case of *Clark v. TWC Administration* at 12:30 today.

V. OLD BUSINESS

1. Legislation Updates

LD 82, the repeal of the sunset provision for the first responder PTSD presumption, had a language review last week and is now before the House. With the emergency preamble and mandate, it will need a 2/3 majority to pass but will be effective immediately upon enactment.

LD 210, An Act Making Unified Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2025, June 30, 2026, and June 30, 2027 is still before the AFA Committee.

LD 784, An Act to Require Health Insurance Coverage for Specialized Risk Screening has had an amendment proposed. The Board is still monitoring this bill.

LD 1226, An Act to Protect Consumers by Licensing Residential Building Contractors is being monitored as it may impact proof of coverage for workers' compensation insurance.

VI. NEW BUSINESS

1. Rules Review

A group of stakeholders met at the Portland Regional Office on May 2, 2025, to review Board rules. The purpose of this group is to review the Board's rules and suggest changes where applicable. There was good participation and discussion of Chapters 12 (Formal Hearings) and 13 (Rules of Appellate Division). The next meeting will be June 6, 2025, at the Portland Regional Office.

2. Training Reminders

Adjuster training will be on June 5, 2025, via Teams. CompCon, a comprehensive legal seminar about Maine's workers' compensation law, will be held on October 8 and 9, 2025. Team Day will be September 12, 2025, at Wolf's Neck Farm in Freeport.

VII. ADJOURNMENT

Director Picard MOVED TO ADJOURN. Director DeWolfe SECONDED. **MOTION PASSED 5-2.** (*Directors Burroughs and Green opposed.*)

The meeting formally adjourned at 10:24 a.m.