

**Minutes**  
**Labor-Management Advisory Council Telephone Conference**  
**January 13, 2017**

**Advisory Council and Subcommittee members present:**

Lt. Governor Mike Cooney  
Eric Strauss, ERD Administer  
Al Smith, Montana Trial Lawyers Association  
Kevin Braun, Montana State Fund  
Don Judge, Injured Workers Resource Council  
Larry Jones, Montana Self-Insureds Association  
Lance Zanto, Workers' Compensation Management Bureau  
Chris Cavazos, Montana AFL-CIO – mid meeting Al became Chris' proxy  
Nicole Thuotte, Montana Public Employee Association  
Vicky Byrd, Montana Nurses Association  
Mark Cadwallader, Legal Counsel Department of Labor and Industry  
Jason Swant, Project Manager

**Advisory Council and Subcommittee members via telephone**

Bill Dahlgren, Sun Mountain Sports  
Doug Buman, Laborers' International Union of North America  
Jim Larson, Teamsters Local 190  
Annette Hoffman, St. Vincent Healthcare

**Others Present via telephone:**

Attorneys Dick Martin and Michele Reinhart- Levine, FairClaim

**Welcome and Introductions**

**II. Approval of Agenda and Previous Minutes**

The minutes from the January 6, 2017 meeting and agenda were approved.

**III. LMAC Decision Making Process – Jason Swant**

Jason reviewed the Guiding Principles, Process for Making Decisions, Quorum and Proxy.

**IV. 2017 Workers' Compensation Legislation – Eric Strauss**

**LMAC will continue to monitor:**

**SB 72** Create presumptive illness for firefighters

**SB 116 (LC 376)** Disallowing workers' compensation benefits for certain false statements. A hearing is scheduled for January 25, 2017. A motion to oppose was voted upon with reconsideration if there are changes in the bill. The vote was 6 yes and 3 no.

**HB 229** Allowing worker to choose treating physician in workers' compensation cases

**Bills to be monitored:**

**LC 460** Create presumptive illness under workers' compensation for firefighters.

**LC 1263** Prohibit certain subrogation in workers' compensation

**LC 1264** Eliminate workers' compensation evidentiary presumption regarding physicians

**LC 1266** Revise workers' compensation laws pertaining to release of information

**LC 1267** Revise workers' compensation to allow termination of payments due to fraud.

**Bills supported by LMAC**

**LC 223** Create offense related to assault on healthcare and emergency providers. A HB number should be assigned as of January 13, 2017. A hearing is scheduled for February 9, 2017

**Public Comment**

No Public Comment

**Next Steps**

The meeting was adjourned