



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

June 14, 2022

A business meeting of the Maine Workers' Compensation Board of Directors was conducted on Tuesday, June 14, 2022 via Zoom with the Board of Directors present at the Central Office.

PRESENT: In person: John Rohde (*Executive Director/Chair*), Ron Green, Glenn Burroughs, Remote via Zoom: Richard Hewes (*General Counsel*), Lynne Gaudette, Richelle Wallace, Penny Picard, and Serina DeWolfe (*Directors*).

I. CALL TO ORDER

Executive Director Rohde called the meeting to order at 10:04 a.m. with 27 people participating remotely. Executive Director Rohde reviewed the new hybrid meeting format and remote participation procedures. Board members and staff introduced themselves for the recording. Voting is to be conducted by roll call vote instead of a show of hands.

II. APPROVAL OF MINUTES

1. Draft Minutes of 5/10/2022 Board of Director's Business Meeting

Directors Picard and Gaudette were listed as being in person for the May meeting but both participated via Zoom. The header of the May meeting minutes will be changed to reflect their method of participation.

Director Burroughs MOVED TO ACCEPT THE MINUTES OF THE 5/10/2022 BOARD MEETING AS WRITTEN WITH THE CORRECTION TO THE HEADER; Director Gaudette seconded. **MOTION PASSED 6-0-1.** *Director Wallace abstained.*

III. SUBCOMMITTEE REPORTS

1. Budget Subcommittee

Director Green reported that the Budget subcommittee met to discuss the start of the biennial budget process. Also, the Board has contracted for the services of a computer programmer to help meet the Board's programming needs. The new programmer is to start at 10 hours per week and will work up to 40. This position is a contractor through OIT and will come out of the "all other" budget through cost savings.

Director Wallace noted the biennial budget process is starting soon and the budget will be due on September 1, 2022. Executive Director Rohde expects to receive budget run information around August 1, 2022.

2. IME Subcommittee

The IME subcommittee met to follow up on letters that had been sent to Independent Medical Examiners (IMEs) who were behind in submitting their reports. Director Burroughs noted that results show improvement in the timeliness of reports. However, Dr. Fuhrmann has not responded to letters, emails, or phone calls for several months despite repeated attempts by Board staff to contact him. General Counsel Hewes visited the address listed in the Board's files as Dr. Fuhrmann's office and found that the doctor's office was not at that location. It was suggested that Dr. Fuhrmann be removed from the IME list and the Board accept applications from other pulmonologists.

Director Burroughs MOVED TO REMOVE CALVIN FUHRMANN, M.D. FROM THE BOARD'S APPROVED INDEPENDENT MEDICAL EXAMINER LIST; Director Gaudette seconded. **MOTION PASSED 6-0-1.** *Director Wallace abstained.*

3. Personnel Subcommittee

Director Picard reported Chelsea Marcous has been hired for the advocate position in the Caribou office. Attorney Marcous will begin training in the Portland office while she coordinates relocating to Caribou.

The mold problem in the Portland Regional office has posed many challenges. Two different vendors will be needed to complete the remediation work, which will require a great deal of coordination. Also, employees who work in the building will have to be relocated during part of the work. The building landlord continues to complicate this process. The Bureau of General Services is assisting the Board under the terms of the lease.

IV. EXECUTIVE DIRECTOR REPORT

1. Medical Fee Schedule

In 2023, the Board's Medical Fee Schedule will undergo a comprehensive review. This is done every three years. Information from the Maine Health Data Organization (MHDO) and the National Council on Compensation Insurance (NCCI) will be considered as part of this process.

2. COVID-19

April and May also saw an increase in lost time First Reports of Injury filings (FROIs) generally in the workers' compensation system. Several cases among Board employees were also noted.

V. GENERAL COUNSEL REPORT

1. Section 213 Petition

A petition for the extension of benefits due to extreme financial hardship has been filed. General Counsel has initiated contact with the parties. There is not a timeline yet as to when the case might be ready to be heard before the Board.

2. Personnel

Maryanne Prince, an attorney with the Board's Abuse Unit, passed away unexpectedly on May 19th. Maryanne was a dedicated and selfless worker who was respected by her coworkers. She will be greatly missed.

Deputy General Counsel Seanna Crasnick is working to fill the advocate vacancies within the Abuse Investigation Unit. Advertisements for two openings in Augusta and one in Portland will be posted soon.

General Counsel, along with Senior Staff Attorney Shawn Walsh, conducted worker advocate training on May 27th. The training was coordinated with the Board of Overseers of the Bar to provide CLE credits.

VI. OLD BUSINESS

1. Chapter 5 Rulemaking

The stakeholder group met on May 24th to discuss potential changes to chapter 5, which will include the Medical Records Authorization form that authorizes the release of mental health records. Revised notes have been sent to the group in preparation for the next meeting on June 15th.

VII. NEW BUSINESS

There is no new business.

VIII. ADJOURNMENT

Director Green MOVED TO ADJOURN; Director Wallace SECONDED. **MOTION PASSED 6-1.** (*Director Burroughs opposed.*)

The meeting formally adjourned at 10:31 a.m.