

A G E N D A

SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

1333 Main Street, 5th Floor
Columbia, South Carolina 29201

August 17, 2015 – 10:30 a.m.

Commission Hearing Room A

This meeting agenda was posted prior to the meeting and proper advance notice was made to all concerned parties in compliance with requirements in the Freedom of Information Act.

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|-----|--|---|
| 1. | CALL TO ORDER | <i>CHAIRMAN BECK</i> |
| 2. | APPROVAL OF AGENDA OF BUSINESS MEETING OF AUGUST 17, 2015 | <i>CHAIRMAN BECK</i> |
| 3. | APPROVAL OF MINUTES OF THE BUSINESS MEETING OF JULY 20, 2015 (Tab 1) | <i>CHAIRMAN BECK</i> |
| 4. | GENERAL ANNOUNCEMENTS | <i>MR. CANNON</i> |
| 5. | APPLICATIONS FOR APPROVAL TO SELF-INSURE (Tab 2) | <i>MR. SMITH</i> |
| 6. | DEPARTMENT DIRECTORS' REPORTS
Human Resources (Tab 3)
Information Services (Tab 4)
Insurance, Medical & Administrative Services (Tab 5 & 6)
Claims (Tab 7)
Judicial (Tab 8) | <i>MS. OSBORNE
MS. UNDERHILL
MR. DUFFIELD
MS. SPANN
MS. BRACY</i> |
| 7. | EXECUTIVE DIRECTOR'S REPORT (Tab 9) | <i>MR. CANNON</i> |
| 8. | OLD BUSINESS | <i>CHAIRMAN BECK</i> |
| 9. | NEW BUSINESS
A. Approval of 2016 Commission Calendar (Tab 10)
B. Proposed Amendments to Regulations (Tab 11) | <i>CHAIRMAN BECK
Mr. Cannon
Mr. Cannon</i> |
| 10. | ADJOURNMENT | <i>CHAIRMAN BECK</i> |

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THE
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION
BUSINESS MEETING

Monday, July 20, 2015

A Business Meeting of the South Carolina Workers' Compensation Commission was held in Hearing Room A of the Workers' Compensation Commission on Monday, July 20, 2015, at 10:30 a.m. The meeting agenda was posted prior to the meeting and proper advance notice was made to all concerned parties in compliance with requirements in the Freedom of Information Act. The following Commissioners were present:

T. SCOTT BECK, CHAIRMAN
SUSAN S. BARDEN, VICE CHAIR
R. MICHAEL CAMPBELL, II, COMMISSIONER
MELODY L. JAMES, COMMISSIONER
GENE MCCASKILL, COMMISSIONER
AISHA TAYLOR, COMMISSIONER
AVERY B. WILKERSON, JR., COMMISSIONER

Present also were Gary M. Cannon, Executive Director; Sonji Spann, Claims Director; Amy Bracy, Judicial Director; W.C. Smith, Self-Insurance Director; Wayne Ducote, Coverage & Compliance Director; Amanda Underhill, Business Analyst; and Keith Roberts, Attorney. Also present were: Lena Smith, Southern Strategy Group; and Betsy Hartman.

Chairman Beck called the meeting to order at 10:37 a.m.

AGENDA

Commissioner Barden moved that the agenda be approved. Commissioner McCaskill seconded the motion, and the motion was approved.

APPROVAL OF MINUTES – BUSINESS MEETING OF JUNE 15, 2015

Commissioner Barden moved that the minutes of the Business Meeting of June 15, 2015 be approved. Commissioner McCaskill seconded the motion, and the motion was approved.

SPECIAL RECOGNITION

Gary Cannon, Executive Director, recognized Betsy Hartman, retired Information Technology Director, for 20 years of service to the State of South Carolina, and presented her with a certificate and pin. On behalf of Governor Haley, Mr. Cannon presented Ms. Hartman with a certificate of appreciation upon retirement. Ms. Hartman expressed her appreciation for the opportunity to be a part of the work of the S.C. Workers' Compensation Commission.

GENERAL ANNOUNCEMENTS

Mr. Cannon informed the Commission that the office lease agreement on the current space expires in May 2016. He reported that he has been in contact with the Division of General Services and they are working through the Request for Proposal (RFP) process. Pursuant to U.S. General Services Administration (GSA) requirements, the Commission may lose space based on the number of current employees, the number of future positions approved and the number of square footage space currently utilize. Mr. Cannon said he is working with Jonathan Harvey, Director of Business Development, CBRE, and an architect, to look at ways to

consolidate office space which will allow CBRE to rent space the Commission is not using. He expects a draft plan from the architect this week.

There was discussion on security concerns in the reception area and waiting room.

APPLICATIONS FOR APPROVAL TO SELF-INSURE

Self-insurance applications were presented by W.C. Smith, Self-Insurance Director. Twenty-one (21) prospective members of four (4) funds were presented to the Commission for approval. The applications were:

Palmetto Timber Fund

Sandy Run Timber Products

SC Home Builders SIF

Aaron Schmaus

Big E Drywall, LLC

Farmer Construction, LLC

Hamilton Builders of SC dba Framco

Herrington's since 1986, LLC

Isaac's Construction, LLC

James McGrew dba James McGrew Cabinetmakers

KA Nemeth Construction, Inc.

Llamas Painting, LLC

Lucas & Lucas Construction, LLC

M&B Electrical Service, LLC

M&M Interiors Meetze Jeremy dba

McLemore Thomas R.

Paul Rowland, dba Lakeside

SB Construction, Inc.

Smith Cleaning, LLC and Stuart Smith dba Newberry Contracting

The David R. Boyer Company

Wanda S. Morgan Designs, Inc.

SC McDonald's Operators SIF

Cravco V, LLC dba McDonald's Restaurants

SC School Boards Insurance Trust

Anderson School District Three

After examination of the applications, it was determined that each complied with the Commission's requirements and each was recommended for approval. Commissioner Wilkerson made the motion to approve the applications to self-insure, and Commissioner Taylor seconded the motion. The motion was unanimously approved.

DEPARTMENT DIRECTORS' REPORTS

The Department Directors presented their reports which were also submitted to the Commission in written form.

Human Resources Department

Alicia Osborne presented the Human Resources report for the period of June 1 through June 30, 2015. Ms. Osborne announced employee contribution rates for the S.C. Retirement System (SCRS) and State Optional Retirement Program (ORP) increased from 8.0 to 8.16

percent effective July 1, 2015 and will be reflected in the August 1, 2015 paychecks.

Information Technology Department

Amanda Underhill presented the Information Services Department's report. Ms. Underhill pointed out the following highlights from the report:

- IT is working with DTO and Progress/Bravepoint on replacing the current servers with multiple virtual servers
- All vendors are now in production for Subsequent Report transactions
- IT is working with Progress/Bravepoint on eCase improvements and upgrade to bring a more modern look to eCase and adding new functionalities

Chairman Beck asked about the status of the view images project. Ms. Underhill said it is early in the process and a completion date is not projected at this time.

Ms. Underhill announced that DTO is migrating email accounts for the Commission to a new server. This change will require IT to update each device assigned to the Commissioners. She requested the Commissioners bring all devices used to access email to the office at the August business meeting and IT will make the updates.

Insurance, Medical & Administrative Services Department

On behalf of Grant Duffield, Wayne Ducote, Coverage and Compliance Director, presented the Insurance, Medical & Administrative Services Department's report. Mr. Ducote reported that the Medical Services Provider Manual (MSPM) is moving on schedule to completion. Work continues on reviewing the guidance language for the MSPM in preparation to present for Commission approval at the August Business Meeting.

Mr. Ducote reported a total of 313 more claims received in FY 2014-15 compared to FY 2013-14; Coverage fines are at 100% of collections for prior year; and Compliance revenue is at 125% of prior year. Of the \$5.9 million in fines the Compliance Division assessed, 82% were waived or rescinded as employers either obtained insurance coverage or were found not to be subject to the Act. Year to date, Self-Insurance tax revenue is \$4.8 million.

Mr. Cannon presented the Summary of Revenues and Expenditures for FY 2014-15. The General Appropriation Budget ended with expenses totaling 99.5% of funding allocation, resulting in a positive balance of \$9,225. The Earmarked Funds Expense Budget ended with expenses totaling 98.3% of funding allocation, resulting in a positive balance of \$57,758. The Earmarked Funds Revenue Budget ended with revenues totaling 113.33% of projected budget, resulting in a transfer to fund balance of \$322,748.

Claims Department

Sonji Spann presented the Claims Department's report. Ms. Spann reported the following for the month of June:

- Closed 2,742 individual case files
- Received \$124,800 in fine revenue
- Claims examiners reviewed 1,461 individual case files
- 359 fines assessed
- 330 Form 18 fines assessed
- A total of 13,000 forms processed

Ms. Spann reported a total of 336 Form 18s processed through SROI and 1,796 Form 18s received via email for the month of June.

Judicial Department

Amy Bracy presented the Judicial Department's report. She reported the following for June 2015:

- 148 Single Commissioner Hearings conducted
- 15 Full Commission Hearings conducted
- 238 informal conference cases

- 89 regulatory mediations scheduled
- 24 requested mediations
- 42 matters resolved in mediation with the receipt of Forms 70

EXECUTIVE DIRECTOR'S REPORT

Gary Cannon, Executive Director, presented his report which was also submitted to the Commission in written form. He pointed out the following highlights from his report:

Debit Card Ad Hoc Advisory Committee

The Debit Card Ad Hoc Advisory Committee is reviewing a proposed recommendation for Committee consideration. He anticipates a meeting will be scheduled within thirty days to discuss the recommendation.

Narcotics Use Ad Hoc Advisory Committee

The Narcotics Use Ad Hoc Advisory Committee will meet on July 30, 2015 at the S.C. Pharmacy Association.

Claims Administration Workshop

Registration has begun for the Claims Administration Workshop scheduled for Thursday, July 30, 2015. Mr. Cannon announced the Claims Administration Workshop was approved for five (5) CLE credit hours.

Personnel

Mr. Cannon reported Brian Meyers was selected for the IT Consultant I position.

Mr. Cannon reported twenty-eight (28) applications were received for the IT Director's position. Five individuals were interviewed on July 13, 2015. Sandee Sprang was selected for the position and will begin her employment with the Commission on August 17.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

ADJOURNMENT

Commissioner Taylor made the motion to adjourn. Commissioner Barden seconded the motion, and the motion was approved.

The July 20, 2015 meeting of the South Carolina Workers' Compensation Commission adjourned at 11:13 a.m.

Reported August 17, 2015
Kim Ballentine
Office of the Executive Director

MEMORANDUM

Date: August 12, 2015

TO: Mr. Gary Cannon
Executive Director

FROM: Alicia Osborne
Human Resources

SUBJECT: Human Resources Report Period of July 1, 2015 to July 31, 2015

Below is a summary of the Human Resources activity for the period of July 1 – July 31, 2015.

Employee Relations (ER)

- Ongoing Workers' Compensation Injuries
 - One new claim filed
 - Three active claims
- Workforce Planning
 - Pending:
 - Two positions ready to key – on hold while HRD addresses system issues
- Accommodation Request(s)
 - Researching medical accommodations procedure(s)
- Special Project(s)
 - Insurance Claims Examiner II was assigned to exclusively review, prepare, and scan old files.
- Building Concerns
 - No hot water concerns
 - Water leak in Judicial area (twice)
 - Stairwell concerns
- Addressed mandatory attendance by all staff to All Employee meetings

Hire(s)

- IT Manager II
 - Scheduled Interviews (5)
 - Sandee Sprang – Attorney General's Office
 - Start date – August 17, 2015
 - Notified interviewees that were not selected

State Human Resources Division (HRD)

- Projects
 - Still pending renaming of remaining IT position classifications by HRD
- HR Advisory Meeting – July 29, 2015
 - Bonus information update
 - Statewide classification study information provided
- FLSA Update Regarding Employees Now Eligible for Overtime
 - No impact at this time for agency
- State Employee Grievance Committee
 - Nominated by Executive Director to represent WCC

Fiscal Responsibilities (w/ Fiscal Technician II)

- Approved 32 SCEIS financial transactions

- Within the SCEIS system approved documents and travel requests submitted by the Fiscal Technician for June

Reports

- Ran SCEIS Deductions Not Taken / Arrears report
 - Report is cleared
- Ran SCEIS Wage Type Report
 - No discrepancies
- Time Administration
 - Approved Leave as requested by supervisors and commissioners
 - Assisted Employees with leave corrections and working time corrections
 - Notified supervisors and employees of missing time and ensured it was keyed in.

SCEIS

- Reports
 - Worked on requests by Department Head(s) and Executive Directors
- Assisted Director of IMAS with various SCEIS system issues
- Reviewed pay statements with current/former employees due to change in status
- Updated withholdings at employee(s) request
- Added additional viewing roles for Director of IMAS

Mandatory All Employee Meeting – July 23, 2015

- Created Agenda
- Social Security Speaker Chris Jenkins
- IT Update regarding e-mail migration
- IT Tip by Brian Myers

Miscellaneous

- Meeting(s) attended onsite
 - Vocational Rehabilitation – July 15, 2015
 - CPD Report (Corporal Frederick) – July 15, 2015
 - Executive Staff – July 15, 2015
 - CAME Workshop Planning – July 29
 - SANS Securing the Human Training Program – July 23, 2015
- Social Committee – After Work Gathering July 16, 2015
- State Accident Fund Survey – Submitted July 8, 2015
- CAME Workshop – July 30, 2015
- Assisted with survey results for NAUC
- Spoke with OSHA regarding potential concerns at WCC
- Employment verifications (2)



Workers' Compensation Commission

To: Gary Cannon
SCWCC Executive Director
From: Amanda Underhill, Business Analyst
Date: August 7, 2015
Subject: IT Department August 2015 Full Commission Report

IT Department Activities for the Month of July 2015

- **DTO Infrastructure**
 - Duane is working with DTO and Progress/Bravepoint for replacing our current servers with multiple virtual servers. This change will improve the Agency's security posture.
- **Production issues**
 - EDI RIs3 FROI & SROI
 - Processing error research and resolution based on email questions from TPA's and Carriers, coordinated through Barbara James in Accident Reporting.
 - Amanda conducted testing with 3 direct partners to implement SROI.
 - Progress
 - Duane researched and corrected invoice/payment data issues. This involved manual data changes to balance the reports from Progress and SCEIS.
 - Duane created several ad hoc reports for Administration and Commissioners.
 - Amanda ran the Orders report for Judicial.
 - OnBase Production Maintenance and new requests
 - Amanda is working with DTO staff to coordinate an upgrade to Onbase 13. The upgrade for SCWCC was postponed again by DTO.
 - Amanda is creating a SCWCC specific user guide for staff use in the new version of Onbase.
 - All new Onbase requests are on-hold, pending completion of the upgrade.
 - Brian assisted staff with F4 indexing issues when virtually printing documents to a case file.
 - eCase
 - Amanda and Brian have been working with both internal and external users for upload Customer Service and registration. Training, questions and issues that come up and require technical support.
 - Hardware
 - IT is planning to purchase new computers for 1/3 of staff in July/August. IT aims to replace hardware every three years for 1/3 of staff to keep equipment up to date and secure.
- **Desktop support**
 - Brian handles most desktop support issues. During the past month this has included:

- Secure email questions, issues, including password resets.
- Resolved Outlook email problems for staff.
- Addressed 1 printer problem and 2 scanner issues.
- Provided password assistance for Commissioners and staff.
- Assisted staff working with PDF document problems.
- Addressed 2 viruses, requiring rebuild of staff computers.
- Projects
 - SROI Project
 - The SROI team is beginning work on implementation of the MTC FN which is the replacement of the Form 19.
 - The SROI team recommends after the FN transaction is complete, work should begin on implementation of the balance of the MTC's. This will make it easier on both the Claims staff and the end users for submission of claims data. It is the recommendation of this team that mandatory submission of the SA and FN be done together and should be one year from the completion of the FN coding. Recommended date for mandatory submission is July 2016.
 - IT Security / DIS Policies
 - Duane and Brian are coordinating vulnerability remediation with DTO.
 - Duane researched and tested Progress software upgrade process for restricted user access.
 - eCase Re-face
 - IT is working with Progress/Bravepoint to give eCase a face-lift. Progress has provided a new design for eCase screens. Amanda has spent the majority of her time this month working to document full requirements for development and implementation.
 - CAME Seminar
 - Amanda created sample eCase data for presentation at the CAME seminar.
 - Annual Report
 - Amanda finalized Fiscal Year end statistics for Annual Reporting with the help of executive staff.
- Meetings
 - Amanda was involved in planning and presenting for the SCWCC CAME Workshop held on July 30. Brian and Sandee also attended the workshop. We were able to address many attendee questions regarding eCase and EDI.

State of South Carolina



Workers' Compensation Commission

To: Mr. Gary Cannon
SCWCC Executive Director

From: Grant Duffield
IMAS Director

Date: 12 – August – 2015

Subj: Insurance, Medical and Administrative Services Department
July 2015 Full Commission Report

Please find attached information provided to summarize the status and workflow of initiatives currently underway within the Insurance, Medical and Administrative Services (IMAS) Department

In addition to the statistical data provided, please be advised of the following workflow initiatives:

Compliance Division	<ol style="list-style-type: none">1. Reviewing organizational structure.2. Reviewing revenue metrics.3. Completed 12M assessment process.
Coverage Division	<ol style="list-style-type: none">1. Working with staff to review workflow processes and explore opportunities to enhance service provision.2. Lapse in Coverage
Medical Services	<ol style="list-style-type: none">1. Finalized MSPM guidance policy text edits.2. MSPM "pre-order" process for stakeholders completed.3. Prepared for Sept 1, 2015 release.4. Continue work with MedAssets to improve Medical Bill reviews.
Administrative Svcs	<ol style="list-style-type: none">1. Uploaded 2015-16 budget data.2. Working through Year End reporting for CG's office.
IMAS Administration:	<ol style="list-style-type: none">1. Working with Division Mgrs to provide cross coordination of mgmt. functions.2. Working with Executive Team concerning strategic planning and future needs forecasting.3. Processing 43 files to go to GEAR

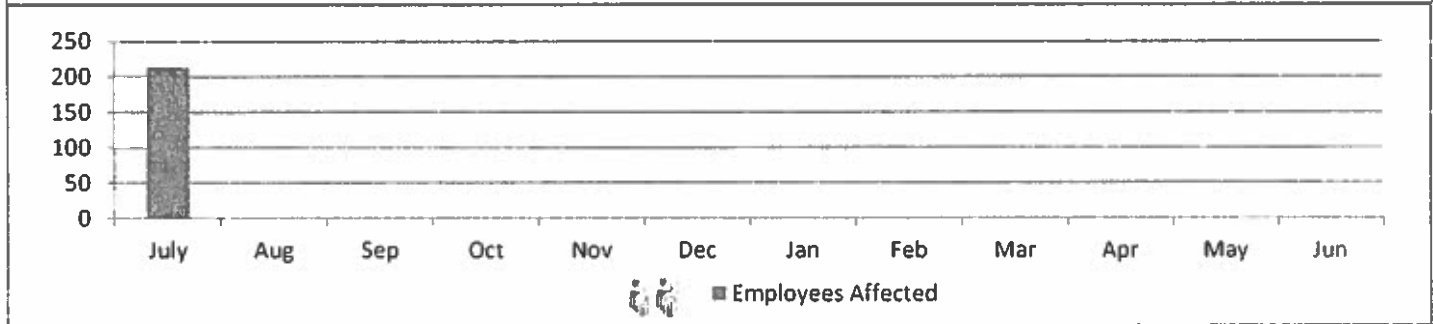
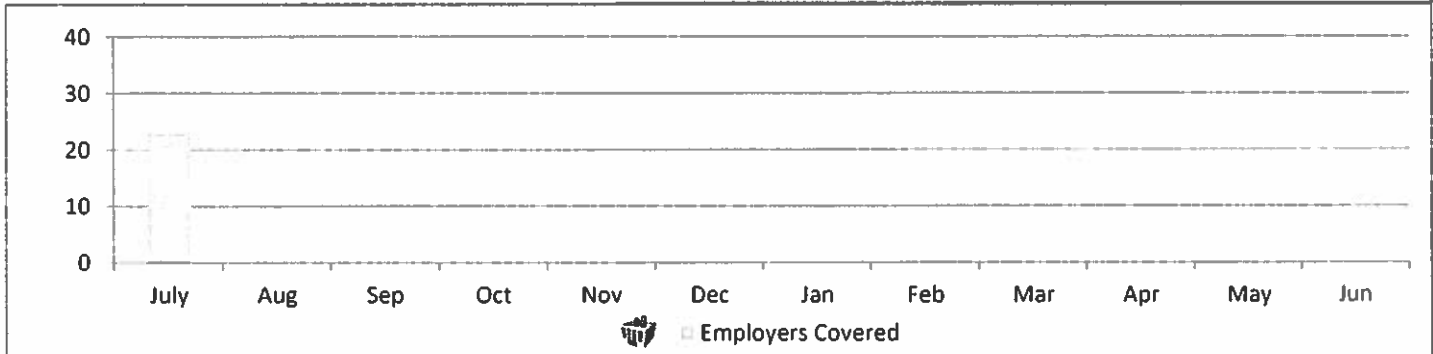
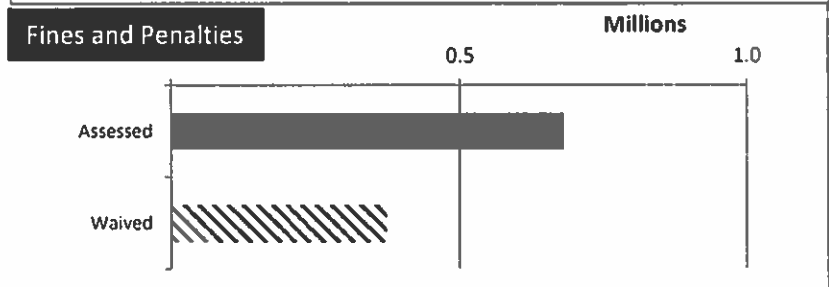
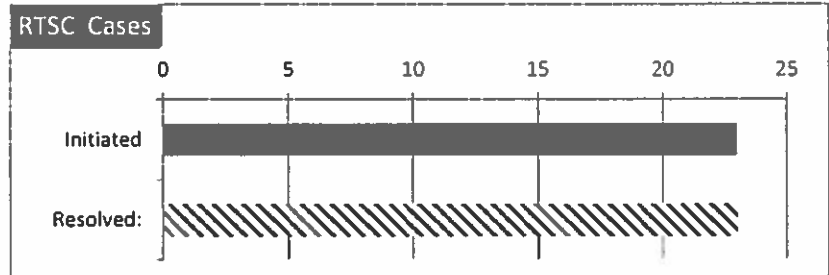
Mr. Cannon, while this summary is in no way all-inclusive, it may serve to assist you and our Commissioners in understanding the key initiatives underway in the IMAS Department and provide measures by which the Department's effectiveness can be gauged. IMAS welcomes any guidance that you and/or our Commissioners can provide concerning our performance and direction.

Employers Obtaining Coverage

The Compliance Division works with great diligence to help uninsured employers become compliant with the South Carolina Workers' Compensation Act. Year to date, the Compliance Division has compelled 23 employers in South Carolina to come into compliance with the Act. In so doing, approximately 214 previously uninsured workers are now properly covered.

Penalties Waived

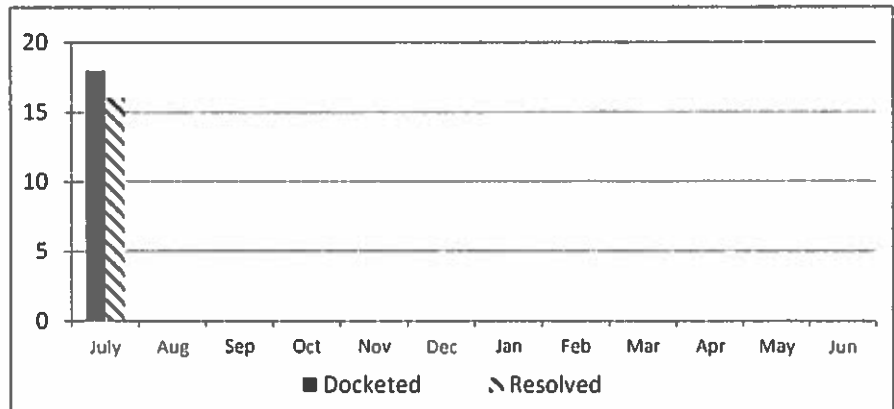
Although the Division has assessed \$681,000 in fines, over 54% of those fines (\$371,000) have been waived or rescinded as employers have either obtained insurance coverage or were found not to be subject to the Act.



Carrier Rule to Show Cause Hearings

The Compliance Division manages the Rule to Show Cause process involving the recovery of outstanding carrier fines and penalties. In the month of July 2015, 18 carrier RTSC cases were docketed; 16 cases were resolved and \$20,479 was recovered.

Year to date, 18 carrier RTSC cases have been docketed; 16 cases have been resolved; and \$20,479 has been recovered.



Carryover Caseload:

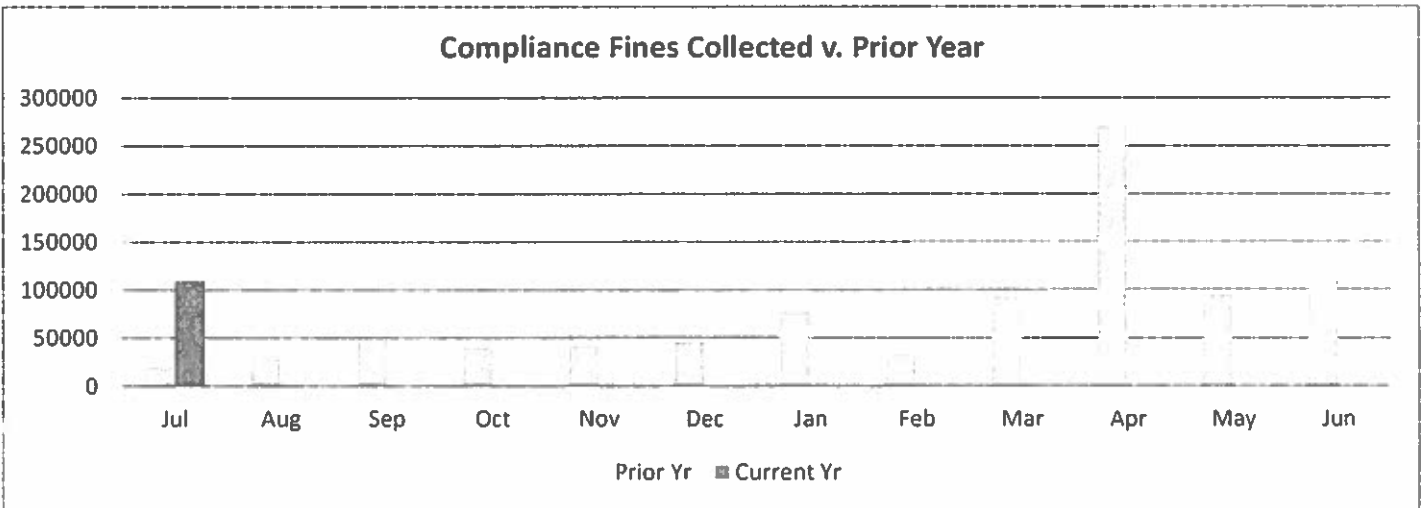
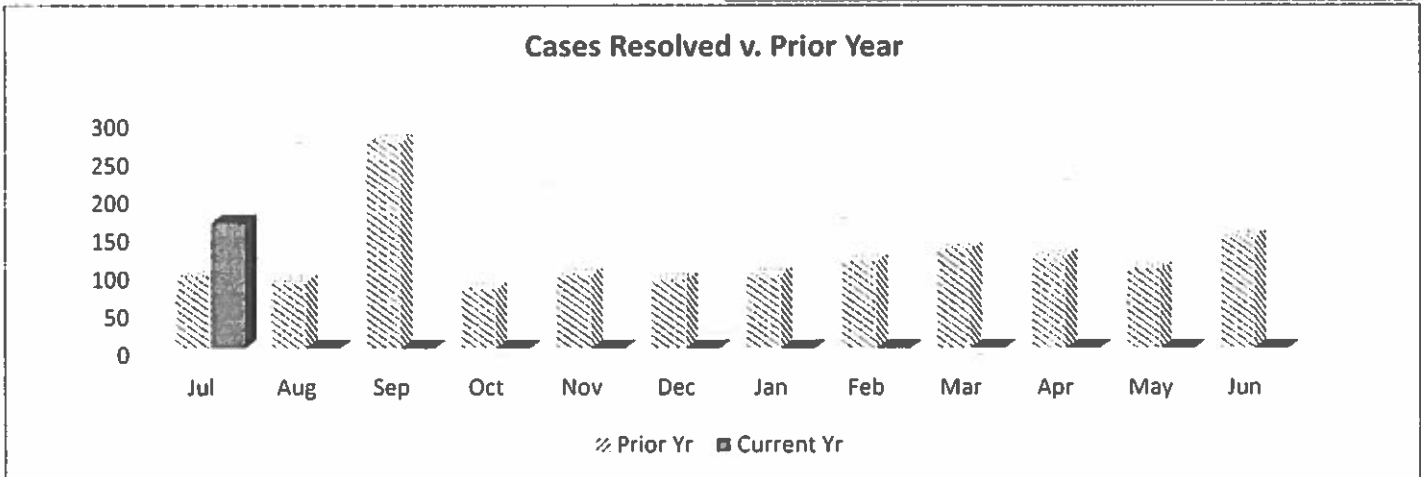
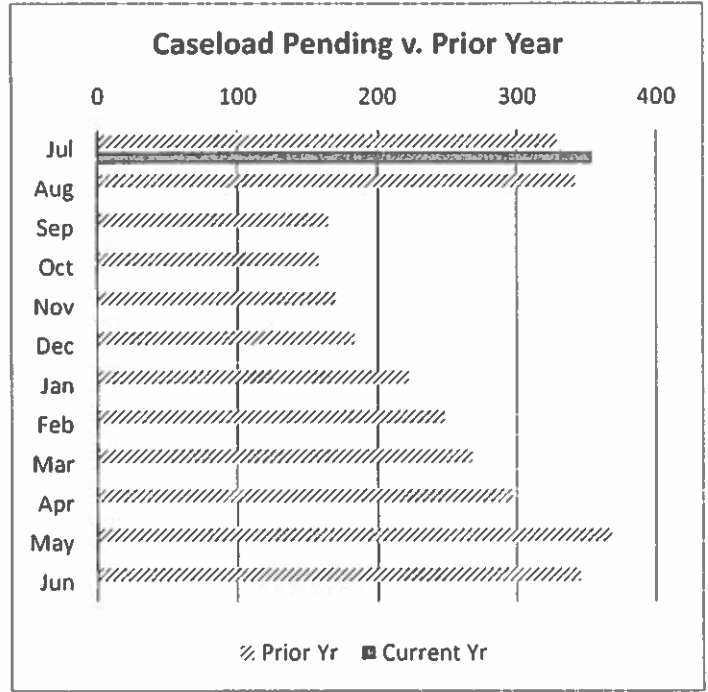
The Compliance Division closed July 2015 with 355 cases active, compared to an active caseload of 329 at the close of July 2014.

Cases Resolved:

Due to the decrease in carry-over, greater effort is focused on case resolution. For the month of July 2015, Compliance Division staff closed-out 165 cases.

Compliance Fines:

In July 2015, the Compliance Division collected \$109,375 in fines and penalties. Year to Date, the Compliance Division has collected \$109,375 in fines which represents 12% of prior year's year-end collection (\$906,833). The Compliance Division continues to find substantially greater compliance among employers in the State.



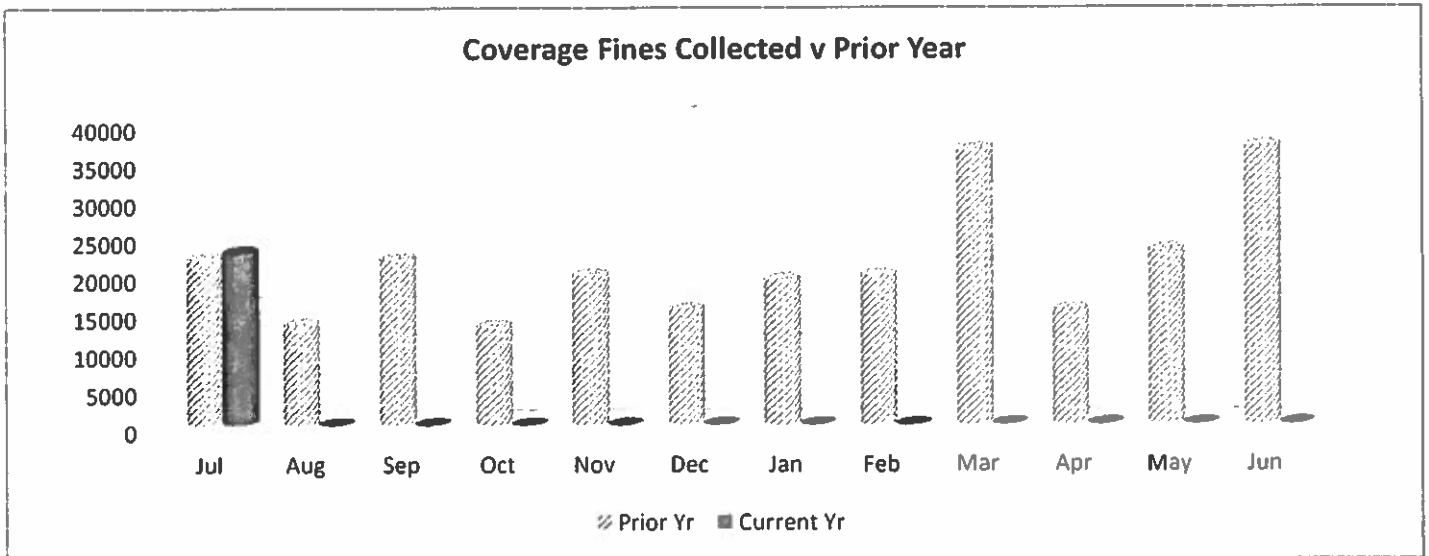
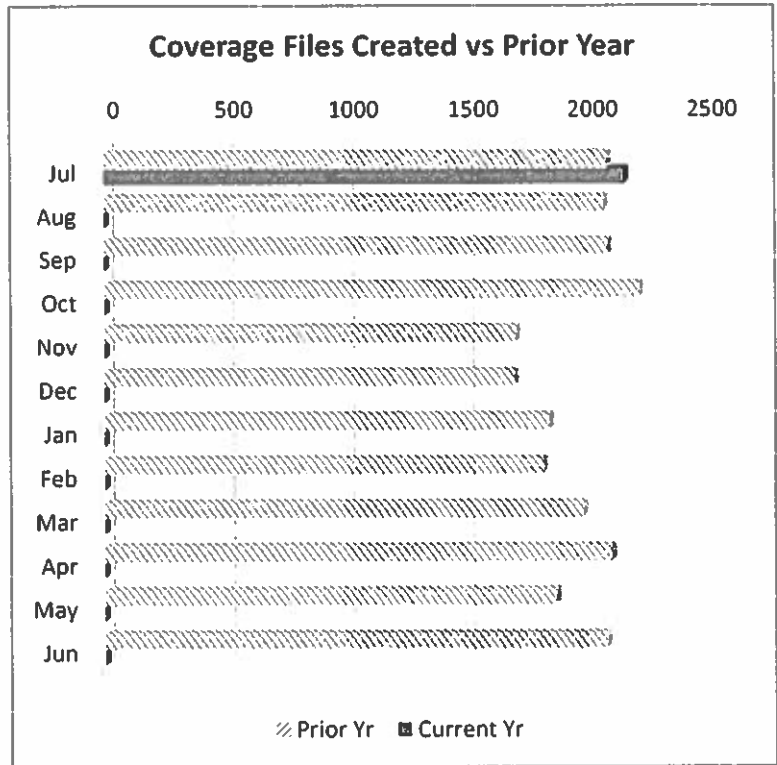
WCC Claim Files:

In July 2015, the Coverage Division received a total of 2,168 WCC Claim files. Of these, 1,824 were created through proper carrier filing of a 12A, and 344 were generated as a result of a Form 50 claim filing. Year to Date, 2,168 Claim files have been created which is 9% of claim file volume prior year (23,682).

Coverage Fines:

The Coverage Division collected \$22,650 in fine revenue in July 2015, as compared to \$21,880 in Coverage fines/penalties accrued during July 2014. Year on Year, Coverage fines are at 9% of collections for prior year.

Coverage Division fines represent 10% of the Commission's annual earmarked budget.



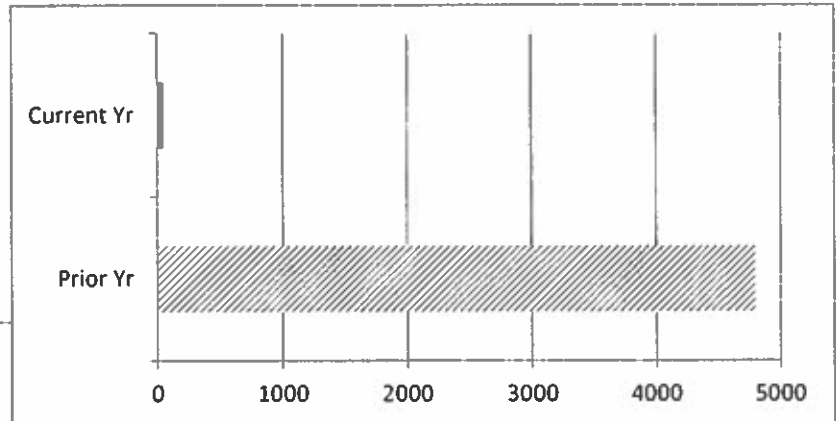
IMS SELF INSURANCE DIVISION

July 2015

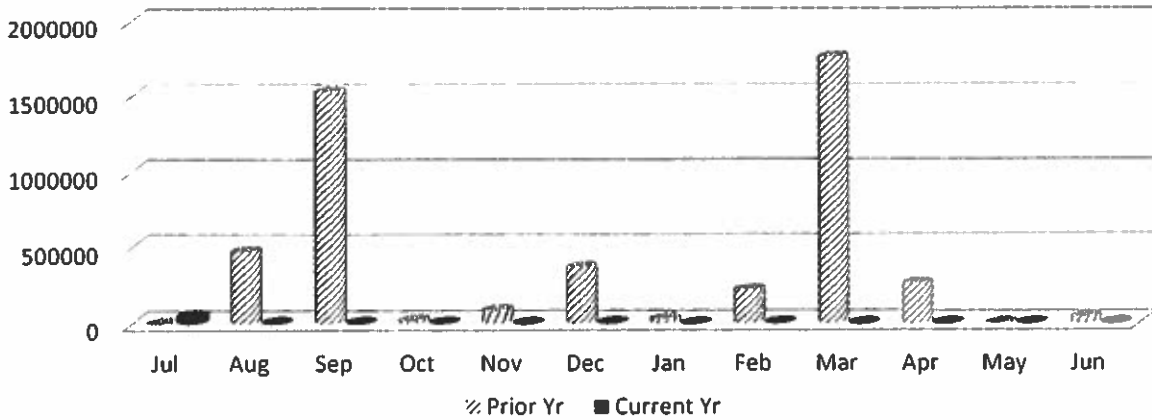
During the month of July 2015, the Self Insurance Division:

- * collected \$44,821 in self-insurance tax.
- * added 21 new self-insurers.
- * conducted 4 Self Insurance audits.

Year to Date, Self Insurance tax revenue is trending at 1,566% of prior year and 4 Self Insurance audits have been completed.



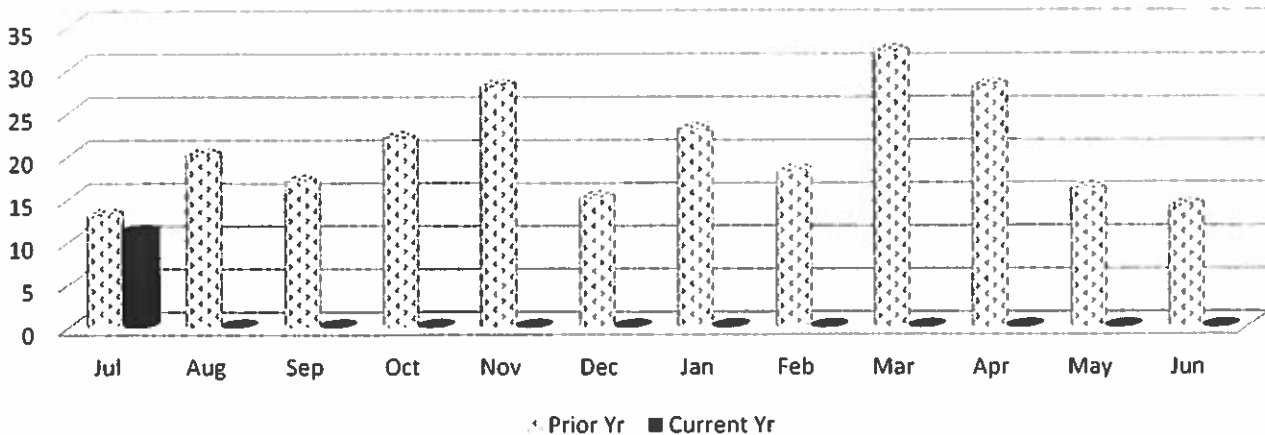
Self Insurance Tax Collections v. Prior Year



IMS MEDICAL SERVICES DIVISION

In July 2015, the Medical Services Division began the month with 14 bills pending review, received an additional 9 bills for review, conducted 12 bill reviews and ended the month with 11 bills pending.

Medical Bills Pending Review v. Prior Year



Summary of Fiscal Activity - July 2015

Operational Funding

The Workers' Compensation Commission derives its operational funding from three sources: General Fund Appropriation; Earmarked Funds (earned revenue); and Appropriated Fund Balance. The Commission's Fund Balance is supported by the retention of the greater of one-half of Self Insurance Tax receipts or \$2.4m annually.

For the month of July 2015, the Commission's operational funding of \$702,519 was received as follows:

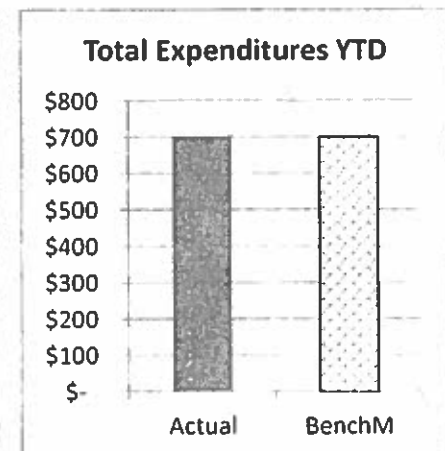
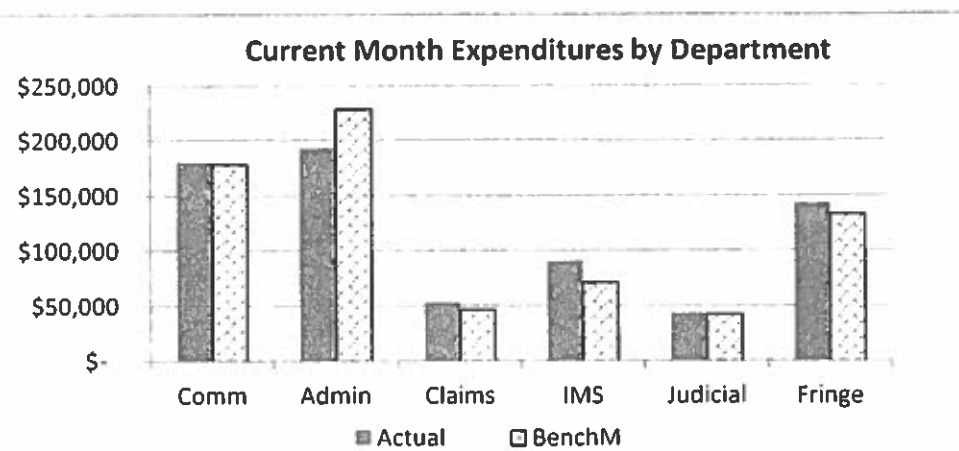
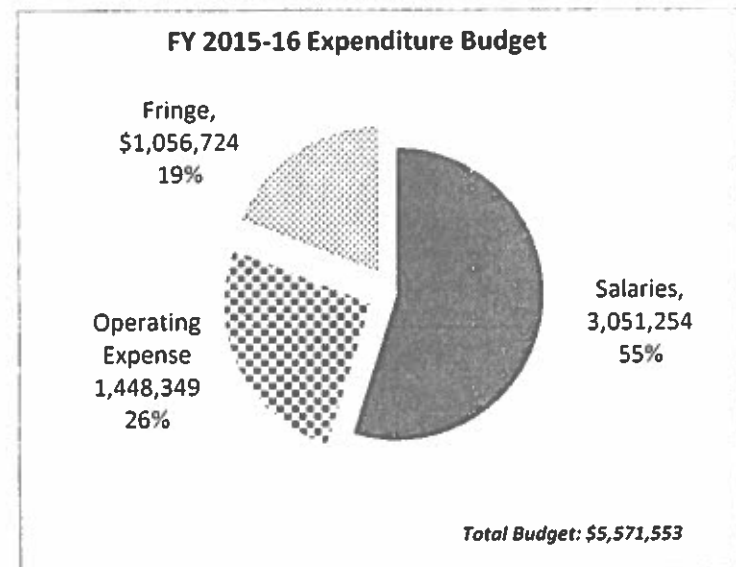
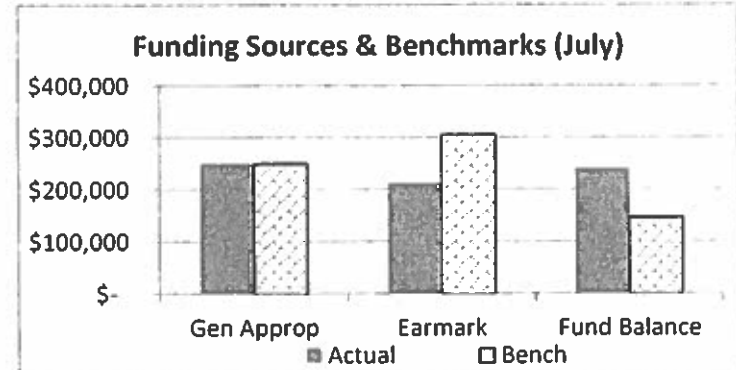
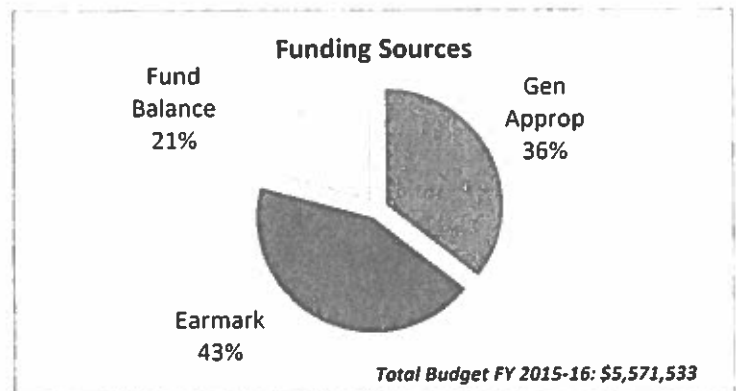
General Fund Appropriation: \$250,017
 Earmarked Funds: \$212,582
 Fund Balance: \$239,920

Self Insurance Tax Received:
 July 2015: \$44,821
 FY15-16 : \$44,821

Operational Expenditures

The Workers' Compensation Commission has budgeted expenditures for FY 2015-16 in the amount of \$5,571,553. In the current budget year, slightly more than 74% of budgeted costs are personnel related.

In July 2015, the Commission had expenditures totaling \$702,519. The standard benchmark for first period (July) is 8.33%. However, July included three payroll dates, therefore necessitating an adjusted benchmark of 12.6%. The expenditure activity in July was further impacted by several annual or semi annual obligations. These conditions caused the Commission's overall expenditures to slightly exceed benchmark (\$702,016) for the month.



South Carolina Workers' Compensation Commission
Summary of Revenues and Expenditures 2015-16 Budget
July 2015 - Period 1

Appropriations and Revenues

Period 1	Annual Budget	July Received	Year to Date Received	Budget Remaining	July Rcvd %	Annual Rcvd %
General Fund Approp	\$ 1,984,261	\$ 250,017	\$ 250,017	\$ 1,734,244	12.6%	12.6%

Earmarked Funds

Training Reg Fee	5,000	600	600	4,400		
Sale of Publications	8,000	2800	2800	5,200		
WC Award Review Fee	73,000	2850	2850	70,150		
Sale of Photocopies	88,000	4774	4774	83,226		
WC Violation Fee	1,660,000	160978	160978	1,499,022		
Listings and Labels	25,000	1510	1510	23,490		
WC Hearing Fee	562,000	37850	37850	524,150		
Parking	5,900	765	765	5,135		
Other	2000	455	455	1,545		
Ttl Earmarked Funds	\$ 2,428,900	\$ 212,582	\$ 212,582	\$ 2,216,318	8.8%	8.8%

Appropriated Fund Balance	\$ 1,158,392	\$ 239,920	\$ 239,920	\$ 918,472
Total Funding:	\$ 5,571,553	\$ 702,519	\$ 702,519	\$ 4,869,034

South Carolina Workers' Compensation Commission
Summary of Revenues and Expenditures 2015-16 Budget
July 2015 - Period 1

Expenditures

Bench: *12.6%

	Annual Budget	July Spend	Year to Date Spend	Budget Remaining	July Spend %	Annual Spend %
Commissioners						
Personnel GA	1,133,336	149,190	149,190			
Personnel EM	-	-	-			
Ttl Pers	1,133,336	149,190	149,190	984,146	13%	13%
Expense GA	-	-	-			
Expense EM	285,700	31,250	31,250			
Ttl Expense	285,700	31,250	31,250	254,450	11%	11%
Total Comm	\$ 1,419,036	\$ 180,440	\$ 180,440	\$ 1,238,596	13%	13%

Administration

Personnel GA	146,007	19,134	19,134			
Personnel EM	606,119	58,526	58,526			
Ttl Pers	752,126	77,660	77,660	674,466	10%	10%
Expense GA	75,000					
Expense EM	987,849	115,488	115,488			
Ttl Expense	1,062,849	115,488	115,488	947,361	11%	11%
Total Admin	\$ 1,814,975	\$ 193,148	\$ 193,148	\$ 1,621,827	11%	11%

Claims

Personnel GA	77,223	9,562	9,562			
Personnel EM	272,010	40,862	40,862			
Ttl Pers	349,233	50,424	50,424	298,809	14%	14%
Expense GA						
Expense EM	19,700	2,218	2,218			
Ttl Expense	19,700	2,218	2,218	17,482	11%	11%
Total Claims	\$ 368,933	\$ 52,642	\$ 52,642	\$ 316,291	14%	14%

IMS

Personnel GA	26,632	3,329	3,329			
Personnel EM	467,881	63,033	63,033			
Ttl Pers	494,513	66,362	66,362	428,151	13%	13%
Expense GA						
Expense EM	67,300	24,031	24,031			
Ttl Expense	67,300	24,031	24,031	43,269	36%	36%
Total IMS	\$ 561,813	\$ 90,393	\$ 90,393	\$ 471,420	16%	16%

Judicial

Personnel GA	29,267	-	-			
Personnel EM	292,779	41,036	41,036			
Ttl Pers	322,046	41,036	41,036	281,010	13%	13%
Expense GA	-	-	-			
Expense EM	12,800	2,010	2,010			
Ttl Expense	12,800	2,010	2,010	10,790	16%	16%
Total Judicial	\$ 334,846	\$ 43,046	\$ 43,046	\$ 291,800	13%	13%

Employer Contribution

GA	496,796	55,000	55,000			
EM	559,928	87,850	87,850			
Ttl Fringe	\$ 1,056,724	\$ 142,850	\$ 142,850	\$ 913,874	14%	14%

Total Agency

Ttl GA	1,984,261	236,215	236,215	1,748,046	12%	12%
Ttl EM	3,572,066	466,304	466,304	3,105,762	13%	13%
Carry Fwd	15,226	-	-			
Total Agency	\$ 5,571,553	\$ 702,519	\$ 702,519	\$ 4,869,034	13%	13%

State of South Carolina

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Workers' Compensation Commission

MEMORANDUM

To: Gary Cannon, Executive Director
From: Sonji Spann, Claims Director
Date: August 3, 2015
Re: Claims Department – August 2015 Full Commission Report

Please find attached information provided to summarize key workflow benchmarks related to the functions of the Claims Department. In addition to the statistical data provided herein, please note the following information:

	July 2015	June 2015	July 2014
Individual Case Files Closed	2516	2742	2588
Fine Revenue Collected	\$69,250	\$124,800	\$43,300
# of individual case files reviewed by examiners	845	1461	723
Total Fines	355	359	413
Form 18 Fines	315	330	363
Total Forms Processed	12,479	13,000	12,177
SROI	403	336	
Email	1846	1796	1271
USPS	2384	2622	3092

A file review project began on July 8, 2015. Paper files are reviewed for closure and/or prepared for scanning in Progress. Thirteen days during the month was spent on the project. A total of 421 files were reviewed and 244 files were closed. This project is handled by one examiner and her work was redistributed to the other examiners. The examiners file numbers increased from 250 -333. The 16A's are handled by Debbie Backman.

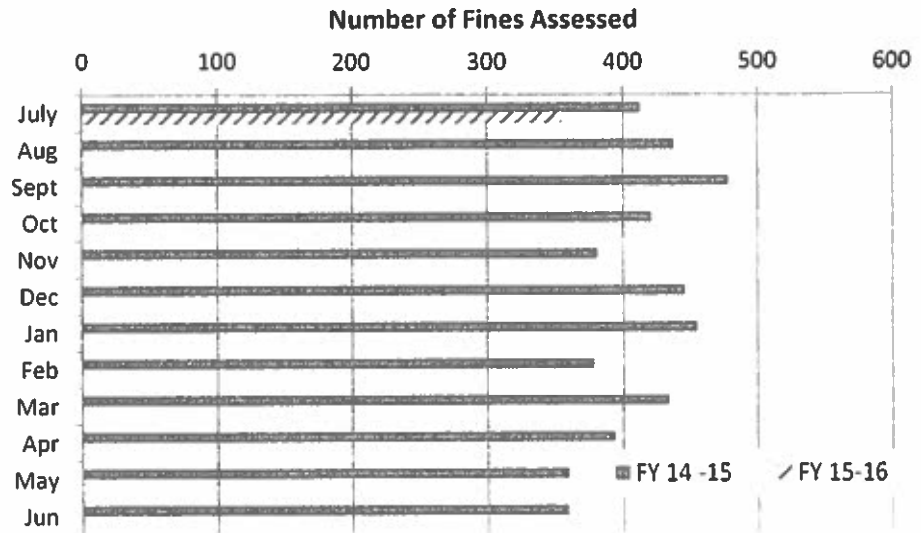
The Claims Department is working with the State Accident Fund to review open UEF claims.

The Claims Department continues their efforts to educate stakeholders. In the month of July, presentations on how to complete WCC forms were given at CMIW, York Risk, AMTrust, York Risk, WJCB, and the Claims Administration Workshop. Files reviewed included Cossa/Sedgwick, AM Trust, York Risk and Carrier 1082-Accident Insurance Company

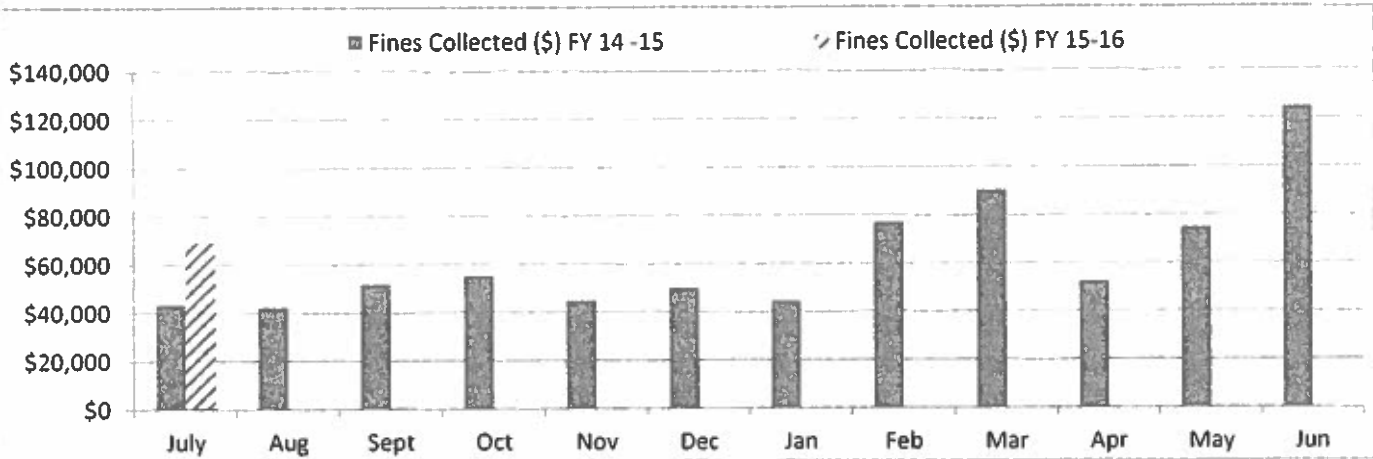
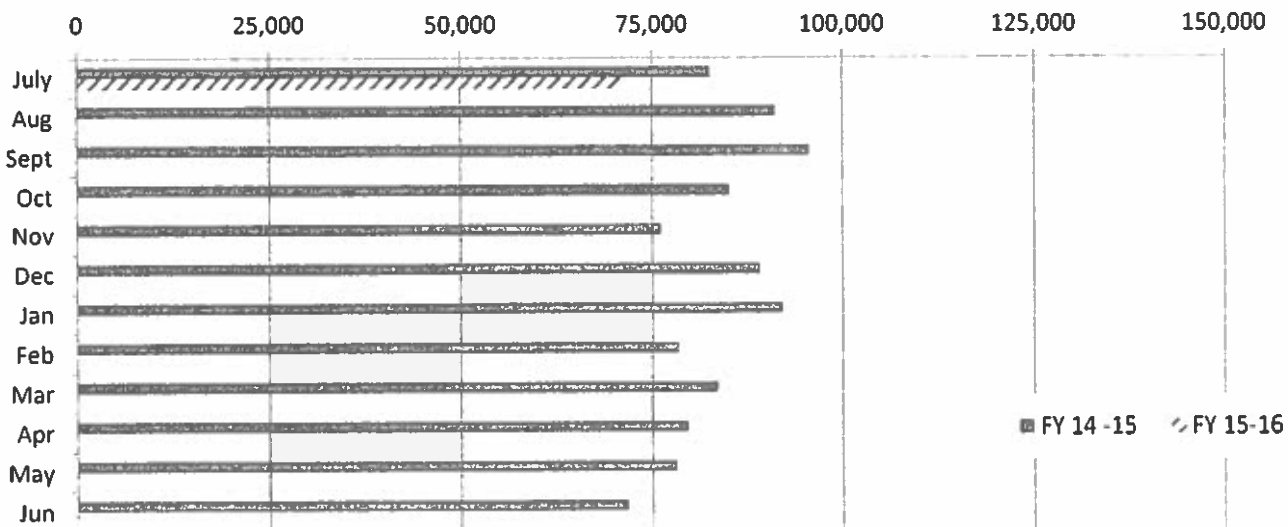
CLAIMS DEPARTMENT - Fine Activity Report July 2015

The number of fines assessed by the Claims Department decreased in number to 355 from 359 in July. The number of Claims fines paid decreased from 604 in June to 341 in July.

Total fine dollars assessed in July was \$71,050 a decrease over prior month \$71,800. Fine revenue received in July was \$69,250 a decrease over prior month \$124,800.



Net Fines Assessed (\$)



Claims Department - Fine Activity Report

Fines Assessed (#)

	FY 14 -15	FY 15-16
July	413	355
Aug	438	0
Sept	478	0
Oct	421	0
Nov	381	0
Dec	446	0
Jan	455	0
Feb	378	0
Mar	434	0
Apr	394	0
May	390	0
Jun	359	0
Total	4,987	355
Mo Avg	416	355

Fines Received (#)

	FY 14-15	FY 15-16
July	198	341
Aug	205	0
Sept	254	0
Oct	259	0
Nov	234	0
Dec	245	0
Jan	224	0
Feb	368	0
Mar	423	0
Apr	234	0
May	363	0
Jun	604	0
Total	3,611	341
Mo Avg	301	341

Net Fines Assessed (\$)*

	FY 14 -15	FY 15-16
July	82,650	71,050
Aug	91,250	0
Sept	95,700	0
Oct	85,200	0
Nov	76,200	0
Dec	89,200	0
Jan	92,100	0
Feb	78,400	0
Mar	83,600	0
Apr	79,700	0
May	78,100	0
Jun	71,800	0
Total	1,003,900	0
Mo Avg	83,658	71,050

Fines Collected (\$)

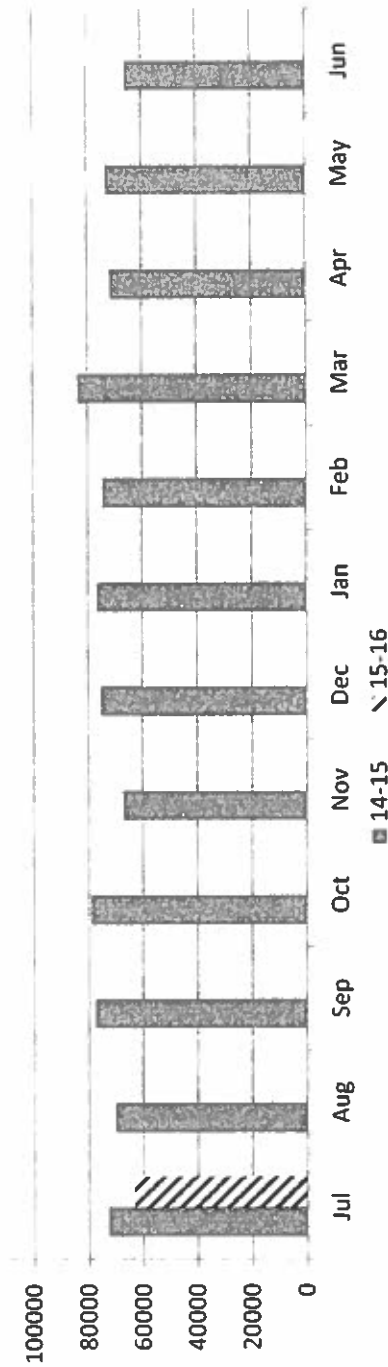
	FY 14 -15	FY 15-16
July	\$43,300	69,250
Aug	\$42,100	0
Sept	\$51,650	0
Oct	\$55,100	0
Nov	\$44,750	0
Dec	\$49,900	0
Jan	\$44,700	0
Feb	\$77,100	0
Mar	\$90,200	0
Apr	\$52,250	0
May	\$74,750	0
Jun	\$124,800	0
Total	750,600	69,250
Mo Avg	62,550	69,250

*after reductions and rescinded

FORM 18 FINE ASSESSMENTS

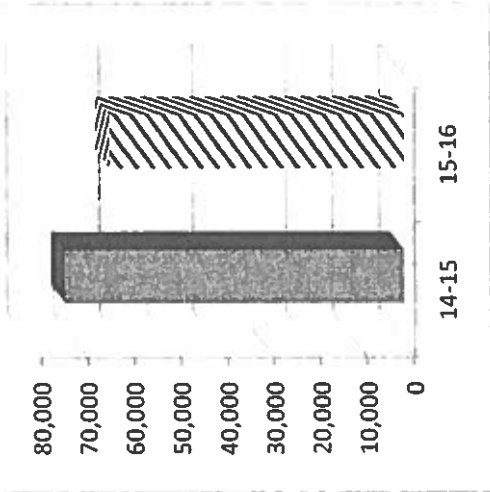
Consistent with overall Commission strategy, the Claims Department works with our Carrier partners to develop approaches that result in increased compliance levels and reduced Fine related costs to businesses in South Carolina.

A key "success measure" of this effort is the Form 18 Fine Assessment report. For the month of July 2015, this has resulted in a decrease in Form 18 Fine Assessments to \$63,050 as compared to June 2015 of \$66,000. The actual number of fines assessed decreased from 330 to 319 in July 2015.



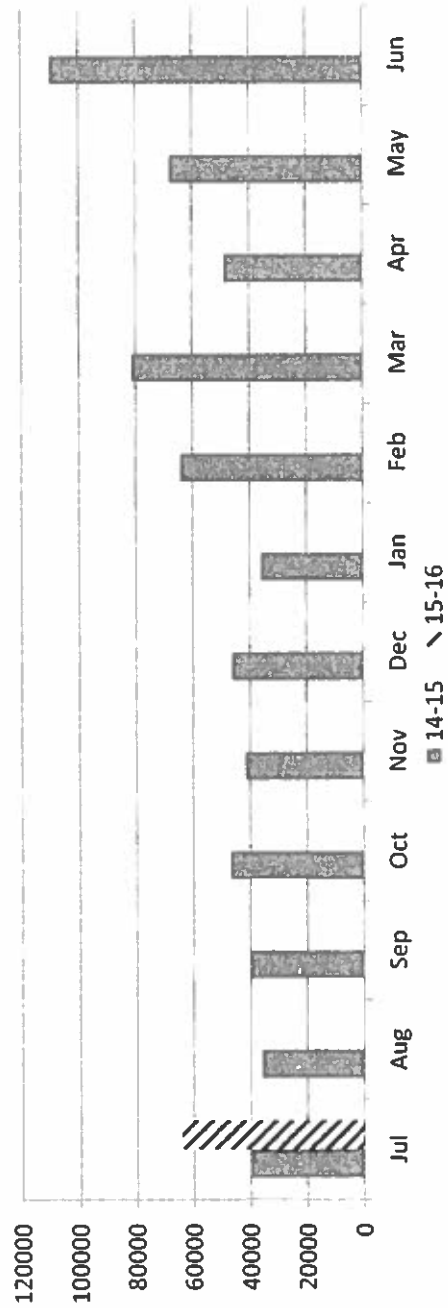
FORM 18 FINE ASSESSMENTS YTD

Form 18 Fine Assessment is trending at 86% of prior year assessments.



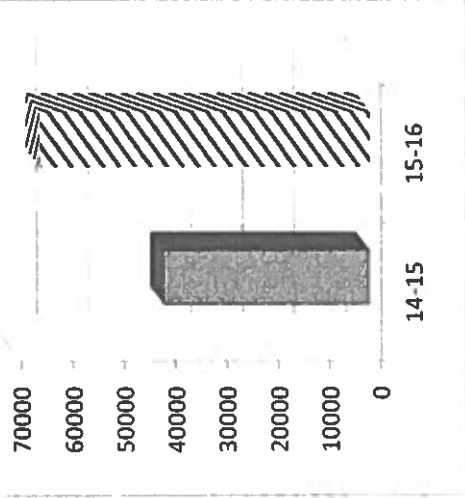
FORM 18 FINE COLLECTION

In July 2015, the Claims Department received payment on Form 18 Fines resulting in revenue of \$64,250.



FORM 18 FINE REVENUE YTD

Form 18 Fine Revenue is trending at 160% of prior year collections.



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Workers' Compensation Commission

August 12, 2015

To: Gary M. Cannon
Executive Director

From: Amy A. Bracy
Judicial Director

RE: **Monthly Judicial Report for July 2015**

There were one hundred nine (109) Single Commissioner Hearings conducted during the past month, and there were sixteen (16) Full Commission hearings held in July.

The Informal Conference system has conducted two hundred forty-seven (247) hearings during the last month.

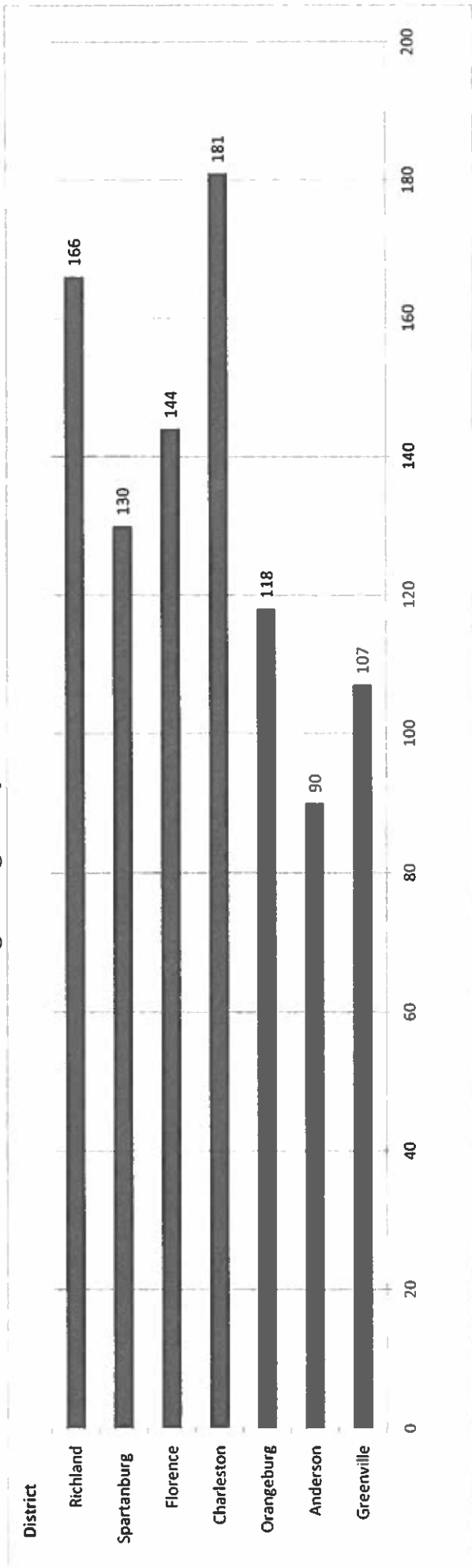
There were eighty-one (81) regulatory mediations scheduled and forty-five (45) requested mediations. The Judicial Department was notified of forty-six (46) matters resolved in mediation, with the receipt of Forms 70.

The year end statistics for Judicial will be reported to the Full Commissioner in September along with the Annual Report.

Pleadings Assigned - Three Year Comparison by Month

	District 1 Greenville			District 2 Anderson			District 3 Orangeburg			District 4 Charleston			District 5 Florence			District 6 Spartanburg			District 7 Richland		
	15-16	14-15	13-14	15-16	14-15	13-14	15-16	14-15	13-14	15-16	14-15	13-14	15-16	14-15	13-14	15-16	14-15	13-14	15-16	14-15	13-14
Jul	107	103	119	90	92	96	118	119	121	181	140	164	144	145	117	130	116	111	166	141	135
Aug		86	121		96	71		120	121		153	170		146	131		104	119		164	141
Sep		105	102		84	80		105	97		155	163		126	137		70	90		124	132
Oct		83	124		78	84		115	128		143	170		146	159		112	106		156	160
Nov		80	115		56	67		93	115		115	163		135	115		80	79		127	112
Dec		99	78		86	93		108	102		133	123		119	108		85	95		146	113
Jan		109	92		80	56		120	100		163	151		158	95		108	88		174	119
Feb		98	93		86	98		92	98		141	157		110	146		111	93		114	106
Mar		112	101		91	76		132	107		156	121		118	130		122	91		140	128
Apr		99	98		87	69		97	100		165	144		120	141		88	101		149	150
May		101	88		73	97		105	124		158	169		140	121		101	100		158	153
Jun		89	81		66	79		102	95		143	148		147	110		117	79		139	123
Totals	107	1164	1212	90	975	966	118	1308	1308	181	1765	1843	144	1610	1510	130	1214	1152	166	1732	1572

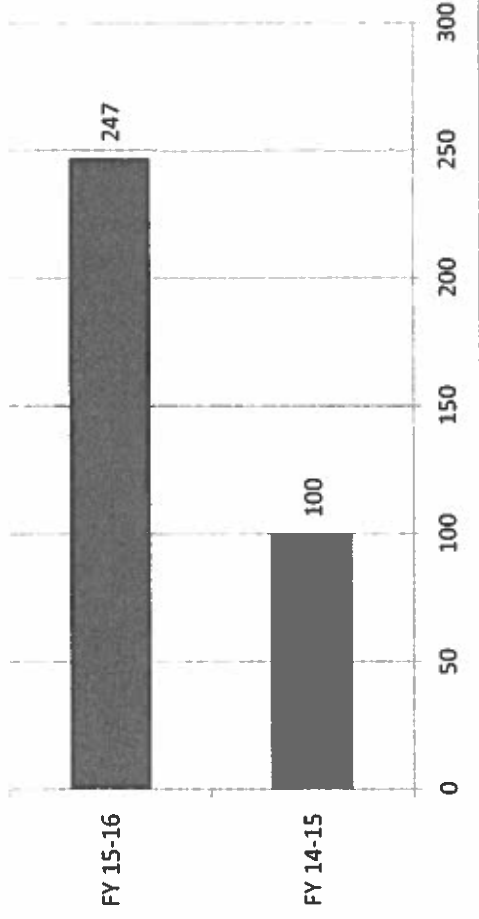
Pleadings Assigned by District Year to Date



Informal Conf. Conducted

	FY 14-15	FY 15-16
Jul	100	247
Aug	508	
Sep	294	
Oct	258	
Nov	222	
Dec	180	
Jan	225	
Feb	141	
Mar	265	
Apr	447	
May	261	
Jun	238	
Total	3139	247

IC's to Date v. Prior



Y-T-D

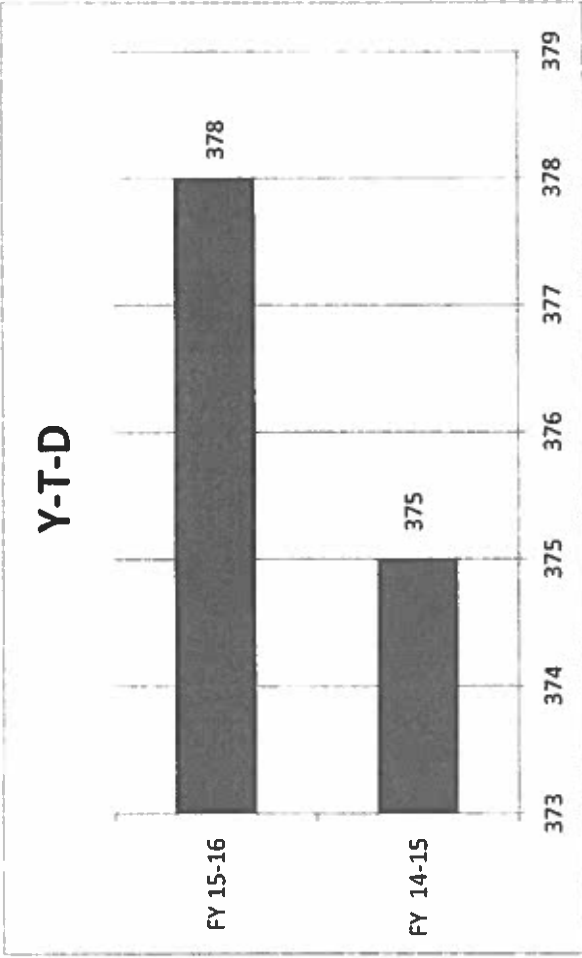
FY 14-15	FY 15-16
100	247



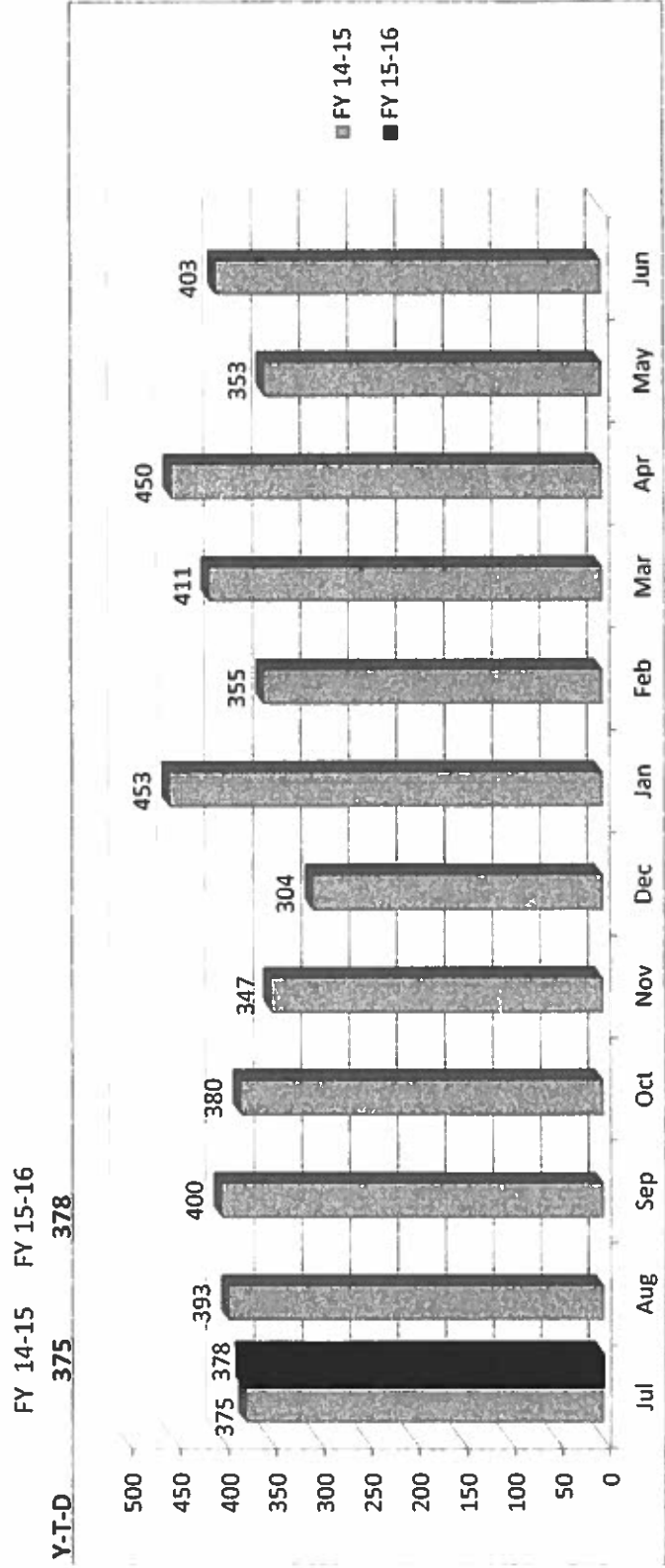
Informal Conf. Requested

	FY 14-15	FY 15-16
Jul	375	378
Aug	393	
Sep	400	
Oct	380	
Nov	347	
Dec	304	
Jan	453	
Feb	355	
Mar	411	
Apr	450	
May	353	
Jun	403	
Total	4624	378

Y-T-D



Y-T-D



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Workers' Compensation Commission

Executive Director's Report Gary M. Cannon

August 13, 2015

Debit Card Ad Hoc Advisory Committee

The next meeting of the Debit Card Ad Hoc Advisory Committee is scheduled for Wednesday, August 19, 2015, at 2:00 p.m. in the First Floor Conference Room.

Narcotics Use Ad Hoc Advisory Committee

The Narcotics Use Ad Hoc Advisory Committee met on Thursday, July 30, 2015. Christie Frick, Director of DHEC's Prescription Drug Monitoring Program (PDMP) briefed the committee. The committee also discussed 5 proposals submitted by committee members. The next meeting has not been scheduled.

Claims Administration Workshop

Staff conducted a Claims Administration Workshop on Thursday, July 30, 2015. A total of 105 stakeholders and 15 staff members participated. Sixteen (16) attorneys each received a total of five (5) CLE credit hours. Congratulations to Keith Roberts for his leadership in coordinating and his part of the program and Kim Ballentine for coordinating the logistics. Also, a special thanks to Amy Bracy, Sonji Spann, Greg Line, Grant Duffield, Amanda Underhill, Tracy Riddle, Amanda Young, Juliet Bush, Geneary Cole and DiAnn Davis who were presenters at the event. Participants' evaluations and comments rated this workshop the best one we have ever sponsored.

Personnel

IT Director

Twenty-eight (28) applications were received for the IT Director's position. Five individuals were interviewed on July 13, 2015. Sandee Sprang, currently Director of IT for the S.C. Attorney General's Office, was selected for the position. She will begin employment with the Commission on August 17, 2015.

Employee Meetings

An All Employee meeting was held on July 23. The next All Employee meeting is scheduled for August 20. A Department Head meeting is scheduled for August 18, 2015.

Other Meetings/Activities

The Executive Director participated in the following meetings/activities outside the normal scope of activities:

- July 24 – Meeting to establish timeline on proposed amendments to regulations
- August 4 – Attended Accountability Report training at State Library
- August 5 – Participated in IAIABC Executive Committee Teleconference
- August 7 – Served as panelist at S.C. Orthopaedic 2015 Annual Conference
- August 12 – Met with the landlord and architect to discuss office space needs
- August 13 – Presentation to SC Bar Workers' Compensation Practice Essentials Seminar

Constituent /Public Information Services

For the period July 16, 2015 through August 11, 2015 the Executive Director's Office and the General Counsel's office had 722 contacts with various system constituents and stakeholders. The contacts included telephone communications; electronic and personal contacts with claimants or constituents, state agencies, federal agencies, attorneys, service providers, business partners; and letters with congressional offices.

SCWCC Stakeholder Electronic Distribution List

For the period July 16, 2015 through August 11, 2015, we added 11 individuals to the Commission's stakeholder distribution list. A total of 571 individuals currently receive notifications from the Commission.

SC Vocational Rehabilitation Department (SCVRD)

SCVRD reported 9 referrals in the following counties: Beaufort, Charleston, Dorchester, Lexington, Orangeburg, Richland and Spartanburg.

Commission 2016 Calendar

JANUARY

- 1 – New Year's Day
- 8, 9, 10 – IWA Paralegal Conference, Isle of Palms
- 18 – Martin Luther King Day
- 19 – Commission Business Meeting
- 19, 20 – Commission Appellate Panel Hearings

S	M	T	W	Th	F	S
					*1	2
3	4	5	6	7	*8	*9
*10	11	12	13	14	15	16
17	*18	*19	*20	21	22	23
24	25	26	27	28	29	30
31						

FEBRUARY

S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	*15	*16	*17	18	19	20
21	22	23	24	25	26	27
*28	*29					

FEBRUARY

- 15 – President's Day
- 16 – Commission Business Meeting
- 16, 17 – Commission Appellate Panel Hearings
- 28, 29 (thru March 1) – SCWCEA Medical Seminar (Myrtle Beach)

MARCH

- 1 – SCWCEA Medical Seminar (Myrtle Beach)
- 21 – Commission Business Meeting
- 21, 22 – Commission Appellate Panel Hearings

S	M	T	W	Th	F	S
		*1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	*21	*22	23	24	25	26
27	28	29	30	31		

APRIL

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	*8	9
10	11	12	13	14	15	16
17	*18	*19	20	21	22	23
24	25	26	27	28	29	30

APRIL

- 8 – IWA Spring Seminar, Isle of Palms
- TBD – SC Self-Insurers Conf
- 18 – Commission Business Meeting
- 18, 19 – Commission Appellate Panel Hearings

MAY

- 10 – Confederate Memorial Day (Observed)
- 16 – Commission Business Meeting
- 16, 17 – Commission Appellate Panel Hearings
- 30 – Memorial Day

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	*10	11	12	13	14
15	*16	*17	18	19	20	21
22	23	24	25	26	27	28
29	*30	31				

JUNE

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	*20	*21	22	23	24	25
26	27	28	29	30		

JUNE

- 20 – Commission Business Meeting
- 20, 21 – Commission Appellate Panel Hearings

JULY

- 4 – Independence Day Holiday
- 18 – Commission Business Meeting
- 18, 19 – Commission Appellate Panel Hearings
- 28, 29, 30 – SCDTAA Conference, Asheville

S	M	T	W	Th	F	S
					1	2
3	*4	5	6	7	8	9
10	11	12	13	14	15	16
17	*18	*19	20	21	22	23
24	25	26	27	*28	*29	*30
31						

AUGUST

S	M	T	W	Th	F	S
	1	2	3	*4	*5	*6
7	8	9	10	11	12	13
14	*15	*16	17	18	19	20
*21	*22	*23	*24	25	26	27
28	29	30	31			

AUGUST

- 4, 5, 6 – SCAJ Convention, Hilton Head
- 15 – Commission Business Meeting
- 15, 16 – Commission Appellate Panel Hearings
- 21, 22, 23, 24 – NAWCJ Judiciary College

SEPTEMBER

- 5 – Labor Day
- 19 – Commission Business Meeting
- 19, 20 – Commission Appellate Panel Hearings

S	M	T	W	Th	F	S
				1	2	3
4	*5	6	7	8	9	10
11	12	13	14	15	16	17
18	*19	*20	21	22	23	24
25	26	27	28	29	30	

OCTOBER

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
*9	*10	*11	*12	13	14	15
16	*17	*18	19	20	21	22
23	24	25	26	27	28	29
30	31					

OCTOBER

- 9, 10, 11, 12 – SCWCEA 40th Annual Educational Conference, Marriott Grande Dunes, Myrtle Beach
- 17 – Commission Business Meeting
- 17, 18 – Commission Appellate Panel Hearings

NOVEMBER

- 3, 4, 5 – Injured Workers' Advocates Conference, Asheville, NC
- 11 – Veterans Day
- 14 – Commission Business Meeting
- 14 – Commissioners & AAs Ethics & APA Training
- 15 – Commission Appellate Panel Hearings
- 24, 25 – Thanksgiving Holidays

S	M	T	W	Th	F	S
		1	2	*3	*4	*5
6	7	8	9	10	*11	12
13	*14	*15	16	17	18	19
20	21	22	23	*24	*25	26
27	28	29	30			

DECEMBER

S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	*12	*13	14	15	16	17
18	19	20	21	22	*23	24
25	*26	*27	28	29	30	31

DECEMBER

- 12 – Commission Business Meeting
- 12, 13 – Commission Appellate Panel Hearings
- 23, 26 – Christmas Holidays (observance)
- 27 – Day after Christmas (expected observance)

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Workers' Compensation Commission

TO: Commissioners

FROM: Gary Cannon

DATE: August 12, 2015

RE: Proposed changes to Regulations – Chapter 67

Attached please find the proposed timeline for preparing and submitting changes to the Commission's regulation, Chapter 67, and the Notice of Drafting. The Notice contains a summary of the proposed changes.

Mr. Roberts will review the proposed changes and I will review the proposed timeline at the Business Meeting on August 17.

Staff proposes the Commission consider approval of the Notice of Drafting at the September 21 Business Meeting.

Amendments to Regulations FY 2015 16 Proposed Timeline

	Task	Date
1	Commission receives proposed summary of changes	8/17
2	Commission Business Meeting – request approval of Notice of Drafting	9/21
3	Submit Notice of Drafting to State Register	10/9
4	Notice of Drafting Published in State Register Post Notice on website	10/23
5	Deadline for Comments	11/6
6	Proposed Regulation (Commissioners approval of proposed language at Commission Business Meeting)	11/16
7	Submit Proposed Regulation to State Register	12/11
8	Proposed Regulation Published in State Register (Public hearing 30 days after publication in State Register – include deadline to receive comments)	12/25
9	Date of Public Hearing (30 days after publication in State Register)	02/16/16
10	Public Hearing Notice On Website One Month Out (Include Deadline to receive comments)	12/29
11	Document Number Assigned by State Registrar’s Office (SRO)	SRO
12	Deadline to receive comments for Public Hearing	01/25/16
13	No later than 5 working days after public hearing presiding official issues a written report (unless presiding official orders an extension for not more than 20 days)	02/19/16
14	Agency Approval	03/21/16
15	Submit for General Assembly Review Deadline for submission to General Assembly Regulation must be submitted to the General Assembly for review within one year of the date of publication of the Notice of Drafting (Section 1-23-120(A))	04/08/16
16	General Assembly Approval – GA has 120 days to review – if no action, regulation is approved on the 120th day and is effective upon publication in the <i>State Register</i>	

SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION
CHAPTER 67

Statutory Authority: 1976 Code Sections 42-3-30

Notice of Drafting:

The South Carolina Workers' Compensation Commission proposes to amend regulations to Chapter 67 for clarification of certain regulations; to amend the subpoena process of a pro se litigant; to eliminate the use of the Form 18 to request an informal conference; to streamline the procedure for requesting a Hearing by abolishing the Form 15, Section III; to amend language to provide instructions for requesting copies of transcripts; correction of a typographical error; amendments recommended by Debit Card Advisory Committee; and amendment requiring parties to file a Form 70 at completion of mediation. Interested persons may submit written comments to Gary Cannon, Executive Director, South Carolina Workers' Compensation Commission, 1333 Main Street, Post Office Box 1715, Columbia, South Carolina 29202-1715. To be considered, all comments must be received no later than 5:00 p.m. November 6, 2015, the close of the drafting comment period.

Synopsis:

The Commission is making revisions to address, but not necessarily limited to, the following subjects:

R.67-201: In response to *Rhame v. Charleston Co. School Dist.*, the Commission needs to clarify that Article 2 of the Regulations applies to all levels of proceedings before the Commission.

R.67-205: Clarification that the effective date of service when it is made electronically is the date it is sent and received as indicated by the parties' electronic mail service provider.

R.67-207: In order to streamline the procedure for requesting a Hearing, the Commission is abolishing the use of a superfluous form, the Form 15, Section III, and directing claimants requesting a Hearing on any issues involving the merits to use a Form 50 Employee Request for Hearing.

R.67-211: Clarification that the effective date of service when it is made electronically is the date it is sent and received as indicated by the parties' electronic mail service provider.

R.67-213: Clarification that the effective date of service when it is made electronically is the date it is sent and received as indicated by the parties' electronic mail service provider.

R.67-214: Amend the process of a pro se litigant obtaining a subpoena to compel discovery. The amendments will provide Commission supervision of the content of the subpoenas before they are signed by a representative of the Commission on the pro se party's behalf. This will ensure an unrepresented litigant's access to meaningful discovery is preserved and reduce the use of subpoenas for abusive practices.

R.67-215: In response to *Rhame v. Charleston Co. School Dist.*, the Commission needs to clarify that the Commission will not consider Motions addressing the merits, including Motions for Reconsideration of substantive issues, at any level of proceedings before the Commission.

R.67-413: Eliminate the use of the Form 18 to request an informal conference by deleting subsection (A)(2) which currently reads "[file a Form 18 Status Report] to request an informal conference". Line 6 on the current Form 18 reading "Informal Conference is Requested: _Yes _No (check one)" will be

eliminated from the Form 18. This is necessary to implement the use of the Form 18 as Second Report of Injury (SROI) through Electronic Document Interface (EDI).

R.67-504: In order to streamline the procedure for requesting a Hearing, the Commission is abolishing the superfluous Form 15, Section III, and directing claimants requesting a Hearing under this section to use a Form 50 Employee Request for Hearing.

R.67-615: Amending language to direct parties to contact the Court Reporter directly for a copy of a transcript, not the Commission. This change is needed to reflect the changes made to S.C. Code Ann. § 42-3-60 and § 42-3-170.

R.67-712: In response to *Rhame v. Charleston Co. School Dist.*, the Commission needs to clarify that a party aggrieved by a final decision on the merits of the Commission must appeal in accordance with S.C. Code Ann. § 42-17-60 instead of filing a Motion for Reconsideration.

R.67-802: Amending the process for requesting an informal conference by clarifying that the employers' representative should file a letter requesting that an informal conference be held and file a current Form 18. Line 6 on the current Form 18 reading "Informal Conference is Requested: Yes No (check one)" will be eliminated from the Form 18. This is necessary to implement the use of the Form 18 as SROI through EDI.

R.67-804: Amending the process for requesting an informal conference by clarifying that the employers' representative should file a letter requesting that an informal conference be held and file a current Form 18. Line 6 on the current Form 18 reading "Informal Conference is Requested: Yes No (check one)" will be eliminated from the Form 18. This is necessary to implement the use of the Form 18 as SROI through EDI.

R.67-1515: Correction of a typographical error; removal of the word "the" from the clause ". . .the effective date of *the* such insurance program, . . ."

R.67-1602: The Commission will consider adopting the amendments recommended by the Debit Card Advisory Committee.

R.67-1802: The Commission will alter the listing of situations where mediation is mandatory to clarify that mandatory mediation is only triggered for claimants claiming permanent and total disability when the claimant has reached maximum medical improvement, and add to the list of situations where mediation is mandatory cases where there is a dispute amongst multiple defendants regarding who is the employer and/or carrier liable for payment of claimant's benefits.

R.67-1809: The Commission will provide sanctions for the failure of the parties to file a Form 70 Report of Mediation in a timely manner by barring the processing of a Form 19 until the Form 70 has been received.

Legislative review of this amendment is required.