

**MINUTES OF THE ILLINOIS WORKERS' COMPENSATION COMMISSION  
100 WEST RANDOLPH STREET, EIGHTH FLOOR  
CHAIRMAN'S CONFERENCE ROOM, CHICAGO, IL  
HELD ON SEPTEMBER 25, 2012 AT 2:00 PM**

**Present at the meeting were:**

Chairman Mitch Weisz  
Commissioner David Gore  
Commissioner Thomas Tyrrell  
Commissioner Mario Basurto  
Commissioner Michael Latz  
Commissioner Kevin Lamborn  
Commissioner Daniel Donohoo

**Not present at the meeting were:**

Commissioner Charles DeVriendt  
Commissioner Ruth White  
Commissioner Yolaine Dauphin

**IWCC staff present were:**

Mr. Bob Devereaux, Efficiency Control  
Mr. Ron Rascia, General Counsel  
Ms. Susan Piha, Manager of Research and Education  
Ms. Kim Janas, Secretary of the Commission  
Ms. Lola Dada-Olley, Deputy General Counsel  
Ms. Dennie Zankel, Deputy General Counsel

Chairman Weisz called the meeting order and noted that a quorum was present. Commissioners DeVriendt, White, and Dauphin had called into the meeting but noted that they needed to end their participation because they still had oral arguments to hear in Springfield. There was a motion by Commissioner Latz, seconded by Commissioner Tyrrell, and unanimously carried to approve the minutes of the July 24, 2012 Commission meeting.

The first agenda item was the Chairman's update on the status of ongoing projects and other news at the Commission. Chairman Weisz stated that he believed that the new arbitrator appointments would not occur any time in the near future. There has been sufficient coverage arranged to handle the two "TBA" calls. Representatives from NCCI were able to provide a special presentation of their annual state advisory forum for Illinois for Commission staff. The original date for this presentation conflicted with the Commission's judicial training program. NCCI has announced a 3.8% reduction in advisory rates for 2013.

Kim Janas then provided an update on the status of several of the Commission's rules and the Commission's legislative agenda for the 98<sup>th</sup> General Assembly. The Commission has several rulemakings that are in various stages of the approval process. The Commission's rulemakings on the intoxication testing standards and the updates to the Medical Fee Schedule have passed their second notice period. These rules will become effective once they are accepted by the Illinois Register.

The Commission has three rulemakings that are currently on the agenda for the November 13<sup>th</sup> JCAR hearing in Chicago: updates to the Commission rule on the disqualification of Arbitrators and Commissioners, revisions to the Commission Review Board procedures, and the rulemaking implementing the reimbursement for repackaged drugs filled and dispensed outside of a licensed pharmacy.

Ms. Janas then summarized the Commission's proposed legislative changes affecting the operations of the Commission. These proposed changes include requiring Rate Adjustment Fund recipients to provide their name and address to the Commission, addressing a gap in the statutory assessment which funds the Rate Adjustment Fund, eliminating the certified record calculation from Section 19(f) of the Act, eliminating the requirement to send the handbook out upon receipt of the first notice of injury, and addressing an accounting issue with applications for the Injured Worker Benefit Fund.

Chairman Weisz then moved on to any new business before the Commission. He asked Bob Devereaux to provide a report on operational changes underway at the Commission. Mr. Devereaux summarized several ongoing projects. The Insurance Compliance Unit was recently relocated from the east side of the 8<sup>th</sup> floor to the west side. The move was undertaken as a result of security concerns, to ensure that the Unit was housed in a secure area due to the nature of their work and the confidential information handled by that Unit. Plans are underway to relocate the Information and Review Departments to an area closer to where the attorneys and the public congregate on a daily basis. This is being done so that these departments will be more easily visible and more accessible to the people who need and utilize their services on a daily basis.

Mr. Devereaux also summarized some of the technological improvements at the Commission, such as the new online search feature of the Commission's mainframe. Prior to the implementation of this technology the Information Department was conducting an average of 2,200 information searches per month at the request of attorneys and the general public. The average volume has now dropped to 750 search calls. This is a decrease in service requests of approximately 66%.

Finally, Mr. Devereaux concluded by summarizing the evaluation of the way petitions for review are processed and also the proposed framework of suggested changes. Some of these changes include moving the cabinets which hold the files that are subject to review closer to the Commissioner's offices in a locked cabinet in order to reduce the number of times the file is transferred between physical locations. Another change is to require each Commissioner's office to input the review decisions into the mainframe. The Commissioner's discussed the impact of these changes on their staff. Mr. Devereaux stated that the time involved should be minimal, in that a sample revealed that over the 13 week period which began on May 24<sup>th</sup> and ended on August 20<sup>th</sup>, there was an average of 2.98 decisions per week per Commissioner. With this average of 3 decisions per week, the next piece of information needed was an average time for inputting a decision. An experienced data entry person can enter one decision in approximately 5 to 7 minutes. This time is tripled to 20 minutes per decision to account for inexperience or a learning curve would equal a total of 1 hour per week or 12 minutes per day.

There was a motion by Commissioner Lamborn, seconded by Commissioner Latz, and unanimously carried to adjourn the meeting.