

**Massachusetts Workers' Compensation
Advisory Council Minutes**

July 15, 1998

Department of Industrial Accidents

600 Washington Street

Boston, MA 02111

Chair: Edmund C. Corcoran, Jr.

Vice Chair: William H. Carnes

Present: Chairman Edmund C. Corcoran, Jr.; John Gould (Donald Baldini); Joseph Tamulis; Tony Frias; Lawrence Morrisroe; Carol Falcone; Alan S. Pierce; Department of Labor & Workforce Development (Joan Lenihan); Bruce Cochrane (Doug Somerville).

Also Present: DIA: Commissioner Campbell; Tom Griffin; Vinny Luca; Jim Hayes; Bob Davis; Ann Conway (Tillinghast); Neil Gibbons and Bob Roesch (WCRIB); Sharon Soong (Division of Health Care Finance & Policy)

Staff: Matthew Chafe; Andrew Burton; Ann Helgran

Absent: Vice Chair William H. Carnes; CM: Jeanne-Marie Boylan; Edward Sullivan, Jr.; Robert Banks; John Perry; Department of Economic Affairs (John Melina)

Agenda:

DIA Update

Action Items

- Minutes June 24, 1998

Budget Update

Employer Assessments

Executive Director Update

Chairman Corcoran conducted today's meeting.

DIA Update

Senior Judge Jennings was unable to attend today's meeting. The Executive Director advised Council Members of his request for monthly statistics and will distribute them when he receives them.

Stop Work Orders

Mr. Luca reviewed the statistics on stop work orders. June Investigations, 374; total default letter visits, 373; SWO's issued, 158; total SWO's reissued, 13; fines collected, \$91,607.00. Mr. Hayes will be creating a new format for the stop work orders statistics.

Budgetary Matters

Personnel Issues

Mr. Luca updated Council Members on personnel issues. Mr. Luca informed the Council that as of 6/30/98 there were 293 full-time employees and submitted the personnel actions by memo (attached to minutes).

Assessment Audit

Mr. Luca stated that the assessment audit is progressing slowly. A meeting will be held tomorrow, and they are still looking at another 4-6 weeks before release of the RFR.

MUTTS

Mr. Davis informed Council Members that the pilot program is ongoing and is on schedule. Those participating in the program are Aon, and Buckler Irvin & Graf. He informed Council Members that Traveler's is contemplating withdrawing from program. Aon is in the process of changing a vendor and this has caused a setback in phase I. Mr. Davis stated that he would be able to have a status report of the progress of phase I possibly for the October Advisory Council meeting.

Chairman Corcoran thanked the DIA staff for their updates.

Employer Assessments

Chairman Corcoran recognized Ann Conway of Tillinghast who was present at today's meeting.

Mr. Chafe reviewed as background information his two memos of July 6th addressing the assessments (attached to minutes). The private employment assessment rate has been calculated to be 5.383% of standard premium, as compared to last year's 4.021% of premium, an increase of 34%.

Ms. Conway distributed a summary of the fiscal 1999 assessment rates report (attached to minutes) and reviewed its contents. Ms. Conway stated that although the Trust Fund Budget is going down, the assessment rate is going up. This relates to two factors: the assessment base factor (determined by statute), and the overage adjustment.

Chairman Corcoran thanked Ms. Conway. He then asked Mr. Luca if any records were kept for collections, for example referral fees from conciliation to conference.

Mr. Luca stated that this money as well as referral fees and first report of injury fines are categorized and put into the special fund. It reflects in the lowering of the budget in the following fiscal year.

The Executive Director referred to a circular letter from the WCRIB. He noted that there were several non-participants in the section 65 trust fund (37). He offered this list of names to any one who is interested.

Budget Issues

The Executive Director explained that the entire state budget is still being reviewed by the Conference Committee.

Chairman Corcoran informed Council Members that the legislation discussed a year ago on workers' compensation has had no movement.

Executive Director Update

The Executive Director updated Council Members regarding judicial appointments.

Mr. Roger Lewenberg's name was submitted to the Governor's Council. Additional three names will be submitted in the near future.

Chairman Corcoran addressed Commissioner Campbell and referred to Senior Judge Jennings' memo outlining decisions outstanding. Commissioner Campbell stated that there were many positive things occurring including the successful training program for judges that had just been completed. He noted that it was unfortunate that there are a few judges that are not producing as shown in the Senior Judge's memo on decisions outstanding for more than six months (attached to minutes).

Chairman Corcoran thanked Commissioner Campbell for attending.

Action Items

Chairman Corcoran asked for a motion to accept the June 24th Minutes.

Motion made to accept the minutes.

MMS - passed.

Meeting adjourned 10:00 a.m.

The next regular meeting of the Advisory Council will be held on August 12, 1998, 9:00 AM, at the Division of Industrial Accidents, 7th Floor Conference Room, 600 Washington Street , Boston, MA 02111