

**MASSACHUSETTS WORKERS' COMPENSATION
ADVISORY COUNCIL MINUTES**

May 22, 2003
Department of Industrial Accidents
600 Washington Street, 7th Floor
Boston, MA 02111

Present: Chairman Thomas M. Jones. CM: Antonio Frias (Inez Leonardo); Robert Banks; Alan S. Pierce; Edmund C. Corcoran, Jr.; Carol Falcone.

Also Present: Karen Gibbons (WCRIBM); Ann Conway (Tillinghast); Manolis Bardis (Tillinghast).

Advisory Council Staff: Andrew Burton; Ann Helgran.

Absent: CM: Bruce Cochrane; Stephen Sampson; John Perry; Frank Fanning; Jeanne-Marie Boylan; Department of Economic Development; Department of Labor and Workforce Development.

Agenda:

Actuarial Review of Rate Filing - SRB & Attorney General

Ann Conway & Manolis Bardis, Tillinghast Towers-Perrin

Judicial Interviews - Executive Session

2:15 PM - Timothy M. Linnehan - Appointment to AJ

2:30 PM - Maureen H. McManus - Appointment to AJ

2:45 PM - Ann M. McNamara - Appointment to AJ

3:00 PM - Emily J. Novick - Appointment to AJ

3:15 PM - Timothy F. O'Leary - Appointment to AJ

3:30 PM - Irene B. Schall - Appointment to AJ

3:45 PM - John T. Walsh - Appointment to AJ

4:00 PM - Jessica Coccoli Weilgus - Appointment to AJ

Chairman Jones conducted today's meeting.

ACTUARIAL REVIEW OF RATE FILING

Chairman Jones welcomed Ms. Conway and Mr. Bardis from Tillinghast Towers-Perrin.

Ms. Conway and Mr. Bardis came before the Council to present the final draft of their analysis of the Workers' Compensation Rating & Inspection Bureau's (WCRB) rate filing. Ms. Conway distributed a draft report to all those present and reviewed the report with Council Members.

Chairman Jones summarized Ms. Conway and Mr. Bardis' presentation. He suggested that the report indicated that rate filings submitted by the WCRB sought too great an increase to rates, while both the Attorney General and the State Rating Bureau were seeking cuts too deep.

Chairman Jones asked for a motion to accept the final draft of the report.

Motion made to accept the final draft of the Tillinghast report with a correction made to a specific table.

MMS - passed.

The Chairman asked that Ms. Conway submit a completed and corrected hardcopy of the report to the Executive Director so that it could be distributed to interested parties.

Chairman Jones gave a brief update to Council Members regarding the Budget Subcommittee meeting that was held prior today's meeting. He noted that subcommittee members expressed concern about the House budget figures being too low to provide adequate funding to the DIA. The Chairman stated that if the House budget were to be the final appropriation, the DIA would be forced to take money out of the Safety Grant Program to assure adequate personnel for the DIA.

Chairman Jones also referred to the Governor's Reorganization Plan (Article 87). The bill would eliminate the statutory language requiring the Bureau of Administration and the five sub-divisions within the Division of Industrial Accidents. The Chairman noted that these subdivision would be placed at the discretion of the commissioner's general authority. Chairman Jones also stated that the Workers' Compensation Advisory Council would be converted from a mandatory Council to an optional one at the Commissioner's discretion. Council Members agreed to discuss this proposal in further detail at the next Advisory Council meeting.

EXECUTIVE SESSION - JUDICIAL APPOINTMENTS

Chairman Jones asked for a motion to adjourn to Executive Session.

Motion made to adjourn to Executive Session.

MMS - passed.

Council Meeting adjourned to Executive Session to interview prospective candidates for the position of Administrative Judge in order to fulfill the Advisory Council's statutory role in rating judicial nominees pursuant to its authority under M.G.L., c.23E, §9. Council Members were given a list of candidates who had been recommended for appointment by the Nominating Panel. Each candidate was interviewed by the Council and asked to reply to specific questions.

Chairman Jones again asked Council Members to rate the candidates as highly qualified, qualified or not qualified. He stated that upon completion of the interviews letters would

be sent to the Governor advising him of the Council's position regarding the appointment of Judges.

The Executive Director reviewed how the candidates had been rated at the last meeting.

Mark D. Horan

[Appointment to Administrative Judge]

Chairman Jones asked that a motion be made to consider Mark D. Horan, who had been rated as "Qualified" at the last meeting, as "Highly Qualified."

Motion made that he be rated "**Highly Qualified.**"

MMS - passed.

Timothy M. Linnehan

[Appointment to Administrative Judge]

Motion made that he be rated "**Qualified.**"

MMS - passed.

Maureen H. McManus

[Appointment to Administrative Judge]

Motion made that she be rated "**Qualified.**"

MMS - passed.

Ann M. McNamara

[Appointment to Administrative Judge]

Motion made that she be rated "**Qualified.**"

MMS - passed.

Emily J. Novick

[Appointment to Administrative Judge]

Motion made that she be rated "**Qualified.**"

MMS - passed.

Motion made that she be rated "**Highly Qualified.**"

MMS - passed.

Timothy F. O'Leary

[Appointment to Administrative Judge]

Motion made that he be rated "**Qualified.**"

MMS - passed.

Irene B. Schall

[Appointment to Administrative Judge]

Motion made that she be rated " **Qualified.**"

MMS - did not pass.

The Advisory Council was unable to reach a consensus on the qualifications of Ms. Schall for appointment as an Administrative Judge.

John T. Walsh

[Appointment to Administrative Judge]

Mr. Walsh was not present to be interviewed at today's meeting. Council Members suggested that he be rescheduled for another appointment at the next Council Meeting.

No vote was taken on this candidate.

Jessica Coccoli Weilqus

[Appointment to Administrative Judge]

Motion made that she be rated "**Qualified.**"

MMS - passed.

Motion made to adjourn.

MMS - passed.

Meeting adjourned 4:30 PM.

The next regular meeting of the Advisory Council: June 11, 2003 at 9:00 AM, Division of Industrial Accidents, 7th Floor Conference Room, at 600 Washington Street, Boston, MA 02111.