

Minutes
**Labor-Management Advisory Council on
Workers' Compensation**

July 30, 2010
Conference Call

Advisory Council members present: Jason Miller, Bill Dahlgren, Annette Hoffman, Don Judge, Riley Johnson, Jacquie Helt, Jerry Keck. Bob Worthington gave his proxy to Riley Johnson. Danny Lee gave his proxy to Jason Miller

Project team members present: Diana Ferriter, Keith Messmer, Anne Wolfinger, Judy Bovington,

Others present: Larry Jones, Liberty Northwest; Nancy Butler, Kevin Braun, MSF; Pat Murdo, Legislative Services; Kris Wilkinson, Legislative Fiscal Division; Al Smith, MTLA; Mark Schwager; Cheryl Wood, MaCO

I. Welcoming & Introductions

Jason Miller presided as chair of the Council since Lieutenant Governor John Bohlinger was unable to attend.

II. LMAC Comprehensive Package Draft Statutory Language

Judy Bovington reviewed the most recent changes to the draft statutory language in the sections on stay at work/return to work (sections 1-11).

After discussion by LMAC members and public comment, Judy made changes to areas addressing retraining benefits, SAW/RTW plans, SAW/RTW assistance, and exchange of information.

Don moved, Riley seconded that the changes in the SAW/RTW sections be approved. The motion passed unanimously by roll call vote.

Judy next reviewed the changes in the remainder of the draft statutory language. Section 28 now directs the Department to set the rate for medical services based on Medicare and requires the agency to establish utilization and treatment guidelines by rule, thus allowing these to be taken into consideration in the legislative fiscal note. Other minor changes were made.

After discussion by LMAC members and public comment, Don moved and Bill seconded that the changes be approved. The motion passed unanimously by roll call vote.

Anne advised the Lieutenant Governor will need to concur with the LMAC's votes on the draft language.

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The new LMAC comprehensive package draft statutory language will next be forwarded to the Economic Affairs Interim Committee for discussion at their August 19 meeting and to NCCI for pricing.

Don noted we are still waiting for NCCI updated pricing on attorney fees. He also requested staff to prepare a spreadsheet of the comparison of the current payment amounts of PPD based on the 10% wage loss factor to the proposed changes. .

III. Next Steps

August 16-17, 9:00-5:00, Best Western Great Northern Hotel

September 14, 1:00-5:00, Big Sky

October 28, 9:00-5:00, location to be determined