

Minutes
Labor-Management Advisory Council
November 19, 2013
Best Western Great Northern Hotel, Helena

Advisory Council members present: Lt. Governor John Walsh, Bob Worthington, Don Judge, Bill Dahlgren, Riley Johnson, Jim Larson, Doug Buman, Al Ekblad, Al Smith, Lance Zanto, Bob Olsen, Jean Branscum, Kevin Braun, Jacqueline Lenmark, Bonnie Lyytinen-Hale. Annette Hoffman gave her proxy to Bob Worthington. Jim Larson gave his proxy to Al Ekblad.

Project Core Team members present: Diana Ferriter, Bryan Page, Peter Van Nice, Anne Wolfinger, Mark Cadwallader, Bill Wheeler, Dave Kuntz

Others present: Thom Danenhowe, MMIA; Kim Schulke, Fair Claim; Robyn Morrison, WorkSafeMT; Marv Jordan, MSSF; Leah Tietz, Montana University System; Tim Fitzpatrick, MTSBA; Pat Murdo, Legislative Services; Erin Weisgerber, Barb Gullickson, Maralyn Lytle, Dr. Carla Huitt, Kristine Shields, Karen Wiles, Misty Knight, Dave Elenbaas, Anni Druce, Jason Swant, Teresa Graham, Kim Clark, Employment Relations Division

I. Welcome and Introductions

Lt. Governor John Walsh greeted those present.

II. Approval of Agenda and Previous Minutes

The agenda was approved. The minutes of the September 19, 2013 minutes were approved. Mark Cadwallader clarified that LMAC can discuss new additions to the published agenda but the council cannot take action until the next meeting due to public notice requirements.

III. Economic Affairs Interim Committee Report – Pat Murdo. Legislative Services

Pat advised of a meeting change for January 27th and 28th and there will be discussion about the structure of the Montana State Fund and the Old Fund. There will be a work group December 18th at 1:30.

IV. Montana Safety Culture Act – Bryan Page

Bryan gave a presentation on the Montana Safety Culture Act. A summary of his key points is available on www.mtlmac.com. Lance Zanto proposed they form a work group to be discussed at the next LMAC. Lt. Governor appointed Don Judge and Lance Zanto to serve as co-chairs.

V. Perspectives on HB 334: Bob Worthington and Al Smith

Bob Worthington and Al Smith discussed HB 334 (comments available on www.mtlmac.com). At Al Smith's request, Kim Schulke made additional comments. She said the American Medical Association emphasizes that patients should be able to choose the treating physician. She provided public comments and presented four examples where

the insurer changed the worker's choice of treating physician. She characterized these changes as unfair and unreasonable because there aren't any standards or guidance for what insurers should consider when designating a treating physician.

VI. Data Elements in Montana Workers' Compensation – Diana Ferriter

Diana presented a presentation on the Department's Statutory Authority to Collect Data. (available at www.mtlmac.com). She noted that our Annual Report was recognized by the IAIABC as one of the best in the nation. Bill Wheeler presented on ERD Data and Evaluation plan (available on www.mtlmac.com).

VII. Montana Utilization & Treatment Guidelines Update – Dr. Carla Huitt

Dr. Huitt gave an update on Montana Utilization & Treatment Guidelines and discussed the status of the annual review and MMA survey.

VIII. Follow-up Discussions - Diana Ferriter, Anne Wolfinger

At the last LMAC meeting there was discussion about the draft notification for claimants and employers. It was recommended to add the contact information for LMAC members to the notification. Bill Dahlgren made a motion to send the random notification to 4,000 employers and workers subject to draft email approval under the signature of Lt. Governor John Walsh listing all LMAC members contact information. Lance Zanto seconded the motion and the motion passed.

Anne discussed the calendar of LMAC meetings and there was discussion about having meetings out of town. The Department will propose one meeting location out of town for the spring.

X. Public Comment

There was no public comment.

XIII. Next Steps

Anne referred to the work plan and noted the safety discussion will continue at the next meeting. Don Judge and Lance Zanto indicated they will be formulating the committee and will meet and have a report at the next LMAC meeting.

Lance Zanto and Doug Buman volunteered to discuss HB 334 at the next meeting.

NCCI will be at the next meeting to discuss data they collect from insurers.

The next meeting of the LMAC is scheduled for January 16, 2014.

The meeting adjourned.