

**A G E N D A**

**SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION**

1333 Main Street, 5<sup>th</sup> Floor  
Columbia, South Carolina 29201

**February 22, 2016 – 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.*

1. CALL TO ORDER *CHAIRMAN BECK*
2. APPROVAL OF AGENDA OF BUSINESS MEETING  
OF FEBRUARY 22, 2016 *CHAIRMAN BECK*
3. APPROVAL OF MINUTES OF THE BUSINESS MEETING  
OF JANUARY 11, 2016 (Tab 1) *CHAIRMAN BECK*
4. GENERAL ANNOUNCEMENTS *MR. CANNON*
5. APPLICATIONS FOR APPROVAL TO SELF-INSURE (Tab 2) *MR. SMITH*
6. DEPARTMENT DIRECTORS' REPORTS *MS. OSBORNE*  
Human Resources (Tab 3) *MS. SPRANG*  
Information Services (Tab 4) *MR. DUFFIELD*  
Insurance, Medical & Administrative Services (Tab 5 & 6) *MS. SPANN*  
Claims (Tab 7) *MS. BRACY*  
Judicial (Tab 8)
7. EXECUTIVE DIRECTOR'S REPORT (Tab 9) *MR. CANNON*
8. OLD BUSINESS *CHAIRMAN BECK*
9. NEW BUSINESS *CHAIRMAN BECK*  
A. Narcotics Use Advisory Committee Recommendation (Tab 10) Mr. Cannon
10. ADJOURNMENT *CHAIRMAN BECK*

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<b>2</b>	<b>Self-Insurance</b>
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<b>5</b>	<b>Insurance, Medical &amp; Administrative Services</b>
<b>6</b>	<b>Summary of Revenues and Expenditures</b>
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<b>10</b>	<b>Narcotics Use Advisory Committee Recommendation</b>

THE  
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION  
BUSINESS MEETING

**Monday, January 11, 2016**

A Business Meeting of the South Carolina Workers' Compensation Commission was held in Hearing Room A of the Workers' Compensation Commission on Monday, January 11, 2016, 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

Present also were: Gary Cannon, Executive Director; Amy Bracy, Judicial Director; Wayne Ducote, Coverage & Compliance Director; Grant Duffield, Insurance, Medical & Administrative Services Director; Alicia Osborne, Human Resources Manager; Keith Roberts, Attorney; W.C. Smith, Self-Insurance Director; Sonji Spann, Claims Director; and Sandee Sprang, IT Director. Clara Smith, Injured Workers' Advocates, was also present.

Chairman Beck called the meeting to order at 10:39 a.m. He noted that Commissioner Wilkerson was on excused leave today.

**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 DECEMBER 14, 2015**

Commissioner Barden moved that the minutes of the Business Meeting of December 14, 2015 be approved. Commissioner Taylor seconded the motion, and the motion was approved.

**GENERAL ANNOUNCEMENTS**

There were no general announcements.

**APPLICATIONS FOR APPROVAL TO SELF-INSURE**

Self-insurance applications were presented by W.C. Smith, Self-Insurance Director. Seventeen (17) prospective members of three (3) funds were presented to the Commission for approval. The applications were:

**Palmetto Timber Fund**

Reasley Newco dba Denmark Lumber Co., Inc.  
Taylor Logging & Tree Service, LLC

### **SC Home Builders SIF**

Air Temp Control, LLC  
Alex Construction, LLC  
Brian Kandoll dba Sunrise Landscapes  
Edil A. Calix Matamoras dba Eddie's Paint Man  
Ernest Paul Johnson III dba Johnson's Lawn Care  
Fixit Foremans, LLC  
Floorworks, Inc.  
F S Riley Mechanical, LLC  
J&M Construction of Columbia, LLC  
Joseph Horonzy Electrical  
Kelvin Hardy dba Designer Masonry  
Lincoln Matson & Ryan Matson dba Rylin Construction  
Manello Construction, LLC  
S&A Builders, LLC

### **SC Municipal Trust**

Town of Elgin

After examination of the applications, it was determined that each complied with the Commission's requirements and each was recommended for approval. Commissioner Taylor made the motion to approve the applications to self-insure, and Commissioner Campbell 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 December 4, 2015, through January 6, 2016. Ms. Osborne reported that she is focusing on reviewing administrative policies and procedures for possible updates. Commissioner Taylor asked if the copay for prescriptions changed in 2016. Ms. Osborne said she did not think so, but will follow-up and confirm.

#### **Information Technology Department**

Sandee Sprang presented the Information Services Department's report. IT is testing the development system environment on the Virtualization Servers to resolve an issue with decreased response time of virtual configuration. Ms. Sprang reported there were significant issues with DTO's automated deployment of the OnBase 13 upgrade. IT will manually deploy the upgrade beginning today.

Ms. Sprang reported the following:

- The modernization of the eCase web portal system continues and development is approximately 70% complete.
- The SANS security training system will be deployed this week.
- Revenue Streams were documented for ePay and View projects.
- Cell phones were upgraded.

### **Insurance, Medical & Administrative Services Department**

Grant Duffield presented the Insurance, Medical & Administrative Services Department's report. Mr. Duffield pointed out the following highlights from the report:

- In December, the Lapse in Coverage Notification program registered 13 new registrants and issued nine lapse in coverage notifications.
- Work continues on the pharmaceutical payment disputes involving the State Accident Fund.
- He is working with the Executive Director preparing the proposed FY 2016-17 budget for presentation to the House Ways and Means Subcommittee.
- Year to date, the Compliance Division has compelled 179 employers in South Carolina to come into compliance with the Act.
- The Compliance Division has assessed \$3.4 million in fines of which 74%, or \$2.7 million, have been waived or rescinded as employers have either obtained coverage or were found not to be subject to the Act. In December, the Compliance division collected \$68,755 in fines, 60% of total collections versus prior year.
- The Coverage division's year to date claim files created is 52% of claim file volume for prior year.
- Year to date Self-Insurance tax revenue is trending at 102% of prior year.

Mr. Duffield presented the Summary of Revenues and Expenditures for the period ended December 31, 2015. Total expenditures are 51.8% of budget; general appropriation received is 52.3% of budget; and draw on fund balance is 49.8% of budget.

### **Claims Department**

Sonji Spann presented the Claims Department's report.

Ms. Spann reported the following for the month of December 2015:

- Closed 2,022 individual case files
- Received \$39,800 in fine revenue
- Claims examiners reviewed 831 individual case files
- 330 fines assessed
- 310 Form 18 fines assessed
- 11,862 forms processed
- 1,055 Form 18s processed through SROI
- 1,584 Form 18s received via Email
- 2,062 forms received via USPS

Ms. Spann gave a brief update on the 1200 project. A total of 84 files were reviewed in December 2015.

Ms. Spann reported training on how to complete workers' compensation forms was conducted at Sedgwick with 19 participants.

### **Judicial Department**

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

- 122 Single Commissioner Hearings conducted
- 11 Full Commission Hearings conducted
- 201 informal conference cases
- 73 regulatory mediations scheduled
- 16 requested mediations

- 73 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 the report:

#### **Narcotics Use Ad Hoc Advisory Committee (NUAC)**

Mr. Cannon reported that the NUAC met on Thursday, December 17, 2015. The committee discussed the proposed recommendations. He said he anticipate the committee's recommendation to the Commission to be finalized within 60-90 days.

#### **Office Lease Agreement**

On December 15, 2015, the State Fiscal Accountability Authority reviewed the lease proposal and voted to carry the matter over. Their next meeting is on January 26, 2016.

#### **Personnel**

Cameo Joseph law clerked during December to assist the legal staff with the review of cases and conduct legal research.

#### **2016 Mileage Reimbursement Rate**

Mr. Cannon announced the 2016 standard business mileage rate established by the Internal Revenue Service to be .54 cents per mile. Accordingly, effective January 1, 2016, the new mileage reimbursement rate to the claimant to and from a place of medical attention is .54 cents per mile.

#### **R67-1605 Lump Sum Payment Net Present Value Tables**

Mr. Cannon announced that the present value tables published by the Commission for the year 2016 shall be discounted at the same rate as was used in 2015: 2% for weeks zero through 100 and at 2% for weeks 101 through 500.

### **OLD BUSINESS**

There was no old business.

### **NEW BUSINESS**

There was no new business.

### **ADJOURNMENT**

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

The January 11, 2016 meeting of the South Carolina Workers' Compensation Commission adjourned at 10:54 a.m.

Reported February 22, 2016  
Kim Ballentine  
Office of the Executive Director

## MEMORANDUM

Date: February 17, 2016

**TO:** Mr. Gary Cannon  
Executive Director

**FROM:** Alicia Osborne  
Human Resources

**SUBJECT:** Human Resources Report Period of January 7 to February 17, 2016

Below is a summary of the Human Resources activity for the period of January 7 to February 17, 2016

### Classification/Compensation

- Reviewed request for salary change

### Workers' Compensation

- Ongoing Workers' Compensation Injuries
  - Four active claims

### Employee Relations

- FMLA
  - One completed FMLA
  - Second opinion request in process
- Meetings
  - Counseled (7) staff regarding concerns
  - Clarified policies and procedures

### New Hire:

- Law Clerk
  - Start date – January 15, 2016
  - Schedule – 12 hours per week

### Benefits

- Consulted with (4) staff members regarding refunds, corrections to benefits
- Request for Review approved by PEBA
- Four transactions to PEBA for insurance changes
- Worked on clearing Accumulator report with debits/credits (employee charges)
  - Cleared three accounts
  - Coordinated with PEBA, SCDOT and SAF
- Contacted CG's office on behalf of (3) employees
- Distributed W2s
- Notified staff of pending copy of their 1095-C

### Fiscal Responsibilities

- Approved (1) SCEIS financial transaction
- Approved 27 expense reports
- Consulted with Fiscal Tech regarding SRM processes

## Reports

- Ran SCEIS Deductions Not Taken / Arrears report
  - Report was not clear, but the arrears were as expected
- Ran SCEIS Wage Type Report
  - No discrepancies unaccounted for
- Time Administration
  - Ran Conflicting Time Report
    - Submitted time collisions to SCEIS for deletion; addressed two collisions in house
  - Unapproved Leave Report
    - Notified staff of pending leave that needed to be approved
    - Approved leave for supervisors that requested approval
  - Missing Time Report
    - Notified two supervisors and three staff members of missing time
    - Keyed time when necessary, ensured all other time was keyed
  - Approved Leave as requested by Commissioners/staff
- Reviewed/updated reports as requested by the Executive Director
- SCEIS Reporting User
  - Requested and received reports with employee history / pay information tailored to WCC

## CBRE

- Reviewed and updated list of cards in use by WCC staff
- Building Concerns Addressed

## SCEIS

- Addressed SRM organizational structure concerns
- Made leave pool transfers as requested (two)
  - Transferred 121+ annual leave hours to the Leave Pool

## Training

- Cyber Security Training Launched
  - First Group: Claims Department began training February 8, 2016
    - 71% complete
  - Second Group: Judicial Department began training February 16, 2016
    - 6% complete

## Miscellaneous

- Meeting(s) attended onsite
  - (1) All Employee Meeting
  - (1) Executive Staff
- SCEIS Reporting User Group
  - January 21, 2016
- DSHR HR Advisory (one meeting)
  - January 27, 2016
- Provided FOIA cost analysis
- Coordinated with SC PRT to offer staff more learning and wellness opportunities
- Ordered more service PINS



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## Workers' Compensation Commission

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To: Gary Cannon  
SCWCC Executive Director  
From: Sandee Sprang, IT Director  
Date: February 18, 2016  
Subject: IT Department January 2016 Full Commission Report

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This report summarizes the accomplishments and initiatives for the IT department during January 2016. The first section, "Systems Operation, Maintenance and Support", details the work related to keeping our current production systems up and running. The second section, "Projects, Enhancements and Development", highlights the activities related to new projects and tasks which bring added functionality to our systems. The last section documents the IT Department's "Training and Meeting" accomplishments.

### I. Systems Operations, Maintenance and Support

#### Virtualization

Duane continues to lead our effort with DTO to upgrade Progress software and virtualize our servers. He made significant progress with the configuration issues and continues to work on resolving the increased response time/decreased performance problem.

#### OnBase

Amanda completed the deployment of OnBase 13 Unity client. The new software had to be installed manually so the installation process was labor intensive and demanded much more time than initially planned. She conducted group training sessions for our staff and several one-on-one classes to ease the transition to the new system. Our users experienced an unusually high number of user issues as a result of configuration and permission settings. Amanda continues to work with DTO to resolve these issues.

#### EDI

Amanda and Duane worked with EDI trading partners to research and resolve EDI transactional data errors. They continue to work with the IAIABC EDI Claims Workgroup, reviewing and recommending standard changes.

#### Ad Hoc Reports

During January, our reporting efforts focused on developing new reports for the upcoming Senate Oversight review.

### Systems Support

We had several unplanned system outages in January. The issues are random and varied and the source of the crashes can't be determined. This is requiring Duane's constant attention and monitoring of our system.

### Desktop Support

The desktop support issues for the month were typical. Brian addressed problems related to passwords, VPN access, scanner, printers and other hardware. Additionally he provided user assistance for OnBase, eCase and secure email.

## **II. Projects, Enhancements and Development**

### eCase

The modernization of the eCase web portal system is approximately 70% complete; the next phase of this project is dependent upon the establishment of a test environment in our virtualization project.

### Security Training

The SANS training system was implemented. Alicia Osborne is phasing this training in to all users.

### iPad Upgrades

The new iPads were received; we completed testing with the new Unity client and the new security configuration. The replacement of our old devices with these new units will complete one more milestone in our security compliance plan.

### Hardware Upgrades

The new switch installation was completed in January; this fulfilled another security compliance objective. Additionally, with newer hardware, we were able to reduce our maintenance contract from 24x7x4 to 8x5xNBD saving the agency over \$400 a month. We also eliminated a redundant Internet link to DTO; this will reduce our bill by over \$500 a month.

## **III. Trainings and Meetings**

Sandee attended the 2016 Data Protection Seminar sponsored by the Division of Information Security and the Enterprise Privacy Office.

We are continuing to meet and collaborate with DTO on retaining a contract Security person to assist with the work required to meet the July 1<sup>st</sup> deadline.

State of South Carolina



Workers' Compensation Commission

To: Mr. Gary Cannon  
SCWCC Executive Director

From: Grant Duffield  
IMAS Director

Date: 17 – Feb – 2016

Subj: Insurance, Medical and Administrative Services Department  
January 2016 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"><li>1. Reviewing revenue metrics / projections.</li><li>2. Working w IT to review debt collection process.</li></ol>
Coverage Division	<ol style="list-style-type: none"><li>1. Working with staff to review workflow processes and explore opportunities to enhance service provision.</li><li>2. Lapse in Coverage</li><li>3. Modifying workflows given recent staff vacancies / illnesses.</li></ol>
Medical Services	<ol style="list-style-type: none"><li>1. Recertification of Bill Review entities complete.</li><li>2. Continue work on pharmaceutical payment disputes involving SAF.</li><li>3. Working with MedAssets and IT to improve Medical Bill reviews.</li></ol>
Administrative Svcs	<ol style="list-style-type: none"><li>1. Revised back scan project.</li><li>2. Preparing for budget presentations and related.</li></ol>
IMAS Administration:	<ol style="list-style-type: none"><li>1. Working with Division Mgrs to provide cross coordination of mgmt. functions.</li><li>2. Working with Executive Team concerning strategic planning and future needs forecasting.</li><li>3. Office move preparations.</li></ol>

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.

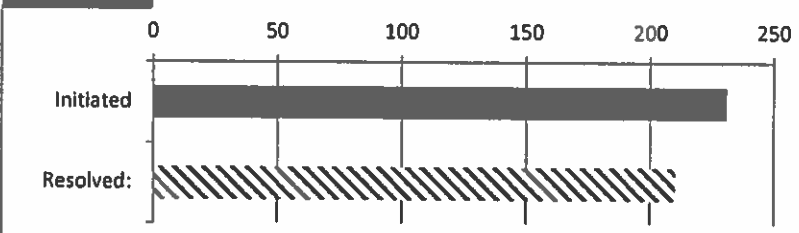
**Employers Obtaining Coverage**

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 210 employers in South Carolina to come into compliance with the Act. In so doing, approximately 1,953 previously uninsured workers are now properly covered.

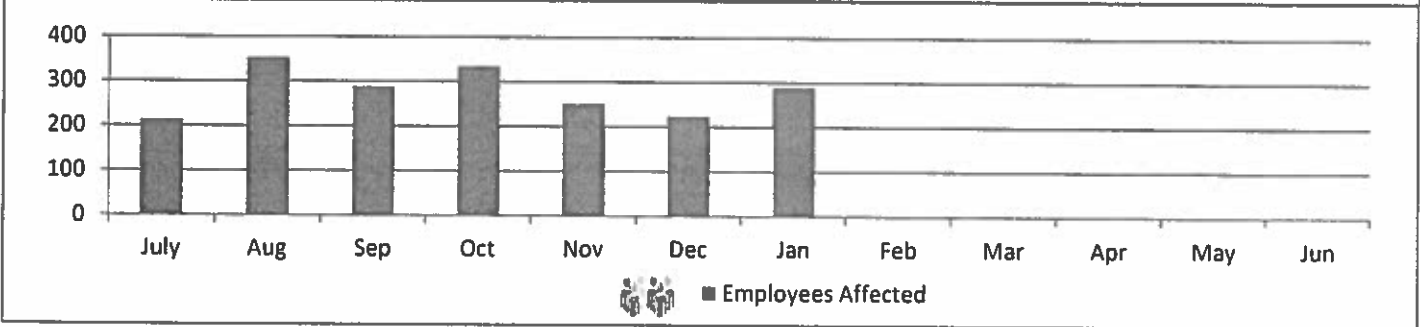
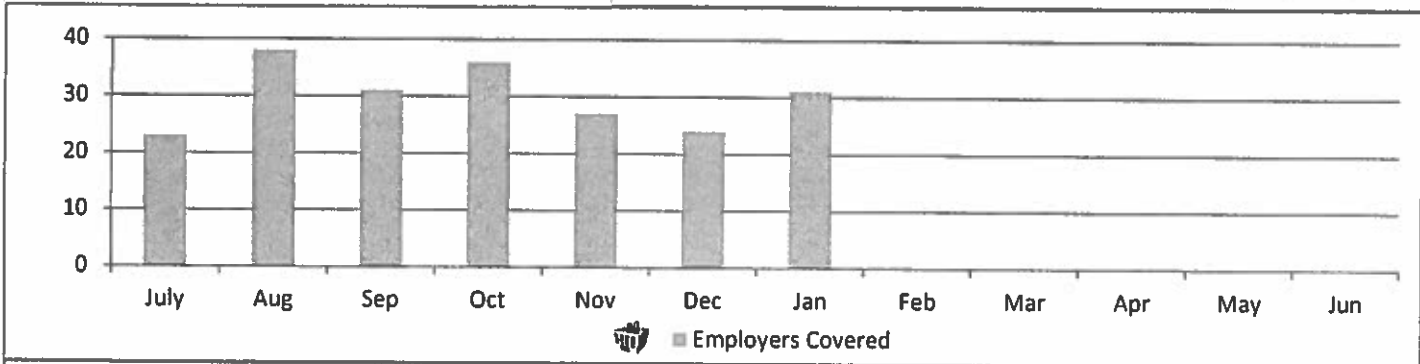
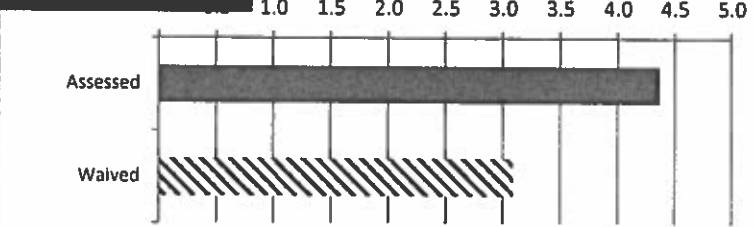
**Penalties Waived**

Although the Division has assessed \$ 4.3m in fines, 70% of those fines (\$3.0m) have been waived or rescinded as employers have either obtained insurance coverage or were found not to be subject to the Act.

**RTSC Cases**



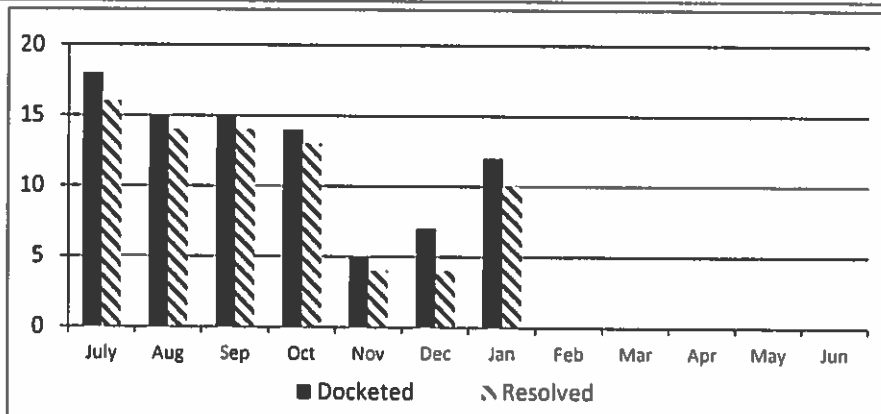
**Fines and Penalties**



**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 January 2016, 12 carrier RTSC cases were docketed; 10 cases were resolved and \$73,102.11 was recovered.

Year to date, 86 carrier RTSC cases have been docketed, 75 cases have resolved and \$144,186 has been recovered.



**Carryover Caseload:**

The Compliance Division closed January 2016 with 303 cases active, compared to an active caseload of 222 at the close of January 2015.

**Cases Resolved:**

For the month of January 2016, Compliance Division staff closed-out 129 cases.

**Compliance Fines:**

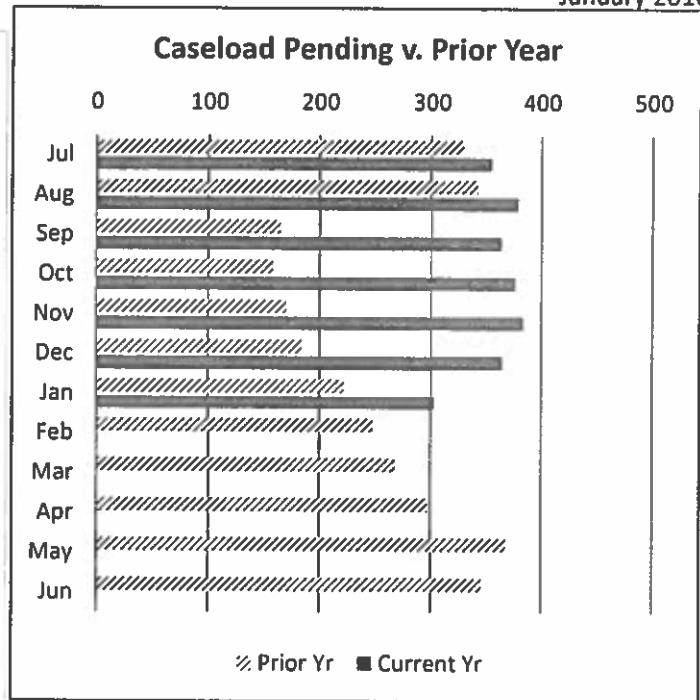
In January 2016, the Compliance Division collected \$71,412 in fines and penalties. Year to Date, the Compliance Division has collected \$616,687 in fines.

Year to Date vs Prior Year Total (906,833): 68%.

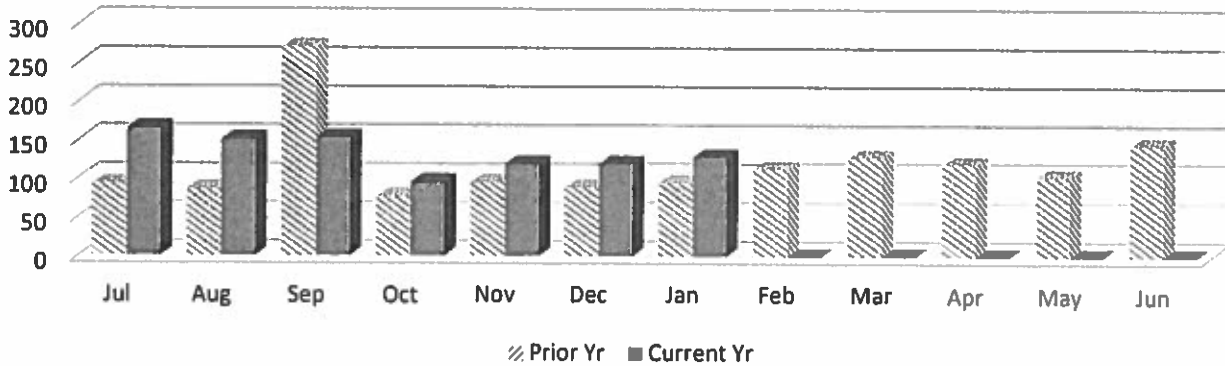
Jan 2016 vs. Jan 2015: 93%

YTD 2015 (July - Jan) vs YTD 2014: 204%

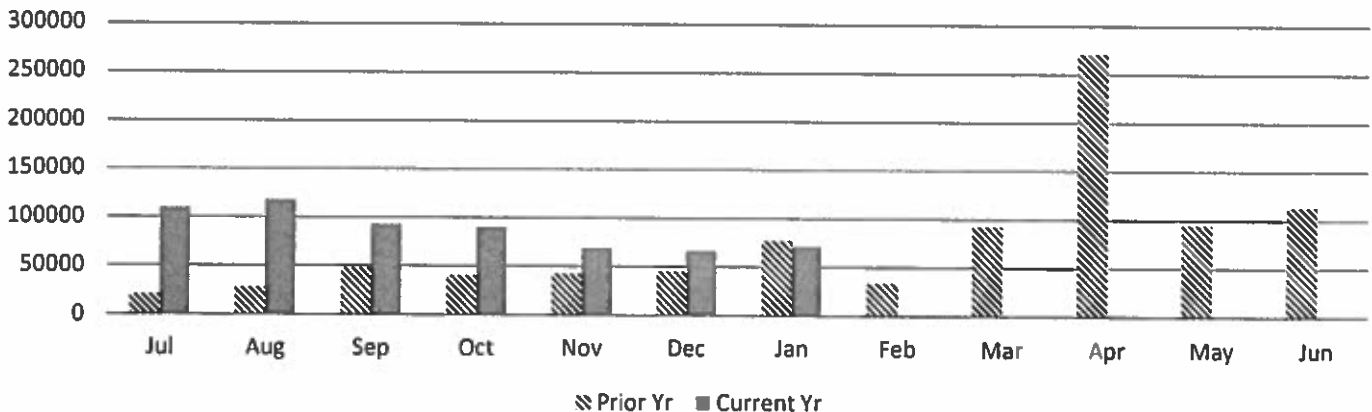
Current Year End trend is 117% of 2014-2015.



### Cases Resolved v. Prior Year



### Compliance Fines Collected v. Prior Year



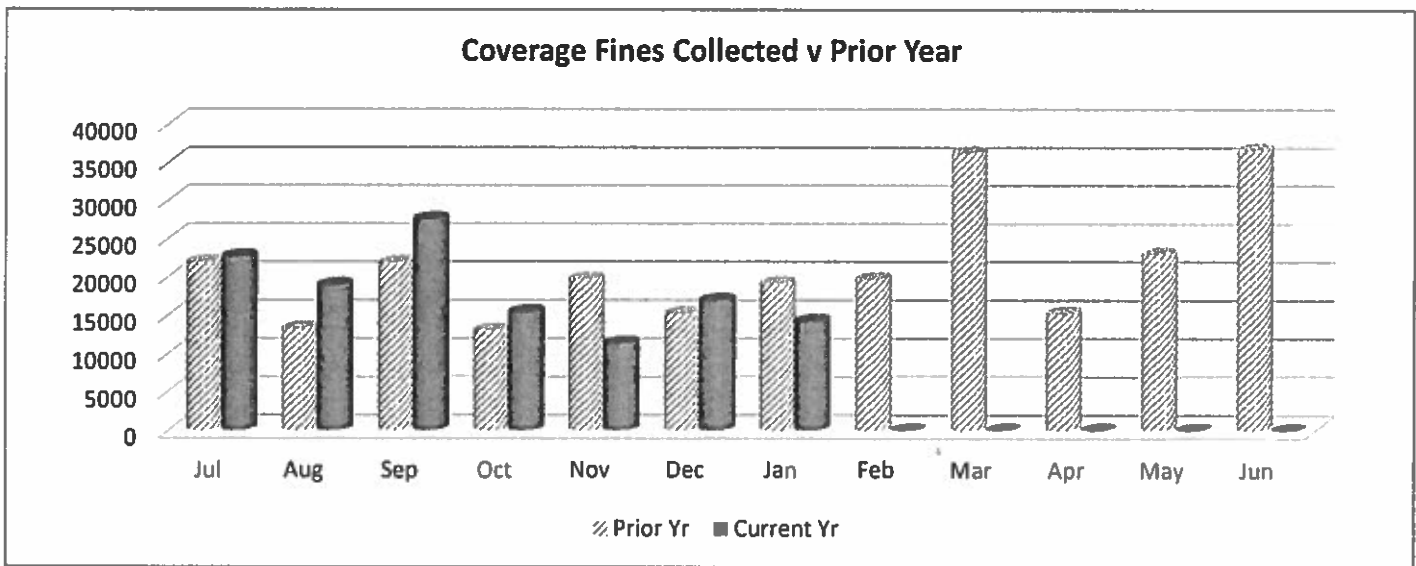
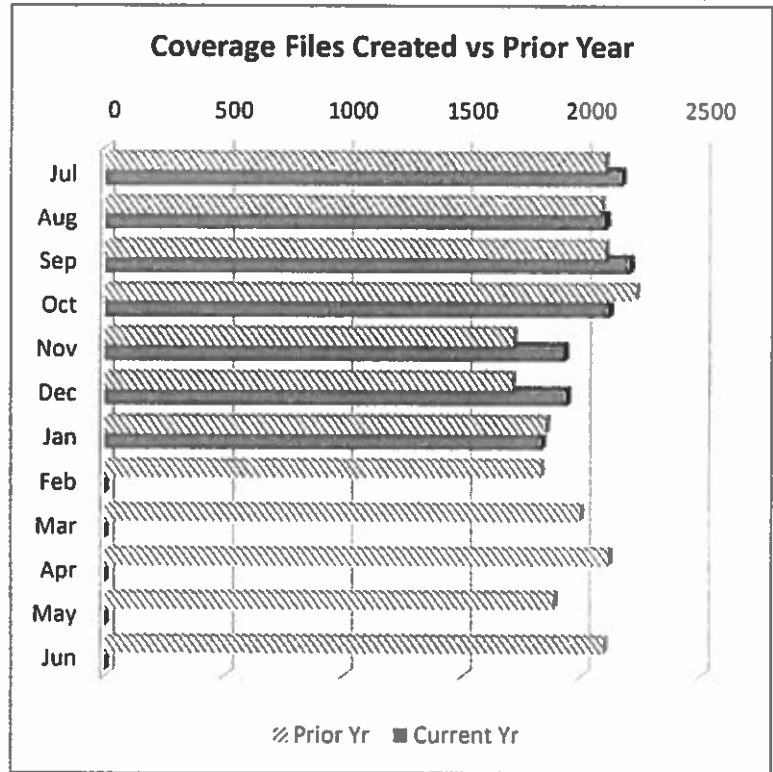
**WCC Claim Files:**

In January 2016, the Coverage Division received a total of 1,834 WCC Claim files. Of these, 1,555 were created through proper carrier filing of a 12A, and 279 were generated as a result of a Form 50 claim filing. Year to Date, 14,286 Claim files have been created which is 60% of claim file volume prior year (23,682).

**Coverage Fines:**

The Coverage Division collected \$14,200 in fine revenue in January 2016, as compared to \$19,100 in Coverage fines/penalties accrued during January 2015. Year on Year, Coverage fines are at 50% of collections for prior year.

Coverage Division fines represent 8% of the Commission's annual earmarked budget.



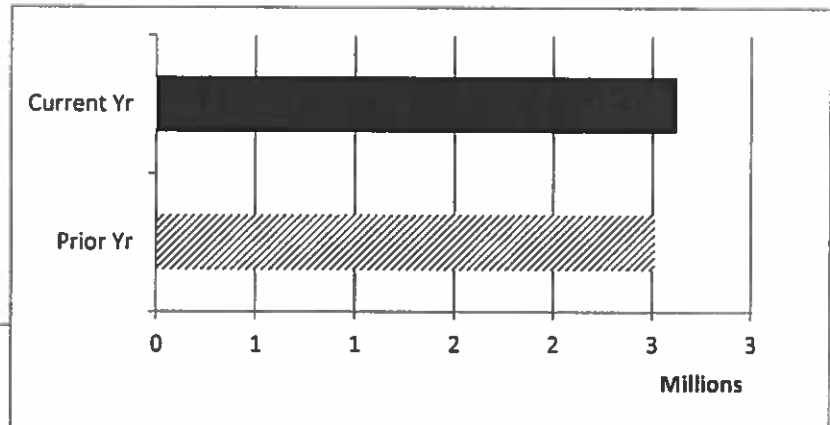
**IMS SELF INSURANCE DIVISION**

January 2016

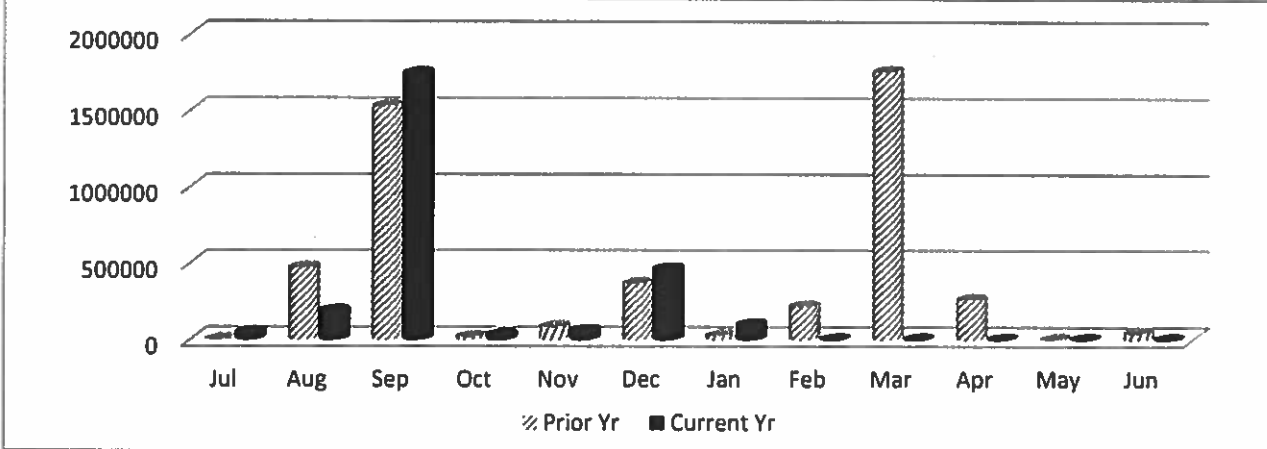
During the month of January 2016, the Self Insurance Division:

- \* collected \$96,886 in self-insurance tax.
- \* added 17 new self-insurers.
- \* conducted 4 Self Insurance audits.

Year to Date, Self Insurance tax revenue is trending at 104% of prior year and 27 Self Insurance audits have been completed.



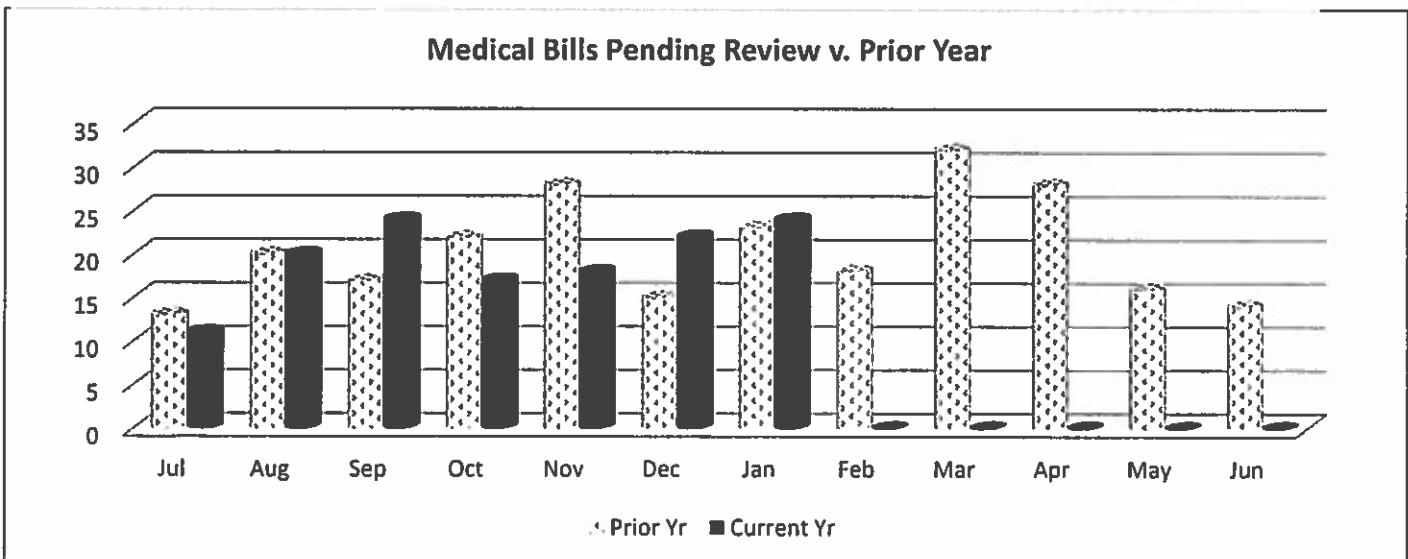
**Self Insurance Tax Collections v. Prior Year**



**IMS MEDICAL SERVICES DIVISION**

In January 2016, the Medical Services Division began the month with 22 bills pending review, received an additional 22 bills for review, conducted 20 bill reviews and ended the month with 24 bills pending.

**Medical Bills Pending Review v. Prior Year**



**South Carolina Workers' Compensation Commission**  
**Summary of Revenues and Expenditures 2015-16 Budget**  
**January 2016 - Period 7**

**Expenditures**

Bench:	58.3%	Annual		Annual	Jan	Year to Date	Budget	Jan	Annual
		Budget	Amend	Final	Spend	Spend	Remaining	Spend %	Spend %
<b>Commissioners</b>									
Personnel GA		1,133,336	19,314	1,152,650	105,992	710,440			
Personnel EM		-	-	-	-	-			
Ttl Pers		1,133,336	19,314	1,152,650	105,992	710,440	442,210	9%	62%
Expense GA		-	-	-	-	-			
Expense EM		285,700	-	285,700	25,425	155,367			
Ttl Expense		285,700	-	285,700	25,425	155,367	130,333	9%	54%
<b>Total Comm</b>		<b>\$ 1,419,036</b>		<b>\$ 1,438,350</b>	<b>\$ 131,417</b>	<b>\$ 865,807</b>	<b>\$ 572,543</b>	<b>9%</b>	<b>60%</b>

**Administration**

Personnel GA		146,007	800	146,807	12,756	90,891			
Personnel EM		606,119	19,973	626,092	34,219	245,227			
Ttl Pers		752,126		752,126	46,975	336,118	416,008	6%	45%
Expense GA		75,000	-	75,000	42,997	42,997			
Expense EM		1,000,649	-	1,000,649	28,442	594,959			
Ttl Expense		1,075,649	-	1,075,649	71,439	637,956	437,693	7%	59%
<b>Total Admin</b>		<b>\$ 1,827,775</b>		<b>\$ 1,827,775</b>	<b>\$ 118,414</b>	<b>\$ 974,074</b>	<b>\$ 853,701</b>	<b>6%</b>	<b>53%</b>

**Claims**

Personnel GA		77,223	800	78,023	6,375	45,425			
Personnel EM		272,010	5,600	277,610	25,660	190,192			
Ttl Pers		349,233		349,233	32,035	235,617	113,616	9%	67%
Expense GA		-	-	-	-	-			
Expense EM		19,700	-	19,700	765	10,388			
Ttl Expense		19,700	-	19,700	765	10,388	9,312	4%	53%
<b>Total Claims</b>		<b>\$ 368,933</b>		<b>\$ 368,933</b>	<b>\$ 32,800</b>	<b>\$ 246,005</b>	<b>\$ 122,928</b>	<b>9%</b>	<b>67%</b>

**IMS**

Personnel GA		26,632	800	27,432	2,219	16,335			
Personnel EM		467,881	7,200	475,081	43,429	313,872			
Ttl Pers		494,513		494,513	45,648	330,207	164,306	9%	67%
Expense GA		-	-	-	-	-			
Expense EM		54,500	-	54,500	2,827	47,618			
Ttl Expense		54,500	-	54,500	2,827	47,618	6,882	5%	87%
<b>Total IMS</b>		<b>\$ 549,013</b>		<b>\$ 549,013</b>	<b>\$ 48,475</b>	<b>\$ 377,825</b>	<b>\$ 171,188</b>	<b>9%</b>	<b>69%</b>

**Judicial**

Personnel GA		29,267	-	29,267	-	-			
Personnel EM		292,779	6,400	299,179	27,358	197,904			
Ttl Pers		322,046		322,046	27,358	197,904	124,142	8%	61%
Expense GA		-	-	-	-	-			
Expense EM		12,800	-	12,800	312	7,277			
Ttl Expense		12,800	-	12,800	312	7,277	5,523	2%	57%
<b>Total Judicial</b>		<b>\$ 334,846</b>		<b>\$ 334,846</b>	<b>\$ 27,670</b>	<b>\$ 205,181</b>	<b>\$ 129,665</b>	<b>8%</b>	<b>61%</b>

**Employer Contribution**

GA		496,796	11,891	508,687	37,799	295,085			
EM		559,928	7,920	567,848	46,522	342,574			
<b>Ttl Fringe</b>		<b>\$ 1,056,724</b>		<b>\$ 1,076,535</b>	<b>84,321</b>	<b>\$ 637,659</b>	<b>\$ 438,876</b>	<b>8%</b>	<b>59%</b>

**Total Agency**

Ttl GA		1,984,261	33,605	2,017,866	208,138	1,201,173	816,693	10%	60%
Ttl EM		3,572,066	47,093	3,619,159	234,959	2,105,378	1,513,781	6%	58%
GF Carry Fwd		-	15,226	15,226	-	-	15,226	0%	0%
<b>Total Agency</b>		<b>\$ 5,556,327</b>	<b>\$ 95,924</b>	<b>\$ 5,652,251</b>	<b>\$ 443,097</b>	<b>\$ 3,306,551</b>	<b>\$ 2,345,700</b>	<b>8%</b>	<b>58.5%</b>



**Summary of Fiscal Activity - January 2016**

As of the close of January 2016, the Commission's overall fiscal performance vs budget is as follows:

Total Expenses Incurred: 58.5% of budget  
 Gen Appropriation Received: 59.5% of budget  
 Earmarked Revenue Earned: 61.2% of budget  
 Draw on Fund Balance: 50.2% of budget  
 (benchmark 58.3%)

**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.

For January 2016, the Commission's operational funding of \$443,097 was received as follows:

General Fund Appropriation: \$ 208,138  
 Earmarked Funds: \$ 231,164  
 Fund Balance: \$ 3,795

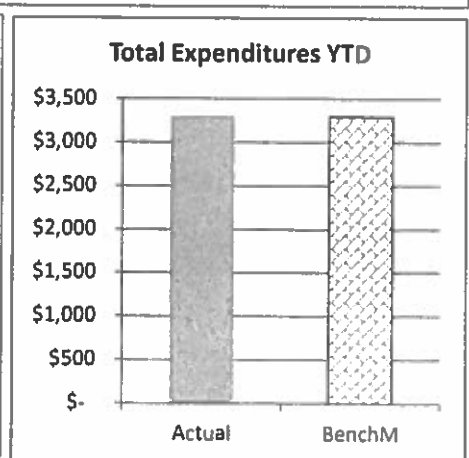
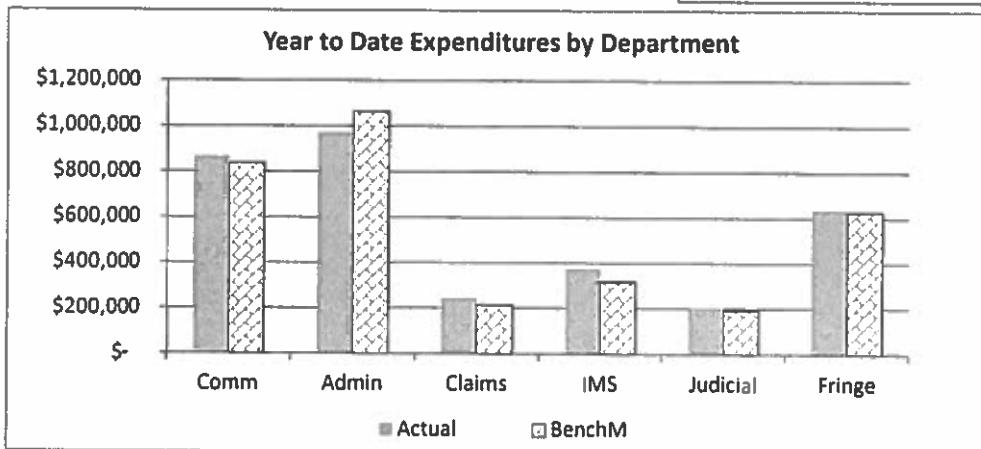
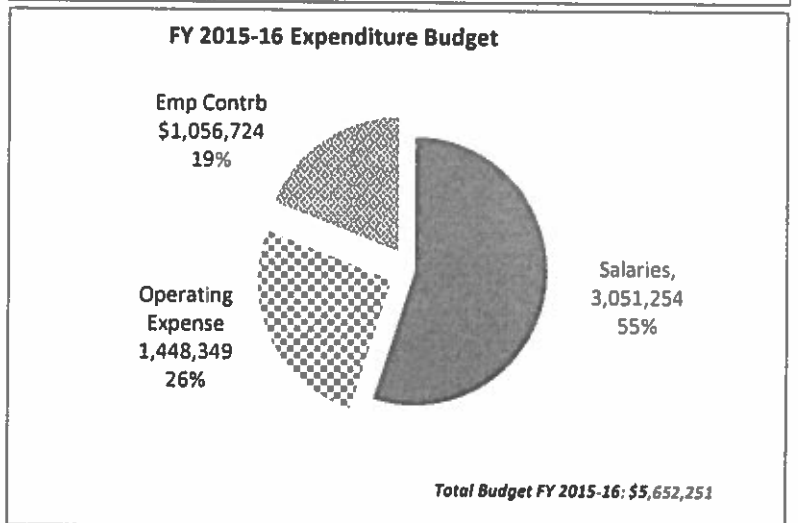
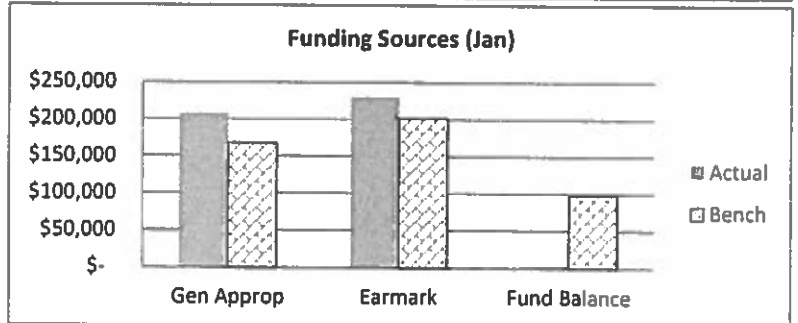
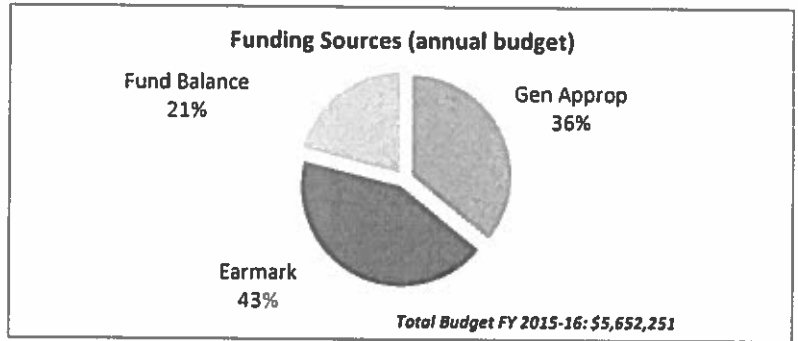
Self Insurance Tax Received:  
 January 2016: \$ 96,886  
 FY15-16 (YTD): \$ 2,619,149

**Operational Expenditures**

The Workers' Compensation Commission has budgeted expenditures for FY 2015-16 in the amount of \$5,652,251, of which 74% is personnel related.

Total expenditures for January 2016: \$443,097.

Commissioners: \$ 131,417  
 Administration: \$ 118,414  
 Claims: \$ 32,800  
 Judicial: \$ 27,670  
 IMAS: \$ 48,475



**South Carolina Workers' Compensation Commission**  
**Summary of Revenues and Expenditures 2015-16 Budget**  
**January 2016 - Period 7**

**Funding and Appropriations**

Period 7

	Annual Budget	Amend	Annual Final	Jan Received	Year to Date Received	Budget Remaining	Jan Rcvd %	Annual Rcvd %
<b>General Fund Approp</b>	\$ 1,984,261	\$ 33,605	\$ 2,017,866	\$ 208,138	\$ 1,201,173	816,693	10.3%	59.5%

**Earmarked Funds**

Training Reg Fee	5,000		\$ 5,000		\$ 810	4,190		
Sale of Publications	8,000		\$ 8,000		\$ 2,800	5,200		
Award Review Fee	73,000		\$ 73,000	2850	\$ 18,300	54,700		
Sale of Photocopies	88,000		\$ 88,000	7260	\$ 41,637	46,363		
WC Violation Fee	1,660,000		\$ 1,660,000	163154	\$ 1,091,115	568,885		
Listings and Labels	25,000		\$ 25,000	970	\$ 10,385	14,615		
WC Hearing Fee	562,000		\$ 562,000	55975	\$ 319,899	242,101		
Parking	5,900		\$ 5,900	500	\$ 3,280	2,620		
Other	2000		\$ 2,000	455	\$ 20,181	(18,181)		
<b>Ttl Earmarked Funds</b>	\$ 2,428,900		\$ 2,428,900	\$ 231,164	\$ 1,508,407	\$ 920,493	9.5%	62.1%

**Appro EM Fund Balance**  
**GF Carry Forward**

\$ 1,143,166	\$ 47,093	\$ 1,190,259	\$ 3,795	\$ 596,971	593,288
	\$ 15,226	\$ 15,226		\$ -	15,226

**Total Funding:**

\$ 5,556,327	\$ 95,924	\$ 5,652,251	\$ 443,097	\$ 3,306,551	\$ 2,345,700
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# State of South Carolina

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## Workers' Compensation Commission

### MEMORANDUM

To: Gary Cannon, Executive Director  
From: Sonji Spann, Claims Director  
Date: February 12, 2016  
Re: Claims Department –February 2016 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:

	Jan 2016	Dec 2015	Jan 2015
Individual Case Files Closed	2198	2022	2235
Fine Revenue Collected	\$41,400	\$39,800	\$44,700
# of individual case files reviewed by examiners	1330	831	103
Total Fines	294	330	455
Form 18 Fines	266	310	377
Total Forms Processed	11,838	11,862	12,059
SROI	1072	1055	
Email 18's	1652	1584	1873
USPS	1744	2062	2666

- **Claim/IMS/File Room:** Reviewed the process of separating the documents that were scanned into a batch as one document (Open Files Only): We all agreed in order to expediently and effectively complete this project, the duty was moved to the File Room and they will review the files that has a hearing date and separate all documents before the Commissioner reviews for the hearing.
- Claims Examiners are reviewing open files that have pending codes (Codes that were entered because of a deficiency and/or a request). Examiners are reviewing to determine if the file can be closed, did carrier respond to request and/or are the file in compliance.
- Claims/Judicial will do the same for files with open JARs.

	Five Year Claims Fine Collection History											
	FY 2011-2012, 2012-2013, 2013-2014, 2014-2015 and 2015-2016											
	July	August	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June
2011-2012	111,875	103,800	83,300	81,300	85,100	110,700	126,700	120,225	116,915	100,200	61,050	90,450
2012-2013	80,825	69,100	57,075	91,925	64,825	65,950	60,550	79,875	67,000	56,650	47,550	48,500
2013-2014	42,350	21,900	35,050	110,350	57,425	50,900	27,000	38,550	73,100	45,350	52,550	31,200
2014-2015	43,300	42,100	51,650	55,100	44,750	49,900	44,700	77,100	90,200	52,250	74,750	124,800
2015-2016	69,250	53,350	56,200	42,800	34,200	39,800	41,400					



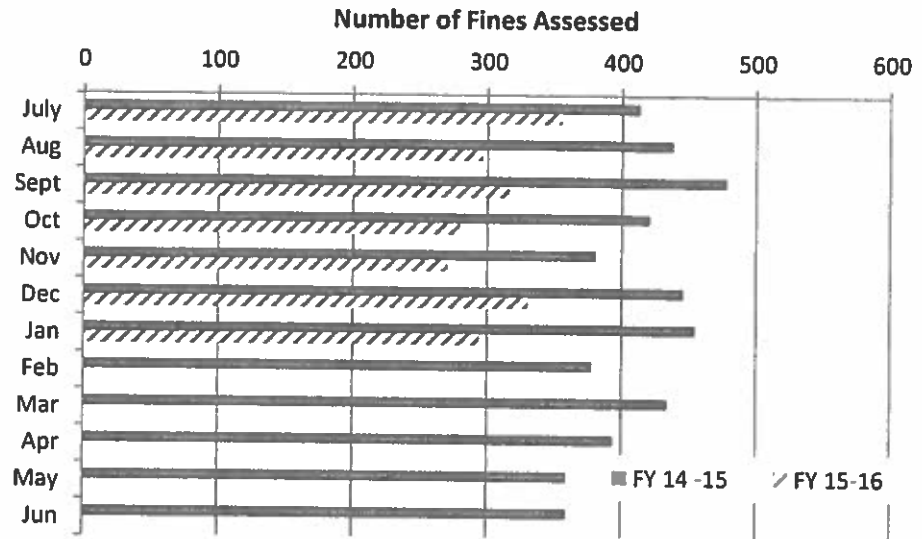
CLAIMS DEPARTMENT REPORT													
STATISTICS FOR FISCAL YEAR 2015 - 2016													
Prepared February													
	July	August	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	Total
Assessed Form 15I	15	5	14	4	3	4	13						58
Assessed Form 15II	11	3	4	4	4	0	5	9					14
Assessed Form 15S	1	0	0	0	0	0	0	0					1
Assessed Form 17	1	4	5	1	2	2	2	1					16
Assessed Form 18	315	273	288	266	263	310	266						1981
Assessed Form 19	0	0	0	0	0	0	0	0					0
Assessed Denial Letter	9	8	4	4	4	0	5	3					33
Assessed Requests	3	3	1	0	2	4	2						15
Paid Form 15I	\$2,600	\$2,000	\$1,400	\$1,000	\$1,400	800.00	\$200						\$ 9,400
Paid Form 15II	\$800	\$600	\$800	\$1,200	\$800	\$200	\$600						\$ 5,000
Paid Form 15S	\$0	\$200	\$0	\$0	\$0	\$0	\$0						\$ 200
Paid Form 17	\$200	\$200	\$1,000	\$200	\$200	\$200	\$200						\$ 2,200
Paid Form 18	\$64,850	\$48,550	\$52,000	\$39,900	\$30,200	\$37,200	\$40,400						\$ 313,100
Paid Form 19	\$0	\$0	\$0	\$0	\$0	\$0.00	\$0.00						\$ -
Paid Denial Letter	\$200	\$800	\$800	\$500	\$1,200	\$800.00	\$0.00						\$ 4,300
Paid Request	\$600	\$1,000	\$200	\$0	\$400	\$600.00	\$0.00						\$ 2,800

CLAIMS DEPARTMENT REPORT													
STATISTICS FOR FISCAL YEAR 2015 - 2016													
Prepared February 1, 2016													
II. Total Fines Assessed by Claims Department													
	July	August	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	Total
# Assessed	355	296	316	279	270	330	294						2,140
# Rescinded	37	28	35	32	24	12	17						185
# Reduced	1	0	0	0	0	1	0						2
# Paid	341	260	271	203	168	195	205						1,643
# Outstanding*	922	930	940	984	1,062	1,185	1,257						7,280
Total Amt. Assessed	\$71,050	\$63,600	\$66,000	\$57,000	\$54,000	\$67,600	\$59,400						438,650
Total Amt. Rescinded	\$7,400	\$7,200	\$7,000	\$6,400	\$4,800	\$2,300	\$3,400						38,500
Total Amt. Reduced	\$100	\$0	\$0	\$0	\$0	\$100	\$0						200
Net Assessed													
Total Amt. Paid	\$69,250	\$53,350	\$56,200	\$42,800	\$34,200	\$39,800	\$41,400						337,000
Total Outstanding*	\$181,050	\$184,100	186,900	\$194,700	\$209,700	\$235,100	\$249,700						249,700

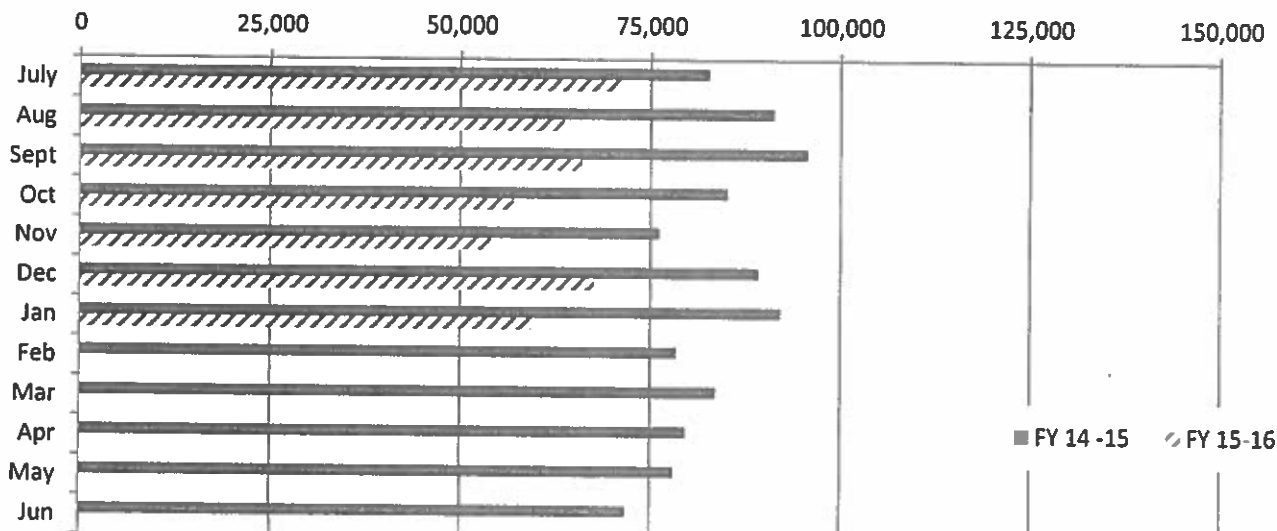
**CLAIMS DEPARTMENT - Fine Activity Report January 2016**

The number of fines assessed by the Claims Department decreased in number to 294 from 330 in January. The number of Claims fines paid increased from 195 in December to 205 in January.

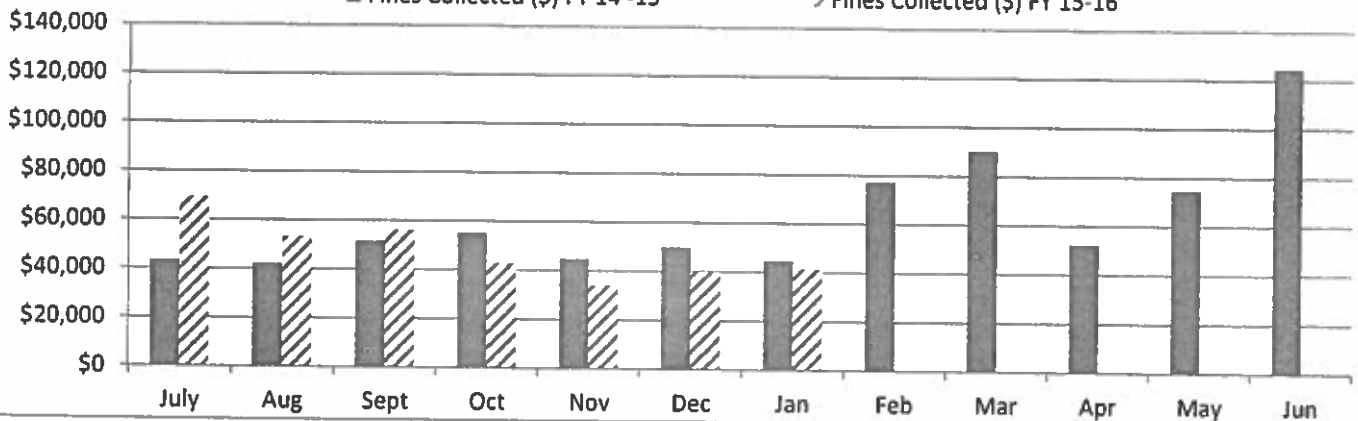
Total fine dollars assessed in January was \$59,400 an decrease over prior month \$67,600 . Fine revenue received in January was \$41,400 an increase over prior month \$39,800.



**Net Fines Assessed (\$)**



**Fines Collected (\$)**





Claims Department - Fine Activity Report

Fines Assessed (#)

	FY 14 -15	FY 15-16
July	413	355
Aug	438	296
Sept	478	316
Oct	421	279
Nov	381	270
Dec	446	330
Jan	455	294
Feb	378	0
Mar	434	0
Apr	394	0
May	390	0
Jun	359	0
<b>Total</b>	<b>4,987</b>	<b>2,140</b>
Mo Avg	416	306

Fines Received (#)

	FY 14-15	FY 15-16
July	198	341
Aug	205	260
Sept	254	271
Oct	259	203
Nov	234	168
Dec	245	195
Jan	224	205
Feb	368	0
Mar	423	0
Apr	234	0
May	363	0
Jun	604	0
<b>Total</b>	<b>3,611</b>	<b>1,643</b>
Mo Avg	301	235

Net Fines Assessed (\$)\*

	FY 14 -15	FY 15-16
July	82,650	71,050
Aug	91,250	63,600
Sept	95,700	66,000
Oct	85,200	57,000
Nov	76,200	54,000
Dec	89,200	67,600
Jan	92,100	59,400
Feb	78,400	0
Mar	83,600	0
Apr	79,700	0
May	78,100	0
Jun	71,800	0
<b>Total</b>	<b>1,003,900</b>	<b>200,650</b>
Mo Avg	83,658	28,664

Fines Collected (\$)

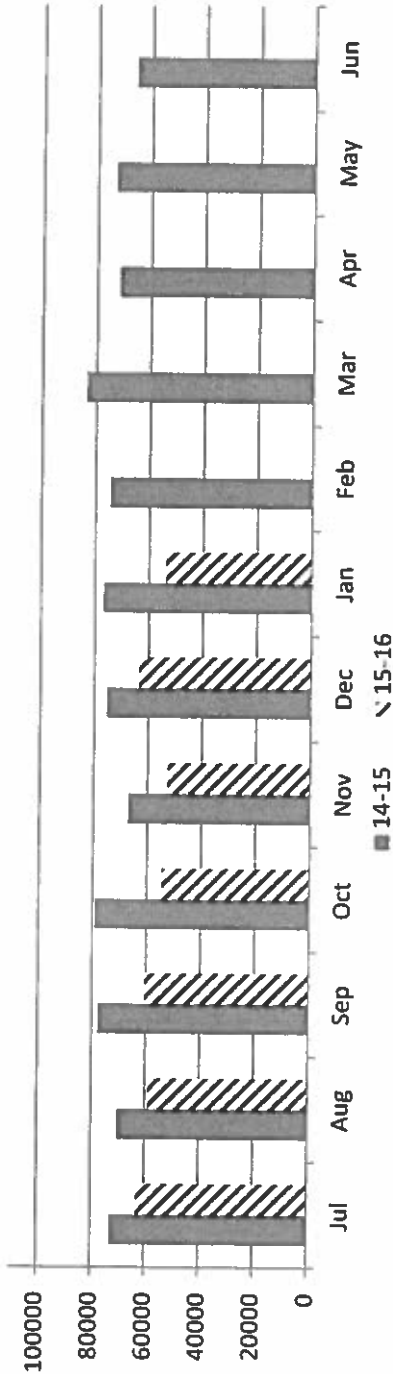
	FY 14 -15	FY 15-16
July	\$43,300	69,250
Aug	\$42,100	53,350
Sept	\$51,650	56,200
Oct	\$55,100	42,800
Nov	\$44,750	34,200
Dec	\$49,900	39,800
Jan	\$44,700	41,400
Feb	\$77,100	0
Mar	\$90,200	0
Apr	\$52,250	0
May	\$74,750	0
Jun	\$124,800	0
<b>Total</b>	<b>750,600</b>	<b>337,000</b>
Mo Avg	62,550	48,143

\*after reductions and rescinded

### FORM 18 FINE ASSESSMENTS

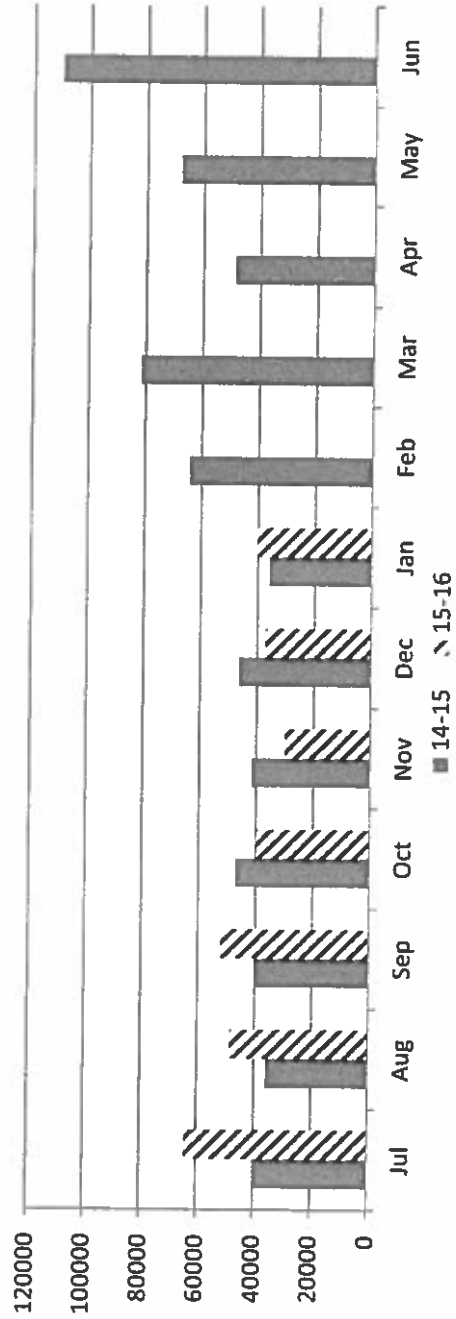
Consistent with overall Commission strategy, the Claims Department works with our Carrier partners to develop approaches that result in increased compliance levels and reduced Fine related costs to businesses in South Carolina.

A key "success measure" of this effort is the Form 18 Fine Assessment report. For the month of January 2016, this has resulted in an increase in Form 18 Fine Assessments to \$53,800 as compared to December 2015 of \$63,600. The actual number of fines assessed decreased from 310 to 266 in January 2016.



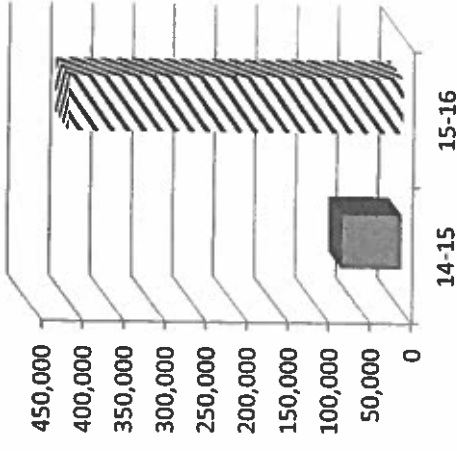
### FORM 18 FINE COLLECTION

In January 2016, the Claims Department received payment on Form 18 Fines resulting in revenue of \$40,400.



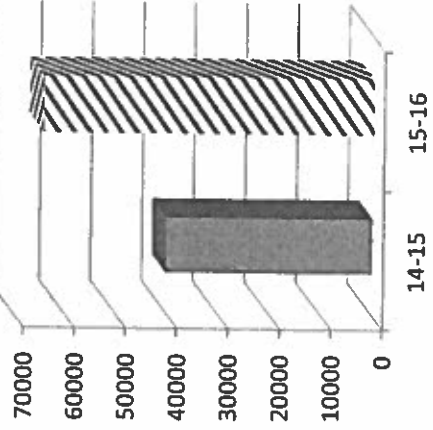
### FORM 18 FINE ASSESSMENTS YTD

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



### FORM 18 FINE REVENUE YTD

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



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**Workers' Compensation Commission**

February 16, 2016

**To:** Gary M. Cannon  
Executive Director

**From:** Amy A. Bracy  
Judicial Director

**RE:** **Monthly Judicial Report for January 2016**

There were ninety-nine (99) Single Commissioner Hearings conducted during the past month, and there were eleven (11) Full Commission hearings held in January.

The Informal Conference system conducted one hundred ninety-seven (197) hearings during the last month.

There were ninety-five (95) regulatory mediations scheduled and thirty (30) requested mediations. The Judicial Department was notified of forty-five (45) matters resolved in mediation, with the receipt of Forms 70.

The Judicial Department is continually working to improve our efficiency in processing single Commissioner hearing requests, Appeals and Informal Conferences. In January, the number of days it took to process the Form 50 and Form 21 requests for hearing was 30 days. This is calculated from when the request comes into Judicial to when it is assigned to a Commissioner's office. This number is up from 28 days in December.

As you are aware, obtaining and keeping locations in which we can conduct hearings is an ongoing challenge for this agency. During the past month we created opportunities for additional hearing sites by meeting with the Director of Real Property for the State and the Commissioner of Vocational Rehabilitation. We are hopeful these contacts will provide additional opportunities to use State owned facilities, throughout the State, for hearings.

I traveled to Florence/Darlington Tech in January to scout a new location for hearings since the prior locations are no longer available. They have offered us the use of a conference room and continue to search for other options.

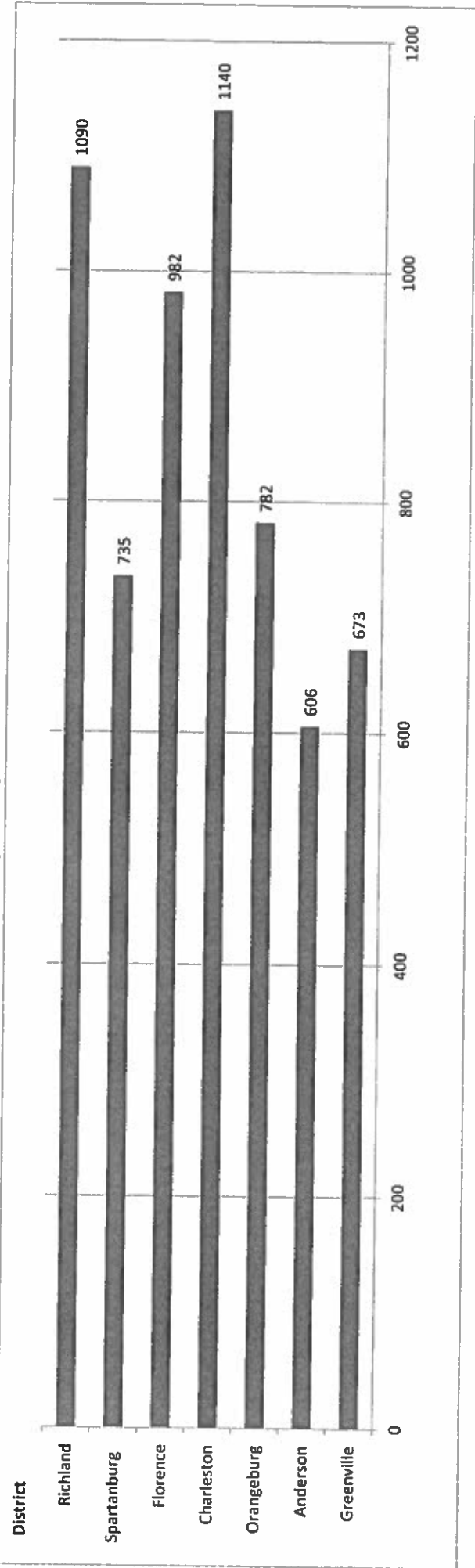
I am also making phone contact, as needed, to locate sites when a need arises. This will be an ongoing project for the foreseeable future.



### 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	110	86	121	76	96	71	109	120	121	171	153	170	122	146	131	122	104	119	138	164	141
Sep	102	105	102	88	84	80	132	105	97	198	155	163	154	126	137	110	70	90	167	124	132
Oct	106	83	124	101	78	84	119	115	128	172	143	170	171	146	159	96	112	106	170	156	160
Nov	72	80	115	62	56	67	88	93	115	145	115	163	133	135	115	81	80	79	129	127	112
Dec	101	99	78	105	86	93	103	108	102	160	133	123	148	119	108	99	85	95	162	146	113
Jan	75	109	92	84	80	56	113	120	100	113	163	151	110	158	95	97	108	88	158	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
<b>Totals</b>	<b>673</b>	<b>1164</b>	<b>1212</b>	<b>606</b>	<b>975</b>	<b>966</b>	<b>782</b>	<b>1308</b>	<b>1308</b>	<b>1140</b>	<b>1765</b>	<b>1843</b>	<b>982</b>	<b>1610</b>	<b>1510</b>	<b>735</b>	<b>1214</b>	<b>1152</b>	<b>1090</b>	<b>1732</b>	<b>1572</b>

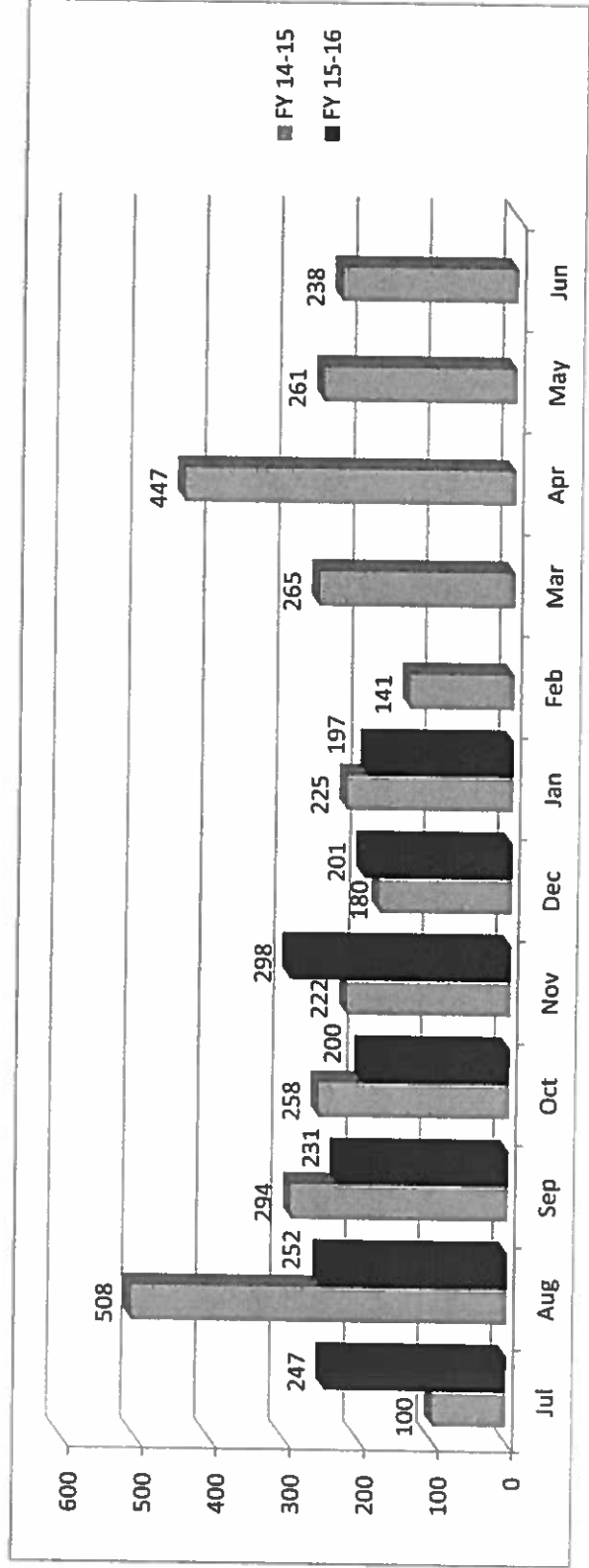
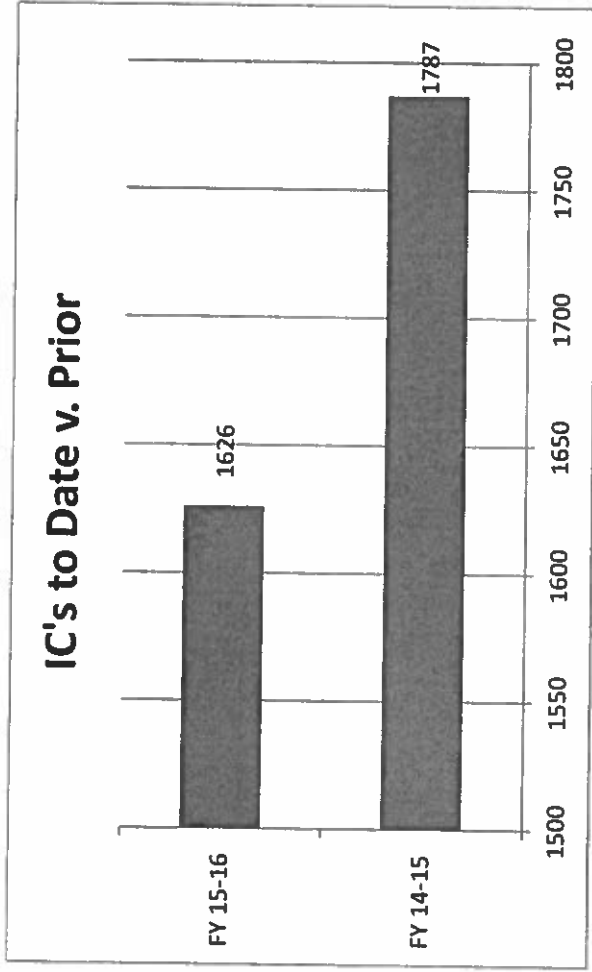
Pleadings Assigned by District Year to Date



**Informal Conf. Conducted**

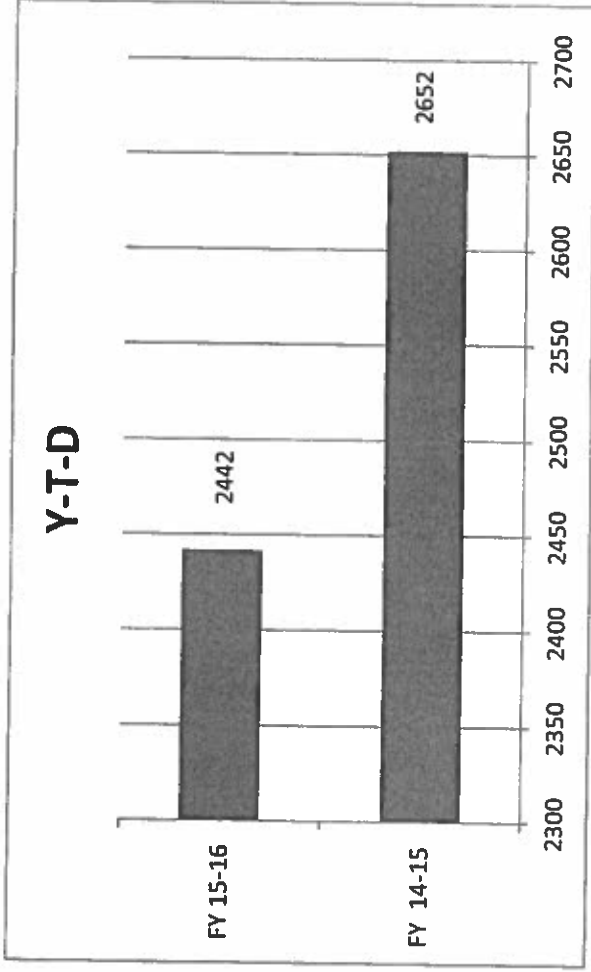
	FY 14-15	FY 15-16
Jul	100	247
Aug	508	252
Sep	294	231
Oct	258	200
Nov	222	298
Dec	180	201
Jan	225	197
Feb	141	
Mar	265	
Apr	447	
May	261	
Jun	238	
<b>Total</b>	<b>3139</b>	<b>1626</b>

**Y-T-D**  
 FY 14-15 1787  
 FY 15-16 1626

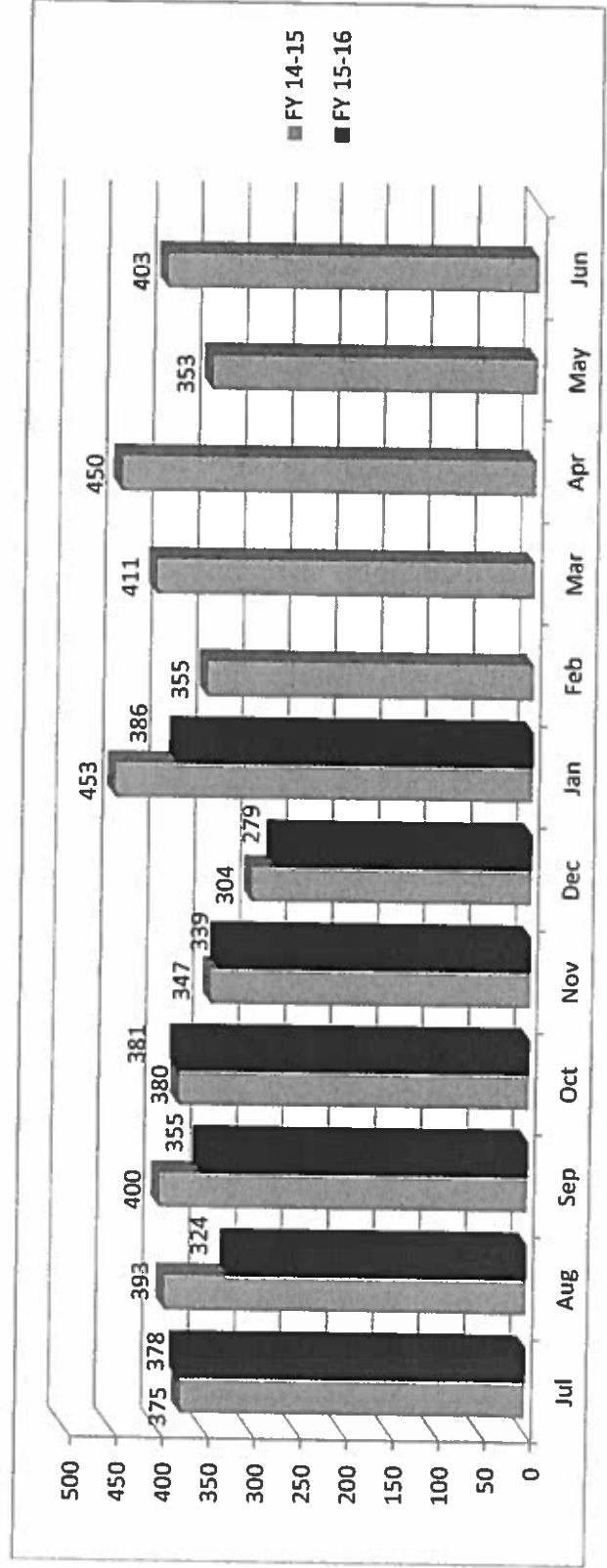


**Informal Conf. Requested**

	FY 14-15	FY 15-16
Jul	375	378
Aug	393	324
Sep	400	355
Oct	380	381
Nov	347	339
Dec	304	279
Jan	453	386
Feb	355	
Mar	411	
Apr	450	
May	353	
Jun	403	
<b>Total</b>	<b>4624</b>	<b>2442</b>



Y-T-D	FY 14-15	FY 15-16
	2652	2442



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## *Workers' Compensation Commission*

### **Executive Director's Report Gary M. Cannon**

**February 18, 2016**

#### **Narcotics Use Advisory Committee**

The Committee approved the final recommendations on January 25. They will be presented at the Business Meeting on February 22.

#### **Office Lease Agreement**

On January 26, 2016, the State Fiscal Accountability Authority approved the renewal of the office lease at our current location. The lease agreement was executed on February 5, 2016.

#### **Senate Oversight Committee**

The Commission has been selected by the Senate as one of the agencies for oversight review during 2016. A preliminary meeting was held with the Committee's staff member on February 3. The initial presentation to a subcommittee may be conducted in early March.

#### **Proposed Amendments to Regulations**

There will be a work session to review a draft of the proposed regulations on Tuesday, March 22, beginning at 1:30 p.m. for Commissioners and Department Heads. The work session will take place in the Commissioners' Conference Room.

#### **Meetings/Activities**

The Executive Director participated in the following meetings/activities:

- January 20 – Telephone conference with Chairman of the Narcotics Use Ad Hoc Advisory Committee
- January 21-24 – Presenter at the S.C. City County Managers Association Winter Meeting
- January 22 – Telephone conference with IAIABC Committee.
- January 26 – Attended the State Fiscal Accountability Authority Committee meeting.
- January 27 – Meeting with building contractor to review the architectural designs on office space needs
- January 28 – Telephone conference with ProjectWorks representative to discuss MSA calculations for pro se claimants
- January 28 – Attended the S.C. Bar Reception honoring the SCWCC Commissioners



- January 29 – Gave a presentation at the S.C. Trucking Association’s HR Legal Forum at Embassy Suites, Columbia
- February 2 –Meeting with the Director of the State’s Real Property Services to discuss potential hearing sight venues.
- February 3 –Met the staff member of the Office of Senate Oversight.
- February 9 – Participated in IAIABC Executive Board Meeting via Teleconference

**Personnel**

**Law Clerk**

Hirak Pati began law clerk internship on January 15, 2016.

**Claims Administration Workshop**

A Claims Administration Workshop is scheduled for May 20, 2016. The workshop will take place at the S.C. Department of Archives and History.

**Employee Meetings**

An All Employee meeting was held on January 19. The Social Committee hosted a “Souper Bowl” lunch on February 5. The Executive Director met with the Department Heads on February 11. The next All Employee meeting is scheduled for February 25.

**Constituent /Public Information Services**

For the period January 6, 2016 through February 16, 2016 the Executive Director’s Office and the General Counsel’s office had 648 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 January 7, 2016 through February 16, 2016, we added 20 individuals to the distribution list. A total of 603 individuals currently receive notifications from the Commission.

**SC Vocational Rehabilitation Department (SCVRD)**

SCVRD reported 11 referrals for the month of January, and 49 referrals year to date.

# *State of South Carolina*

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## *Workers' Compensation Commission*

February 18, 2016

The Honorable T. Scott Beck  
Chairman  
SC Workers' Compensation Commission  
1333 Main Street, Suite 500  
Columbia, SC 29202

Dear Chairman Beck:

On behalf of the Narcotics Use Advisory Committee (NUAC) I am pleased to present the committee's recommendations concerning the use of narcotics prescribed for patients receiving treatment as a result of a work-related injury.

The NUAC was created by the Commission in February 2014 with the charge of assessing whether or not the use of such medication for workers' compensation patients should be regulated, and, if so, recommend regulations or other administrative policies for the Commission to consider. As with other ad hoc advisory committees appointed by the Commission, the members of the NUAC represented a variety of diverse interests in the workers' compensation system and this specific issue. Enclosed is a list of the NUAC members.

The issue of narcotics and opioid use is not new. Previous efforts include Governor Haley's creation of the Prescription Drug Abuse Prevention Council (PDAPC) in Executive Order No. 2014-22 in March 2014. The PDAPC was charged with developing a comprehensive state plan to combat and prevent drug abuse. The PDAPC presented its recommendations to Governor Haley on September 29, 2015. In November 2014 the Medical Board, the SC Board of Dentistry and the South Carolina Board of Nursing approved the Joint Revised Pain Management Guidelines (JRPM Guidelines). Representatives from these groups participated in the NUAC discussion. The results of these combined efforts were beneficial to efforts of NUAC.

NUAC met five times from July 2014 to December 2015. Members participated in person or by telephone conference call. As a result of the meeting on December 17, 2015, the enclosed list of recommendations was approved by the NUAC for your consideration.

I would like to express my sincere appreciation to Commissioner Susan Barden for her time and effort to attend the meetings and other members for their participation, honest and open discussion about the issues and their diligence for remaining committed to the cause during the time it took to arrive at a final product.

Respectfully Submitted,



Richard "Ric" Davis  
Chairman NUAC

# SCWCC Narcotics Use Advisory Committee

## Recommendations

February 22, 2016

1. The Commission support PDAP Council's efforts to introduce legislation to require mandatory registration for authorized prescribers of opioids in the state's prescription drug monitoring program (PMP/SCRIPTS).
2. The Commission require medical service providers of workers' compensation claimants comply with the educational requirements related to opioid and narcotics use established by the SC Medical Board and SC Department of Health and Environmental Control to include specialized training for individuals with prescriptive authority on the use of opioids and narcotics.
3. The Commission require medical service providers who treat workers' compensation patients comply with the standard of care and guidelines for the treatment of chronic and acute pain set forth in the South Carolina Board of Medical Examiners, Board of Dentistry's and Nursing Board's Joint Revised Pain Management Guidelines adopted in November 2014.
4. The Commission require medical service providers who treat workers' compensation claimants register and utilize the SC PMP/SCRIPTs program.
5. The extent possible under the Commission's statutory and regulatory authority, allow insurance carriers and prescription benefit managers access to SCRIPTS/PDMP.
6. The Commission exempt treatment of acute pain treatment from the guidelines or regulations. Acute pain is defined as the normal, predicted physiological response to an adverse chemical, thermal, or mechanical stimulus and is associated with surgery, trauma, and acute illness. It is generally time-limited (less than 90 days) and is responsive to opioid therapy, among other therapies. These guidelines would not apply to a physician who is primarily providing time-limited surgical services to relieve acute pain.

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