

AGENDA

SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

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

September 19, 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 SEPTEMBER 19, 2016 *CHAIRMAN BECK*
3. APPROVAL OF MINUTES OF THE BUSINESS MEETING
OF AUGUST 15, 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. DUCOTE*
 - Insurance and Medical Services (Tab 5) *MS. SPANN*
 - Claims (Tab 6) *MS. BRACY*
 - Judicial (Tab 7)
7. EXECUTIVE DIRECTOR'S REPORT (Tab 8) *MR. CANNON*
 - Administration – Financial Report (Tab 9) *Mr. Cannon*
8. OLD BUSINESS *CHAIRMAN BECK*
 - A. Approval of Notice of Drafting on Proposed Regulations (Tab 10) *Mr. Cannon*
9. NEW BUSINESS *CHAIRMAN BECK*
10. ADJOURNMENT *CHAIRMAN BECK*

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2	Self-Insurance
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9	Summary of Revenues and Expenditures
10	Approval of Notice of Drafting on Proposed Regulations

THE
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION
BUSINESS MEETING
August 15, 2016

A Business Meeting of the South Carolina Workers' Compensation Commission was held in Hearing Room A of the Workers' Compensation Commission on Monday, August 15, 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
MELODY L. JAMES, COMMISSIONER
GENE MCCASKILL, COMMISSIONER
AISHA TAYLOR, COMMISSIONER
AVERY B. WILKERSON, JR., COMMISSIONER

Present also were: Gary Cannon, Executive Director; Amy Bracy, Judicial Director; Wayne Ducote, Insurance and Medical Services Director; Bridgette Amick, Medical Policy Analyst; Loretta Dykes, Fiscal Analyst; Alicia Osborne, Human Resources Manager; Keith Roberts, Attorney; W.C. Smith, Self-Insurance Director; Sonji Spann, Claims Director; Amanda Underhill, Business Analyst. Also present were: Kimberly Rowland, One Call Care Management; Bonnie Anzelmo, Injured Workers' Advocates; Asaunte Young, Companion TPA; and Laura Robinson, Collins and Lacy.

Chairman Beck called the meeting to order at 10:35 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 JULY 18, 2016

Commissioner Barden moved that the minutes of the Business Meeting of July 18, 2016 be approved. Commissioner Taylor seconded the motion, and the motion was approved.

GENERAL ANNOUNCEMENTS

Gary Cannon, Executive Director, introduced Loretta Dykes, Fiscal Analyst. Ms. Dykes began her employment with the Commission on August 1, 2016.

APPLICATIONS FOR APPROVAL TO SELF-INSURE

Self-insurance applications were presented by W.C. Smith, Self-Insurance Director. Thirteen (13) prospective members of two (2) funds were presented to the Commission for approval. The applications were:

Palmetto Timber Fund
J. Carter Logging, Inc.
South Carolina Shavings

SC Home Builders SIF

Artisan Concrete Designs, LLC
Contractor Services of Aiken, LLC
Covin Construction Management, Inc.
Edds HVAC, LLC
Best Services of Oconee, Inc.
Exterior Escapes, LLC
Hyatt Lawn Care, LLC
RHI Construction, LLC
Ryan Thomas Miller, LLC
Star Contracting, Inc.
Whetstone Professional Painting, LLC

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 James 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 July 14 through August 10, 2016. Ms. Osborne said she continues to work with appropriate departments concerning the office renovations and relocations. There was discussion on the projected completion date. Alicia will follow-up with the contractors.

Information Technology Department

Sandee Sprang presented the Information Services Department's report. Ms. Sprang reported IT is currently recruiting for a Business Analyst position and a Help Desk Consultant position. Testing continues on the eCase web portal upgrade. The project is at 90% completion.

Insurance and Medical Services Department

Wayne Ducote presented the Insurance and Medical Services Department's report. In follow-up to a question raised at last month's business meeting concerning a statement included in previous months' reports that the Coverage Division fines represent 8% of the Commission's annual earmarked budget, Mr. Ducote said Ms. Dykes is reviewing the budget and he will follow up.

Mr. Ducote reported the following for the month of July 2016:

- The Compliance Division compelled 19 employers to come into compliance with the Act.
- Twenty-five carrier Rule to Show Case (RTSC) cases were docketed. Mr. Ducote noted a correction in the report. The correct number of RTSC resolved is 20 and \$13,619 in fines was collected.
- The Compliance Division collected \$60,305 in fines and penalties.

- The Coverage Division received a total of 1,971 claims and collected \$12,600 in fine revenue.
- The Self-Insurance Division collected \$58,868 in self-insurance tax.
- Approval of the 2016 Medical Services Provided Manual will be presented later in today's business meeting and upon approval will be available online effective September 1, 2016.

There was discussion on the pharmaceutical payment disputes involving the State Accident Fund. In determining payment amount for medical claims, the payer will pay for services filed in compliance with the Maximum Allowable Payment (MAP).

Claims Department

Sonji Spann presented the Claims Department's report. Ms. Spann reported the following for the month of July 2016:

- Closed 2,178 individual case files
- Received \$40,450 in fine revenue
- Claims examiners reviewed 2,973 individual case files
- 246 fines assessed
- 181 Form 18 fines assessed (Ms. Spann explained the fine process is computer generated. The program reviews files from 2007 forward. Claims will work with IT on a process to review the files prior to 2007).
- 11,739 forms processed
- 1,116 Form 18s processed through SROI
- 1,772 Form 18s received via Email
- 1,464 Forms received via USPS
- 743 Form 61s received
- 668 Form 61s approved

Judicial Department

Amy Bracy presented the Judicial Department's report. Ms. Bracy provided the Commissioners a handout in response to a question discussed at the August business meeting about hearing districts and informal conference districts, and included a copy of the Informal Conference schedule, which is posted on the Commission's website. She reported the following for the month of July 2016:

Judicial Department

- 854 requests for Hearings
- 115 Motions
- 119 Clincher Conference requests sent to Jurisdictional Commissioners

Commissioners

- 58 Single Commissioner Hearings conducted
- 13 Full Commission Hearings conducted
- 465 Orders served at single Commissioner level; 76 of those were Decision and Orders that resulted from hearings that went on record; 109 of those were Motion Orders ruled upon by Commissioners

Informal Conference

- 274 informal conferences conducted

Mediation

- 66 regulatory mediations scheduled
- 25 requested mediations

- 54 matters resolved in mediation with the receipt of Forms 70

Ms. Bracy reported two (2) new venues were added in the Walterboro area as part of the Orangeburg District. S.C. Vocational Rehabilitation Department is allowing the use of a conference room in their Walterboro location.

Ms. Bracy reported a change in hearing venue at the Greenville Courthouse. Effective September 1, hearings will be held in Conference Room E.

Commissioner Barden thanked Ms. Bracy for taking a proactive approach and traveling to visit potential hearing locations. There was discussion on hearing venues.

Commissioner Wilkerson asked if there was something unusual happening in August that would increase the number of clincher conferences and informal conferences in the Greenville District. Ms. Bracy will follow-up.

EXECUTIVE DIRECTOR'S REPORT

Gary Cannon, Executive Director, presented his report which was also submitted to the Commission in written form. This was received as information.

ADMINISTRATION – FINANCIAL REPORT

Mr. Cannon distributed to the Commissioners a detailed report of revenues and expenditures for FY 2015-16. He reported the General Appropriations Fund completed the fiscal year with a "0" balance. The Earmarked Fund completed the fiscal year with a positive balance of \$13,458.

OLD BUSINESS

A. 2016 Medical Services Provider Manual (MSPM) Fee Schedule

Mr. Cannon said the Commission received the first draft of the proposed MSPM for 2016 at the July 15, 2016 Business Meeting. On July 19, 2016 the Commission published the proposed rates and requested stakeholder comment by July 29, 2016. The Commission received comments from four stakeholders: S.C. Orthopaedic Association; Coventry; American Association of Preferred Provider Organization; and the Injured Workers Advocate Association. Commission staff carefully reviewed the comments

Mr. Cannon said staff reviewed and gave careful consideration to the stakeholder comments. He presented a recommendation to adopt a revision to the MSPM, effective September 1, 2016, to reflect 2016 Resource Based Relative Values (RBRVS) issued by the Center for Medicare/Medicaid (CMS) and the American Medical Association's Current Procedural Terminology (CPT) Codes. The Conversion Factor of \$50 will remain the same; and no change to the Maximum Allowable Payments (MAP) for an Independent Medical Examination (IME). The IME fee will remain rated as Individual Consideration.

Chairman Beck asked if there were stakeholders present who would like to speak on the issue. There were none.

Motion to Approve 2016 Medical Services Provider Manual Fee Schedule

Commissioner Barden moved for the adoption of the recommendation as presented. Commissioner McCaskill seconded the motion. The motion was approved.

NEW BUSINESS

A. Approval of 2017 Commission Calendar

Mr. Cannon presented a recommendation to approve the proposed 2017 Commission Calendar with the following changes: change in the dates for the January and February 2017

Business Meetings and Appellate Panel Hearings from January 9th & 10th to January 23rd & 24th ; and from February 13th & 14th to February 21st & 22nd.

Motion to Approve Proposed 2017 Commission Calendar

Commissioner Barden made a motion to approve the proposed 2017 Commission Calendar as presented with amendments. Commissioner Taylor seconded the motion. The 2017 Commission Calendar was approved.

ADJOURNMENT

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

The August 15, 2016 meeting of the South Carolina Workers' Compensation Commission adjourned at 11:11 a.m.

Reported September 19, 2016
Kim Ballentine
Office of the Executive Director

MEMORANDUM

Date: September 14, 2016

TO: Mr. Gary Cannon
Executive Director

FROM: Alicia Osborne
Human Resources

SUBJECT: Human Resources Report Period of August 11 to September 14, 2016

Below is a summary of the Human Resources activity for the period of August 11, 2016 through September 14, 2016

Workers' Compensation

- Ongoing Workers' Compensation Injuries
 - Four open claims (ongoing)

Employee Relations

- Meetings
 - Counseled (13) staff regarding concerns
 - Clarified policies and procedures as needed
- Talent Search
 - Ongoing Recruitment
 - Information Resource Consultant I
 - First interviews ongoing
 - Systems Information / Business Analyst III
 - Reposting for clarity
 - Systems Information / Business Analyst I
 - Posting to NeoGov on 9/16/16
 - Attorney I
 - Five interviewed
 - Three for 2nd interviews
 - One request sent to AG's office for final approval

Renovations

- Phase 4
 - Completed September 2, 2016
 - Move conducted on September 8, 2016
- Phase 5
 - Commenced 9/12
 - Scheduled Completion around 9/23
 - Tentative date due to third party vendor
- Continuing to add to the Punchlist for end of renovations clean up

Fiscal Responsibilities

- Processed/Approved Expense reports

Reports

- Ran SCEIS Deductions Not Taken / Arrears report

- Arranged transfer of premiums for newly transferred employee via PEBA and losing agency
- Notified staff of arrears/deductions not taken
- Ran SCEIS Wage Type Report
- Time Administration
 - Unapproved Leave Report
 - Notified staff of pending leave that needed to be approved
 - Approved leave for (3) supervisors that requested approval
 - Missing Time Report
 - Notified six (1) supervisors of missing time
 - Notified seven (3) staff members of missing time
 - Monitoring of Hazardous Leave Entries
 - September 2, 2016 – Noon to 5pm
- Reviewed/updated reports as requested by the Executive Director
 - Assisted with Accountability report
 - Assisted with budget report

CBRE

- Notified CBRE of building concerns (3)

SCEIS

- Created new positions as requested by the Budget Office

Miscellaneous

- Meeting(s)
 - (1) Building Renovations
 - United Way
 - Training
 - State Agency Campaign Kickoff
 - Budget Office with Nicole Jennings
 - Training at SCEIS
 - Budget training
- Ongoing - continue with planning, coordinating, and overseeing office renovations

State of South Carolina

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Workers' Compensation Commission

To: Gary Cannon
SCWCC Executive Director
From: Sandee Sprang, IT Director
Date: September 14, 2016
Subject: IT Department September 2016 Full Commission Report

This report summarizes the activities and accomplishments of departmental projects and initiatives for the IT department during August 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 the effort with DTO to upgrade our hardware and software to a virtualized environment. He is presently working on building a process to duplicate the virtual environment on the development servers in the production environment.

EDI

The IT department worked with EDI trading partners to research and resolve EDI transaction data errors. We have added a new TPA to our system, ACA, Associated Claims Administrators, Inc. and they will begin submitting EDI transactions via SFTP once the testing is completed. We also added a new trading partner, Aerie EDI Group. We continue to work with the IAIABC EDI Claims Workgroup, reviewing and recommending standard changes. Our next EDI Jurisdictional conference call is on September 20, 2016 from 12:00 – 2:00.

Reporting and Standardization

During August, we completed minor modifications to the reports used to derive data for the Annual Report. We refined several reports to simplify the process and correct minor inconsistencies as a result of new business processes. Additionally, Duane added new security processes and controls to the Progress reporting system.

Systems Support

Duane researched and corrected multiple Invoice and Payment issues.

Desktop Support

Our HelpDesk support calls are being fielded by everyone in IT and we'll resume tracking metrics for these tasks when this position is filled.

Staffing

The IT department is currently recruiting for 2 positions, a Business Analyst II and a Business Analyst III position. We received 63 applications for the HelpDesk position and are currently conducting telephone interviews with 16 of the applicants for the first round interview process. We spent the majority of August cross-training and documenting Amanda's work to minimize the impact of this loss.

II. Projects, Enhancements and Development

eCase

The eCase web portal upgrade is in the testing phase. All internal testing is complete and we are ready to open testing to several external users. We are 90% complete with this project.

Office Renovations

The IT department spent a large portion of time working on the office renovation project assisting with the relocation of equipment and managing the installation of new cable.

Hardware Upgrades

We have several hardware upgrade projects in process:

- 1) Our wireless network hardware quotes have been requested. We are hoping to procure these as part of our renovation project.
- 2) We are continuing to meet with vendors on the State's VoIP telephone contract to determine which vendor can best meet our needs within our current budget. Our August demo was rescheduled since we are short-staff and all efforts are needed in other areas.

Video Conferencing

This project is on our list of priorities and will gain momentum once the time-constrained priorities are completed.

III. Trainings and Meetings

Sandee attended the SCITDA conference.

Duane participated in the IAIABC Proof of Coverage Committee conference call.

State of South Carolina



Workers' Compensation Commission

To: Mr. Gary Cannon
SCWCC Executive Director

From: Wayne Ducote, Jr.
IMS Director

Date: 14-Sep-16

Subj: Insurance and Medical Services Department
August 2016 Full Commission Report

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

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

- | | |
|---------------------|--|
| Compliance Division | <ol style="list-style-type: none">1. Reviewing revenue metrics / projections.2. Working with staff to review workflow processes and additional training opportunities. |
| 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: 57 new registrants; 0 notifications sent. |
| Medical Services | <ol style="list-style-type: none">1. Received 43 additional pharmaceutical payment disputes involving SAF.2. Update of the Medical Services provider Manual complete. |

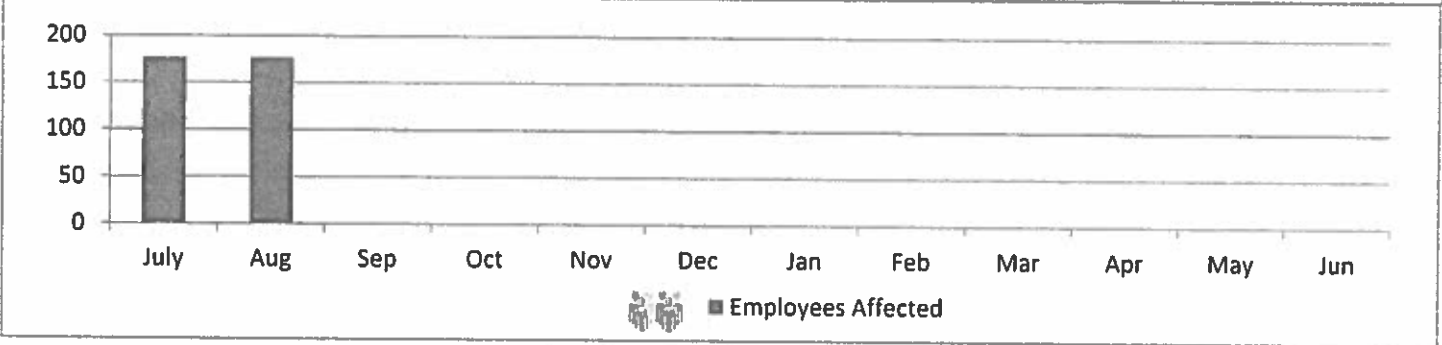
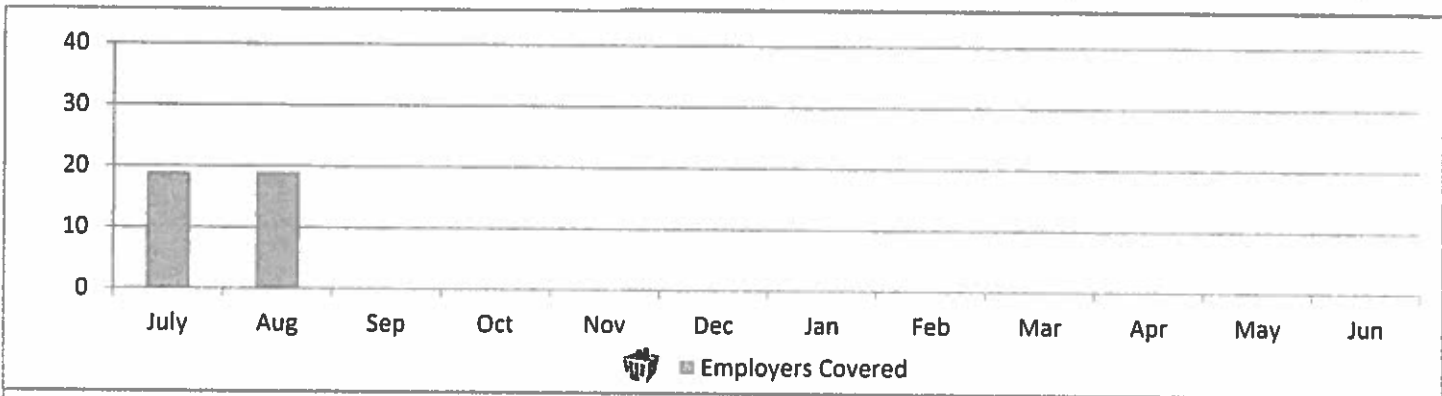
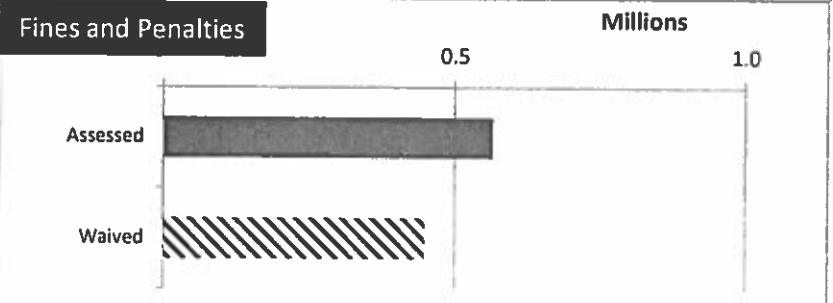
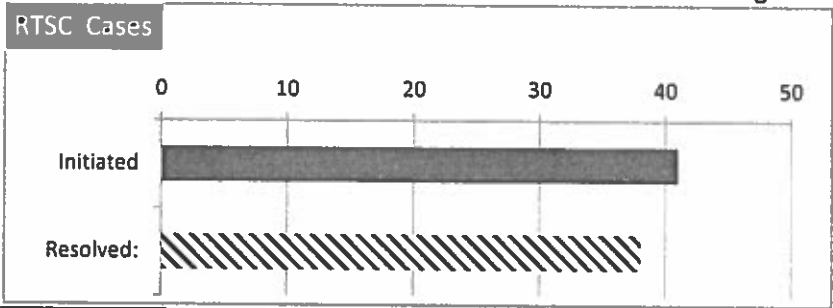
While this summary is in no way all-inclusive, it may serve to assist you and our Commissioners in understanding the key initiatives underway in the IMS Department and provide measures by which the Department's effectiveness can be gauged. IMS welcomes any guidance that you and/or our Commissioners can 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 38 employers in South Carolina to come into compliance with the Act. In so doing, approximately 353 previously uninsured workers are now properly covered.

Penalties Waived

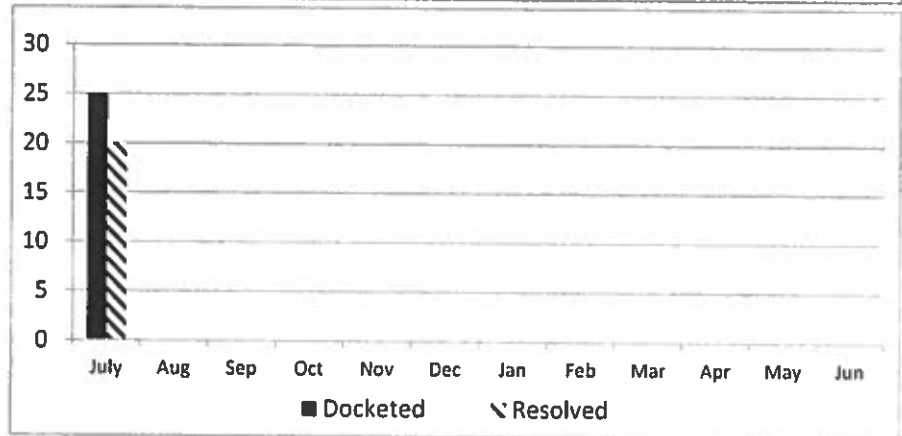
Although the Division has assessed \$566k in fines, 79% of those fines (\$447k) have been waived or rescinded as employers have either obtained insurance coverage or were found not to be subject to the Act.



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 Aug 2016, 0 carrier RTSC cases were docketed; 0 cases were resolved and \$0 was recovered.

Year to date, 25 carrier RTSC cases have been docketed, 20 cases have resolved and \$13,619 has been recovered.



Carryover Caseload:

The Compliance Division closed Aug 2016 with 217 cases active, compared to an active caseload of 379 at the close of Aug 2015.

Cases Resolved:

For the month of Aug 2016, Compliance Division staff closed-out 120 cases.

Compliance Fines:

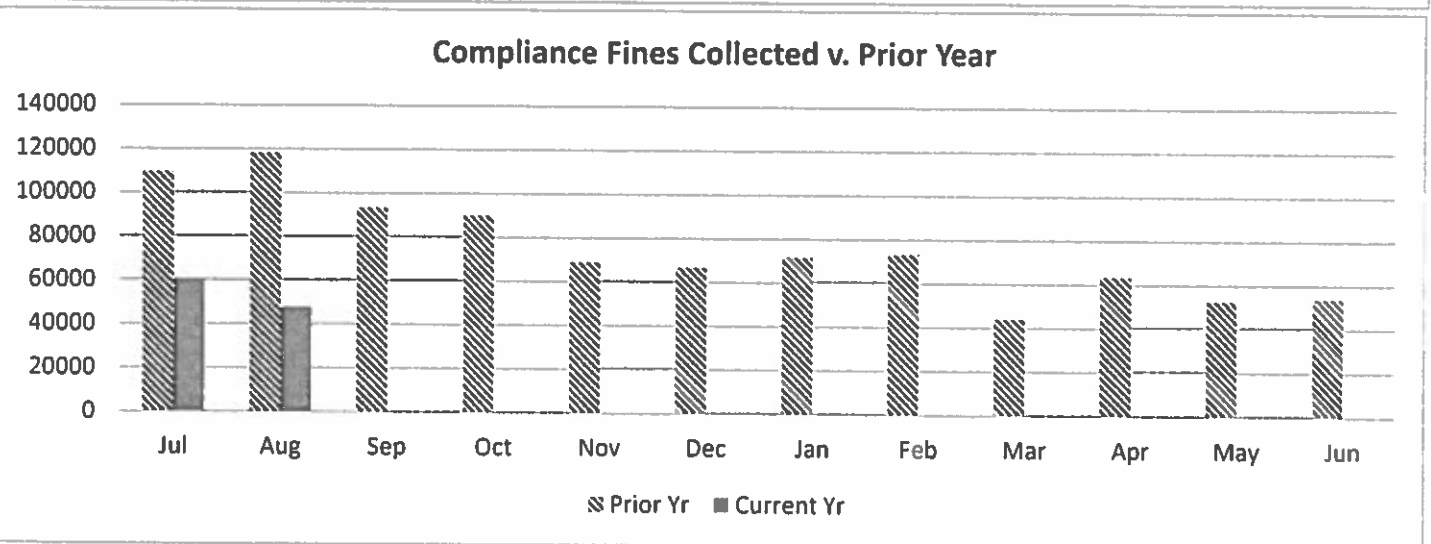
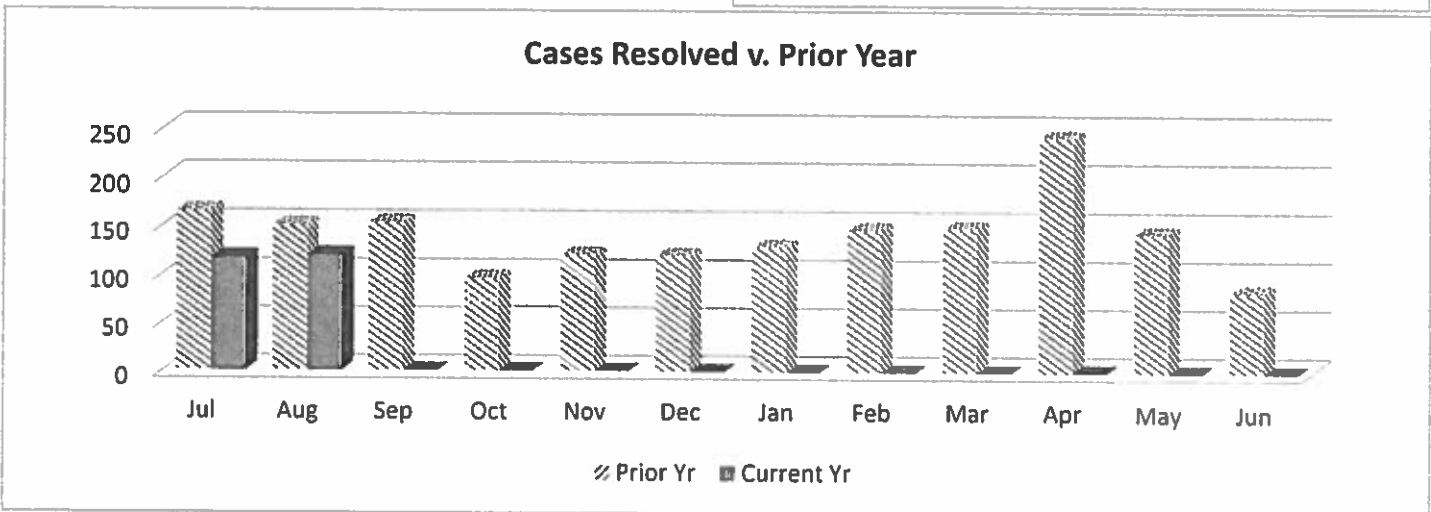
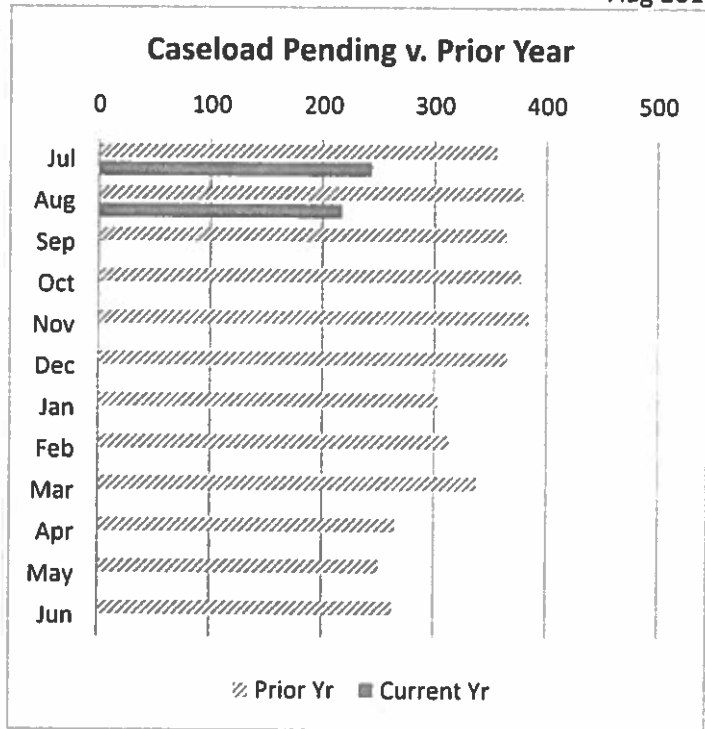
In Aug 2016, the Compliance Division collected \$47,712 in fines and penalties. Year to Date, the Compliance Division has collected \$108,017 in fines.

Year to Date vs Prior Year Total (\$902,128): 12%.

Aug 2016 vs. Aug 2015: 40%

Current Year End trend is 72% of 2015-2016.

YTD 2016-17 (July - July) vs YTD 2015-2016: 48%

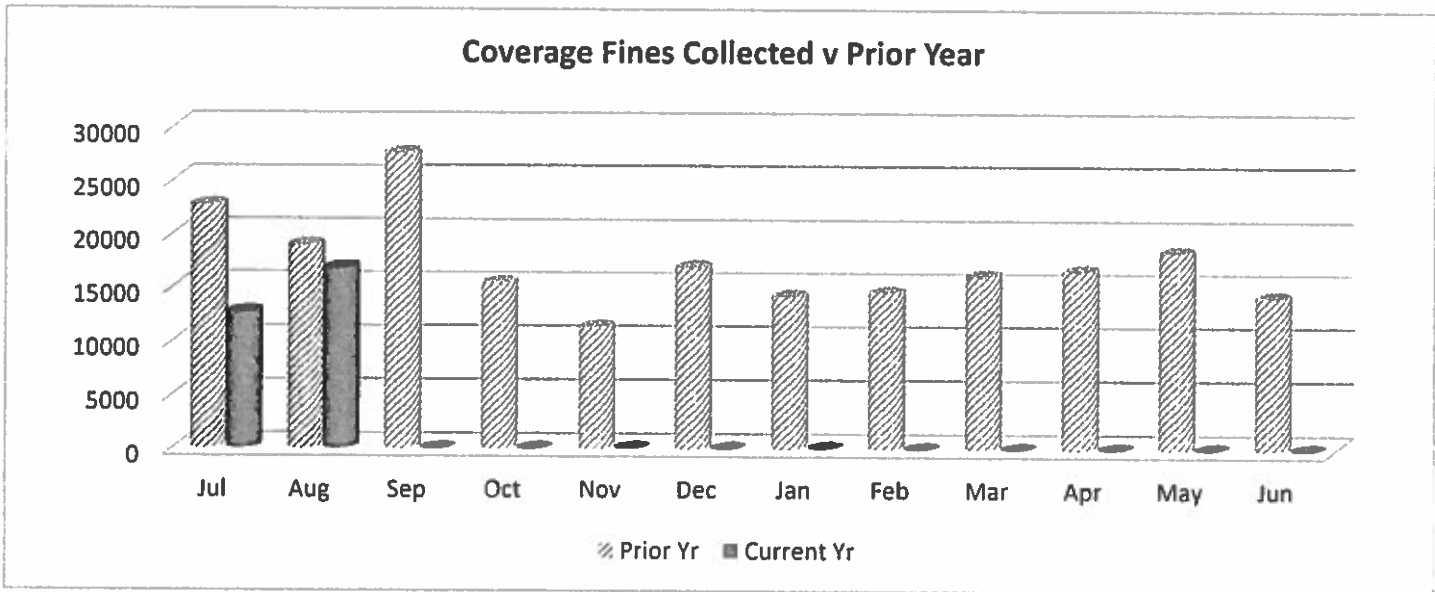
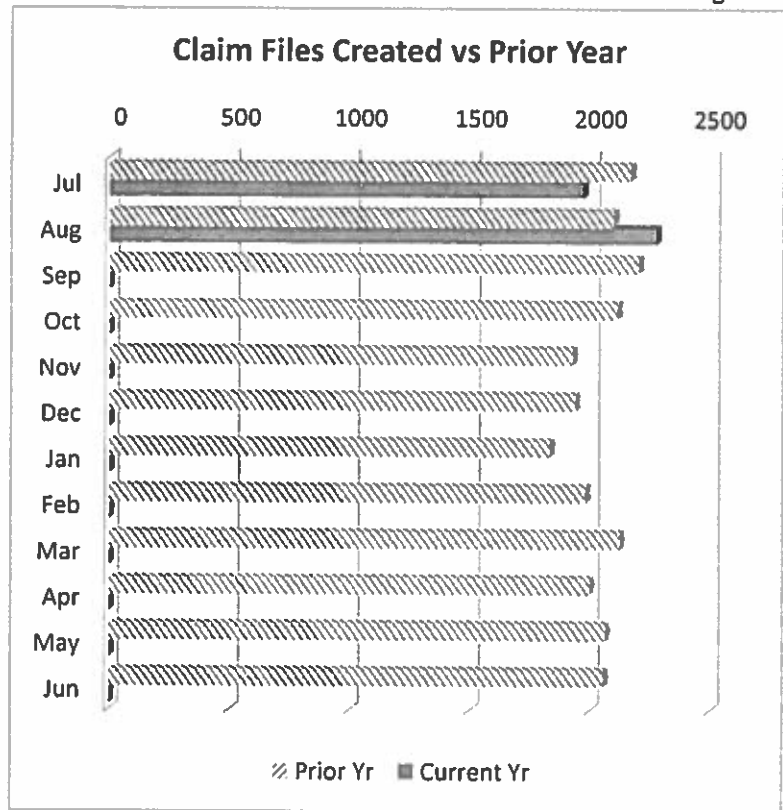


WCC Claim Files:

In Aug 2016, the Coverage Division recieved a total of 2,275 WCC Claim files. Of these, 1,948 were created through proper carrier filing of a 12A, and 327 were generated as a result of a Form 50 claim filing. Year to Date, 4,246 Claim files have been created which is 17% of claim file volume prior year (24,516).

Coverage Fines:

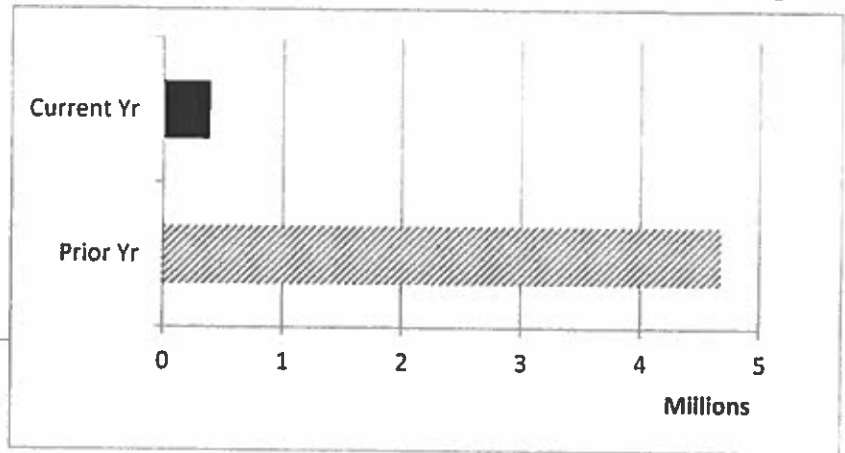
The Coverage Division collected \$16,750 in fine revenue in Aug 2016, as compared to \$18,900 in Coverage fines/penalties accrued during Aug 2015. Year on Year, Coverage fines are at 14% of collections for prior year.



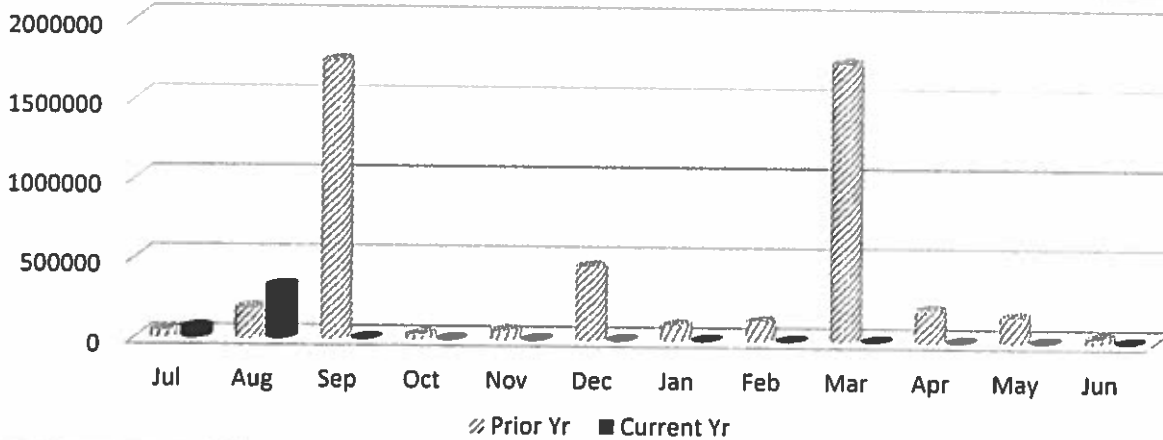
During the month of Aug 2016, the Self Insurance Division:

- * collected \$327,396 in self-insurance tax.
- * added 13 new self-insurers.
- * conducted 5 Self Insurance audits.

Year to Date, Self Insurance tax revenue is trending at 167% of prior year and 8 Self Insurance audits have been completed.



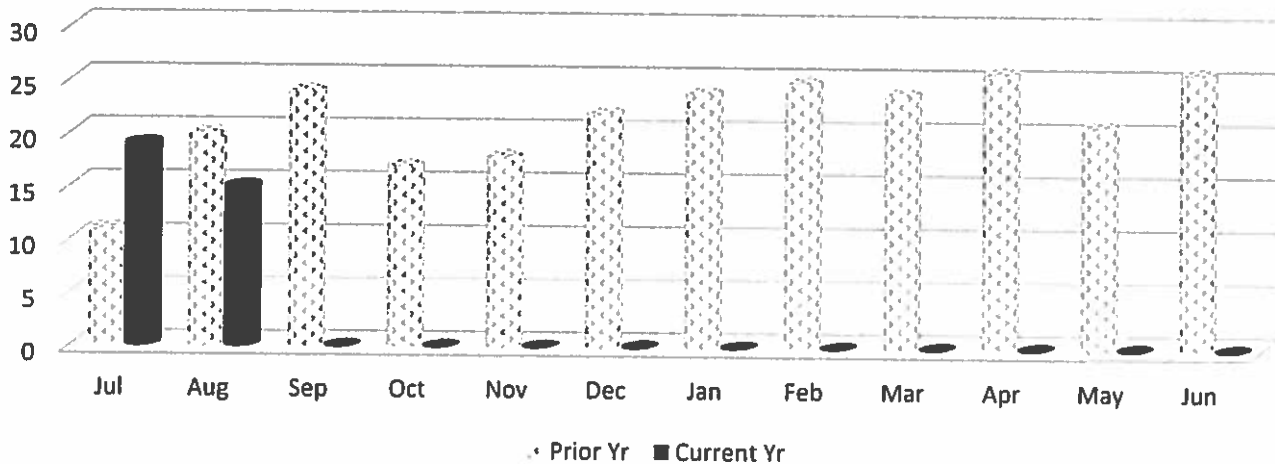
Self Insurance Tax Collections v. Prior Year



IMS MEDICAL SERVICES DIVISION

In Aug 2016, the Medical Services Division began the month with 19 bills pending review, received an additional 9 bills for review, conducted 13 bill reviews and ended the month with 15 bills pending.

Medical Bills Pending Review v. Prior Year



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Workers' Compensation Commission

MEMORANDUM

To: Gary Cannon, Executive Director

From: Sonji Spann, Claims Director

Date: September 13, 2016

Re: Claims Department –September 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:

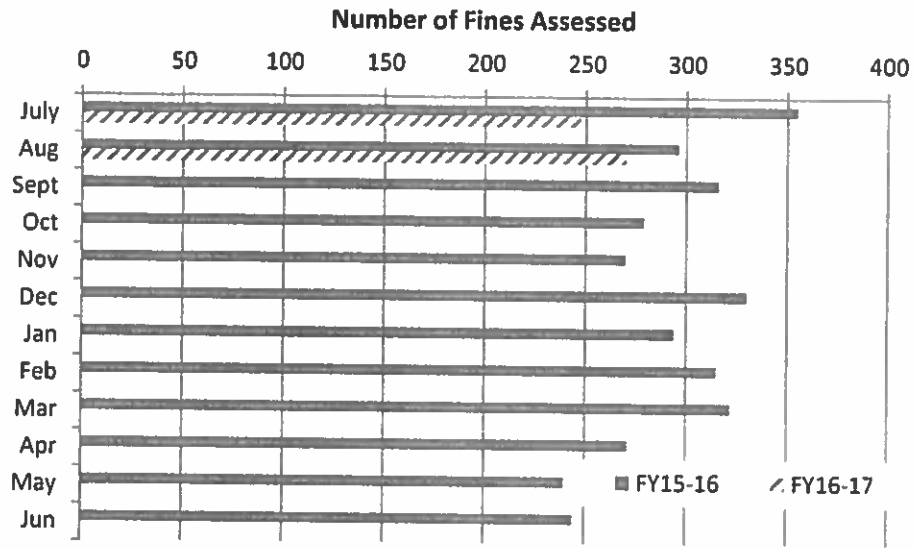
	Aug 2016	July 2016	Aug 2015
Individual Case Files Closed	2,684	2,178	2498
Fine Revenue Collected	\$38,600	\$40,450	\$53,350
# of individual case files reviewed by examiners	3,027	2973	703
Total Fines	270	246	296
Form 18 Fines	243	181	273
Total Forms Processed	13,021	11,739	12,446
SROI	1147	1116	506
Email 18's	2051	1772	1866
USPS	1531	1464	1326
Form 61's Rec'd	838	743	
Form 61's Approved	773	668	
TPY Settlements Rec'd	30		
TPY Settlements Approved	17		

- Claims continue to review files for compliance and closure
- Claims continue to educate the stakeholders
- Juliet -Completed the Review of the Legacy Form 18's (427) - Results 258 closed; others are current and/or have JARS - Judicial is reviewing JARS for closure.

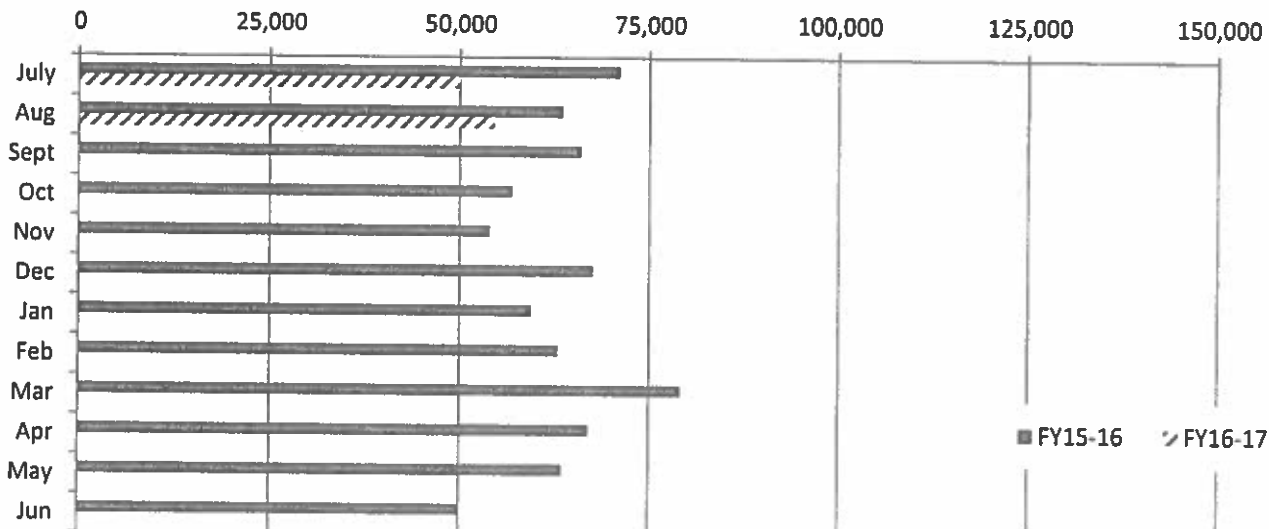
CLAIMS DEPARTMENT - Fine Activity Report August 2016

The number of fines assessed by the Claims Department increased in number to 270 from 247 in August. The number of Claims fines paid decreased from 198 in July to 186 in August.

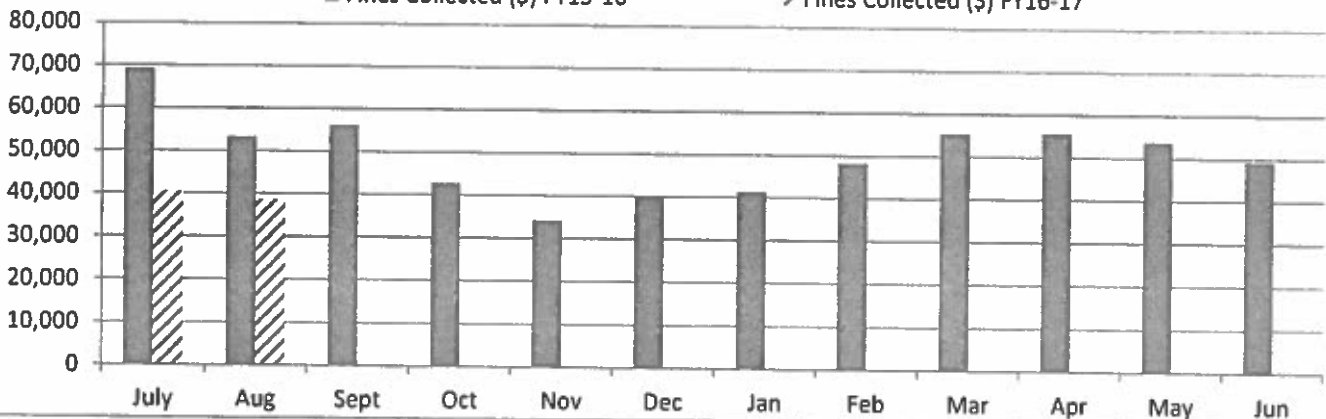
Total fine dollars assessed in August was \$54,600 an increase over prior month of \$50,000. Fine revenue received in August was 38,600 a decrease over prior month \$40,450.



Net Fines Assessed (\$)



■ Fines Collected (\$) FY15-16 ▨ Fines Collected (\$) FY16-17



Claims Department - Fine Activity Report

Fines Assessed (#)

	FY15-16	FY16-17
July	355	247
Aug	296	270
Sept	316	0
Oct	279	0
Nov	270	0
Dec	330	0
Jan	294	0
Feb	315	0
Mar	322	0
Apr	271	0
May	316	0
Jun	244	0
Total	3,608	517
Mo Avg	301	259

Fines Received (#)

	FY15-16	FY16-17
July	341	198
Aug	260	186
Sept	271	0
Oct	203	0
Nov	168	0
Dec	195	0
Jan	205	0
Feb	241	0
Mar	273	0
Apr	245	0
May	247	0
Jun	236	0
Total	2,885	384
Mo Avg	240	192

Net Fines Assessed (\$)*

	FY15-16	FY16-17
July	71,050	50,000
Aug	63,600	54,600
Sept	66,000	0
Oct	57,000	0
Nov	54,000	0
Dec	67,600	0
Jan	59,400	0
Feb	63,000	0
Mar	79,200	0
Apr	67,050	0
May	63,600	0
Jun	49,800	0
Total	761,300	104,600
Mo Avg	63,442	52,300

Fines Collected (\$)

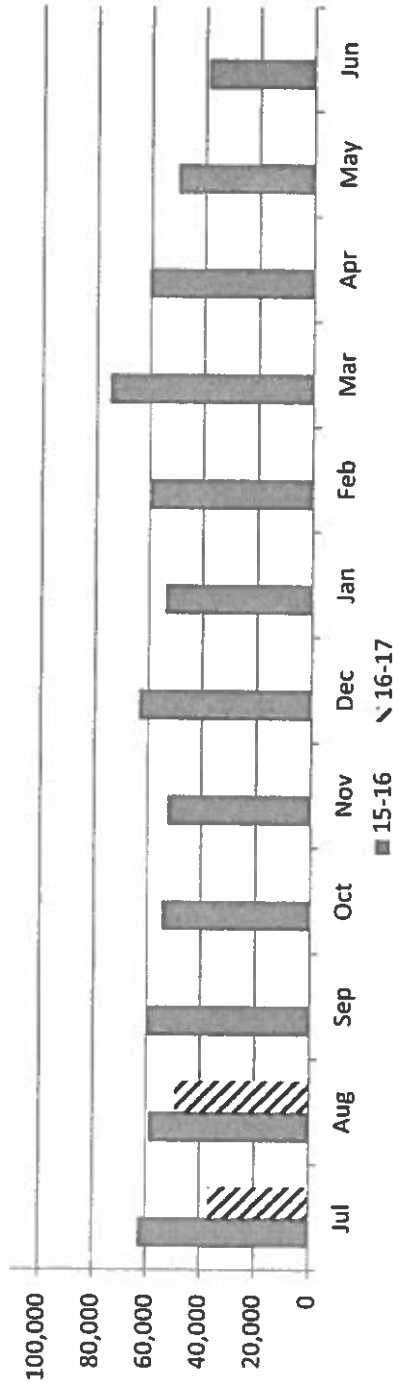
	FY15-16	FY16-17
July	69,250	40,450
Aug	53,350	38,600
Sept	56,200	0
Oct	42,800	0
Nov	34,200	0
Dec	39,800	0
Jan	41,400	0
Feb	48,250	0
Mar	55,400	0
Apr	55,700	0
May	53,800	0
Jun	49,400	0
Total	599,550	79,050
Mo Avg	49,963	39,525

*after reductions and rescinded

FORM 18 FINE ASSESSMENTS

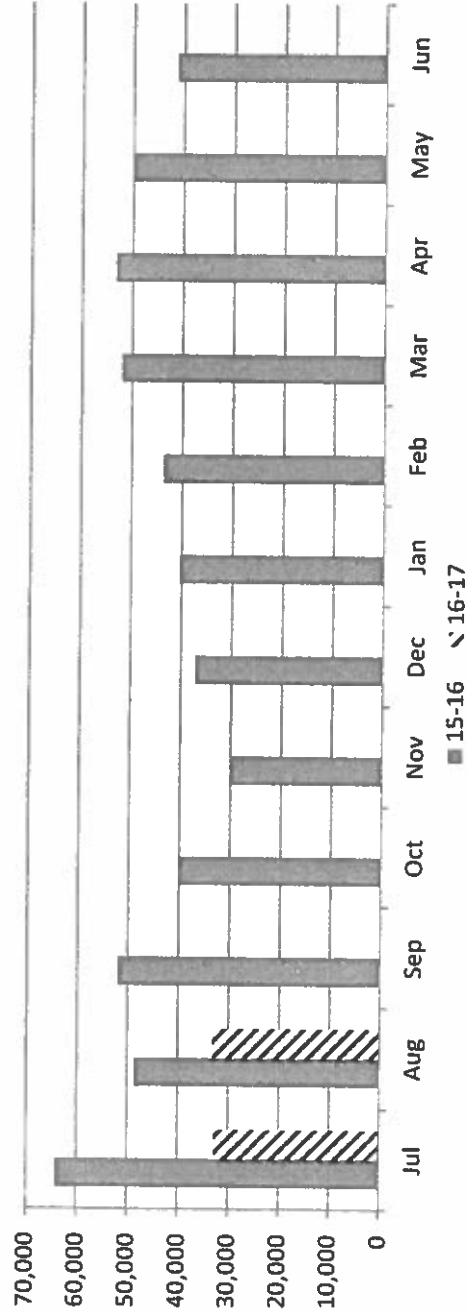
Consistent with overall Commission strategy, the Claims Department works with our Carrier partners to develop approaches that result in increased compliance levels and reduced Fine related costs to businesses in South Carolina.

A key "success measure" of this effort is the Form 18 Fine Assessment report. For the month of August 2016, this has resulted in an increase in Form 18 Fine Assessments to \$49,200 as compared to July 2016 of \$36,800. The actual number of fines assessed remained the same at 159 in August 2016.



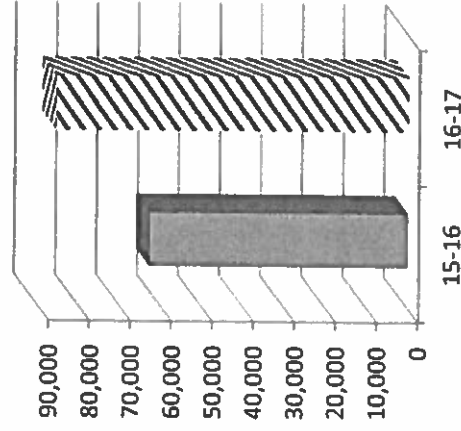
FORM 18 FINE COLLECTION

In August 2016, the Claims Department received payment on Form 18 Fines resulting in revenue of \$33,200.



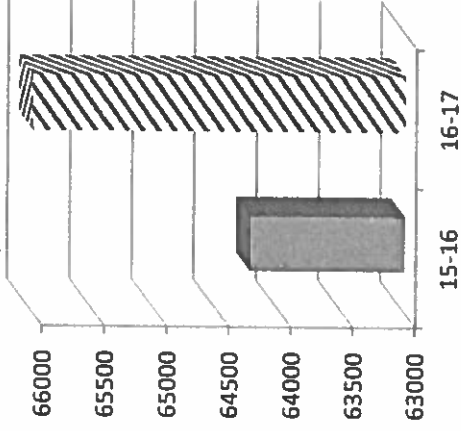
FORM 18 FINE ASSESSMENTS YTD

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

September 14, 2016

To: Gary M. Cannon
Executive Director

From: Amy A. Bracy
Judicial Director

RE: Monthly Judicial Report for August 2016

During the month of August, Judicial processed one thousand thirty-seven (1037) requests for hearings, one hundred twenty (120) Motions and one hundred forty-eight (148) clincher conference requests that were sent to the Jurisdictional Commissioners.

There were sixty-eight (68) Single Commissioner Hearings conducted during the past month, and sixteen (16) Full Commission hearings were held. A total of five hundred thirty-six (536) Orders were served at the single Commissioner level, sixty-six (66) of those were Decision and Orders that resulted from hearings that went on the record and one hundred fifteen (115) were Motion Orders that were a result of Motions ruled upon by Commissioners.

The Informal Conference system conducted two hundred thirty-nine (239) hearings during the last month.

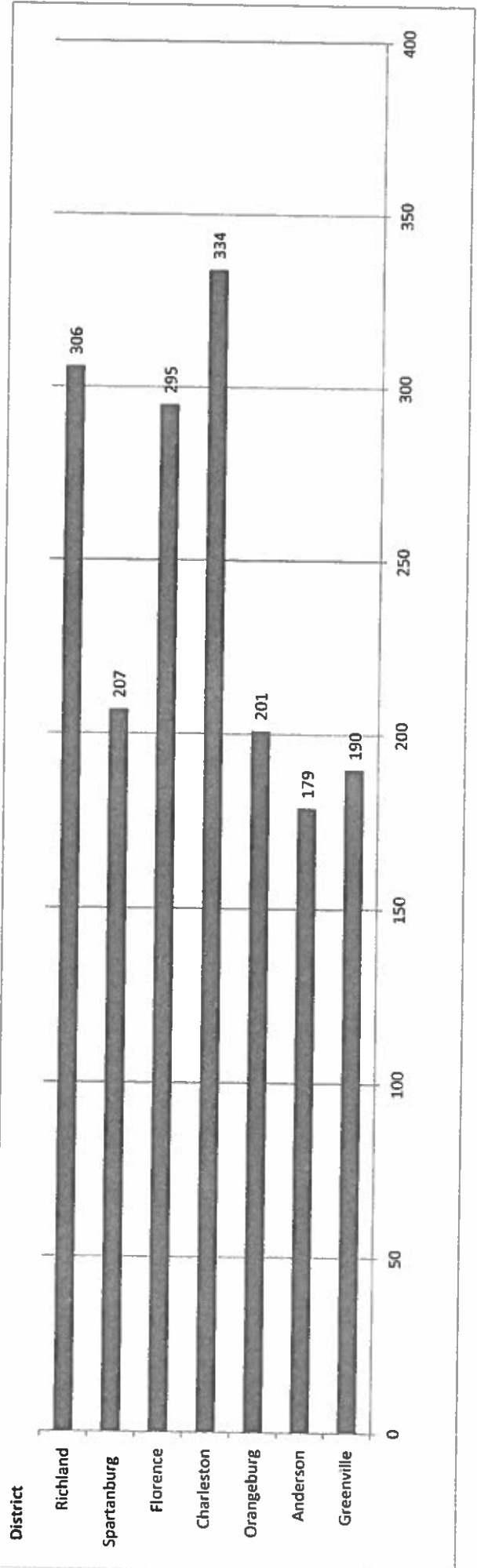
There were eighty-two (82) regulatory mediations scheduled and twenty-nine (29) requested mediations. The Judicial Department was notified of fifty-nine (59) matters resolved in mediation, with the receipt of Forms 70.

I have visited the two new venues in the Walterboro area and can answer any questions that you may have. The Spartanburg Courthouse has been increasingly difficult over the last few weeks due to a mold issue in one of the courtrooms. We are working on alternatives and the City of Spartanburg has been able to accommodate some of the days needed.

Pleadings Assigned - Three Year Comparison by Month

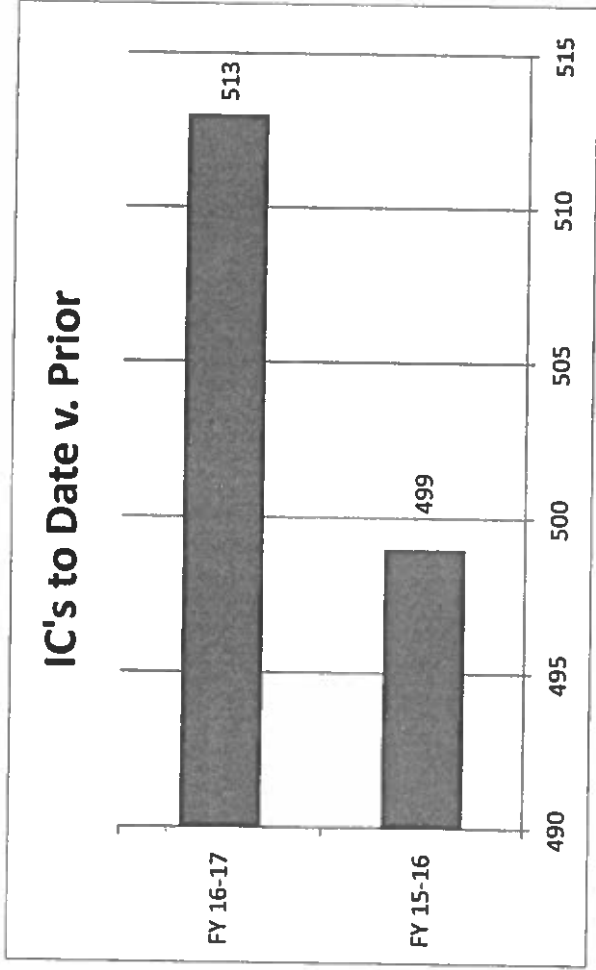
	District 1 Greenville			District 2 Anderson			District 3 Orangeburg			District 4 Charleston			District 5 Florence			District 6 Spartanburg			District 7 Richland		
	16-17	15-16	14-15	16-17	15-16	14-15	16-17	15-16	14-15	16-17	15-16	14-15	16-17	15-16	14-15	16-17	15-16	14-15	16-17	15-16	14-15
Jul	98	107	103	82	90	92	108	118	119	119	140	158	181	144	145	92	130	116	149	166	141
Aug	92	110	86	97	76	96	93	109	120	153	171	176	198	164	146	115	122	104	157	138	164
Sep		102	105		88	84		132	105	155			154		126		110	70		167	124
Oct		106	83		101	78		119	115	143			171		146		96	112		170	156
Nov		72	80		62	56		88	93	115			133		135		81	80		129	127
Dec		101	99		105	86		103	108	133			148		119		99	85		162	146
Jan		75	109		84	80		113	120	163			110		158		97	108		158	174
Feb		90	98		88	86		84	92	141			129		110		144	111		117	114
Mar		122	112		124	91		134	132	156			140		118		117	122		174	140
Apr		100	99		92	87		93	97	165			129		120		90	88		138	149
May		106	101		103	73		116	105	158			146		140		111	101		150	158
Jun		120	89		75	66		110	102	143			151		147		114	117		150	139
Totals	190	1211	1164	179	1088	975	201	1319	1308	1765	334	1960	1677	295	1610	207	1311	1214	306	1819	1732

Pleadings Assigned by District Year to Date



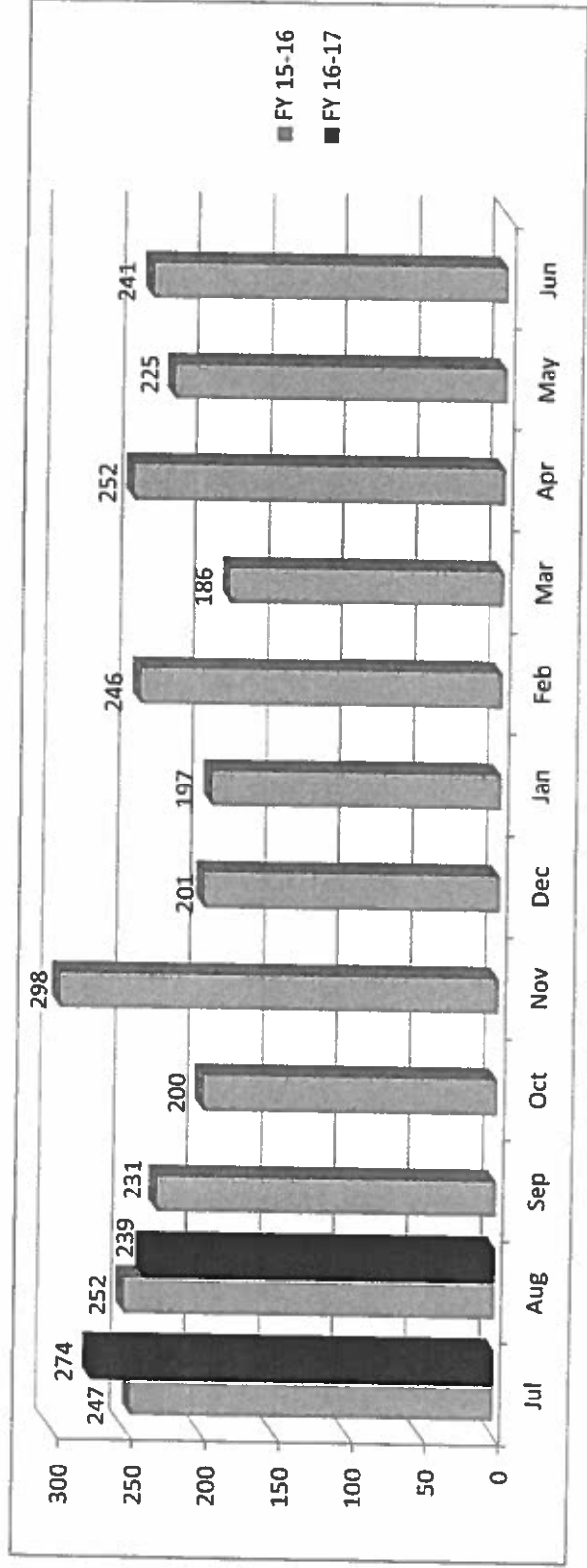
Informal Conf. Conducted

	FY 15-16	FY 16-17
Jul	247	274
Aug	252	239
Sep	231	200
Oct	200	298
Nov	298	201
Dec	201	197
Jan	197	246
Feb	246	186
Mar	186	252
Apr	252	225
May	225	241
Jun	241	276
Total	2776	513



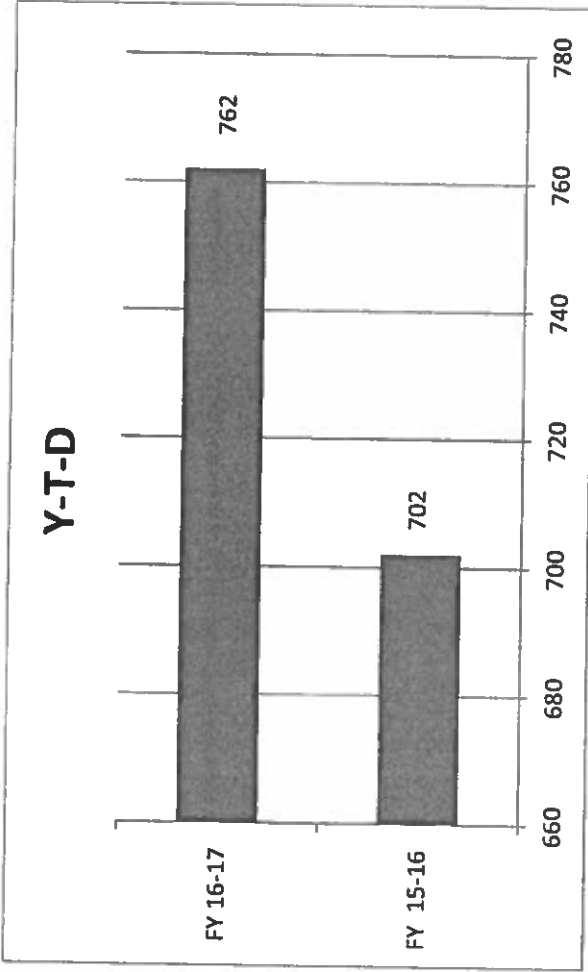
Y-T-D

FY 15-16	499
FY 16-17	513

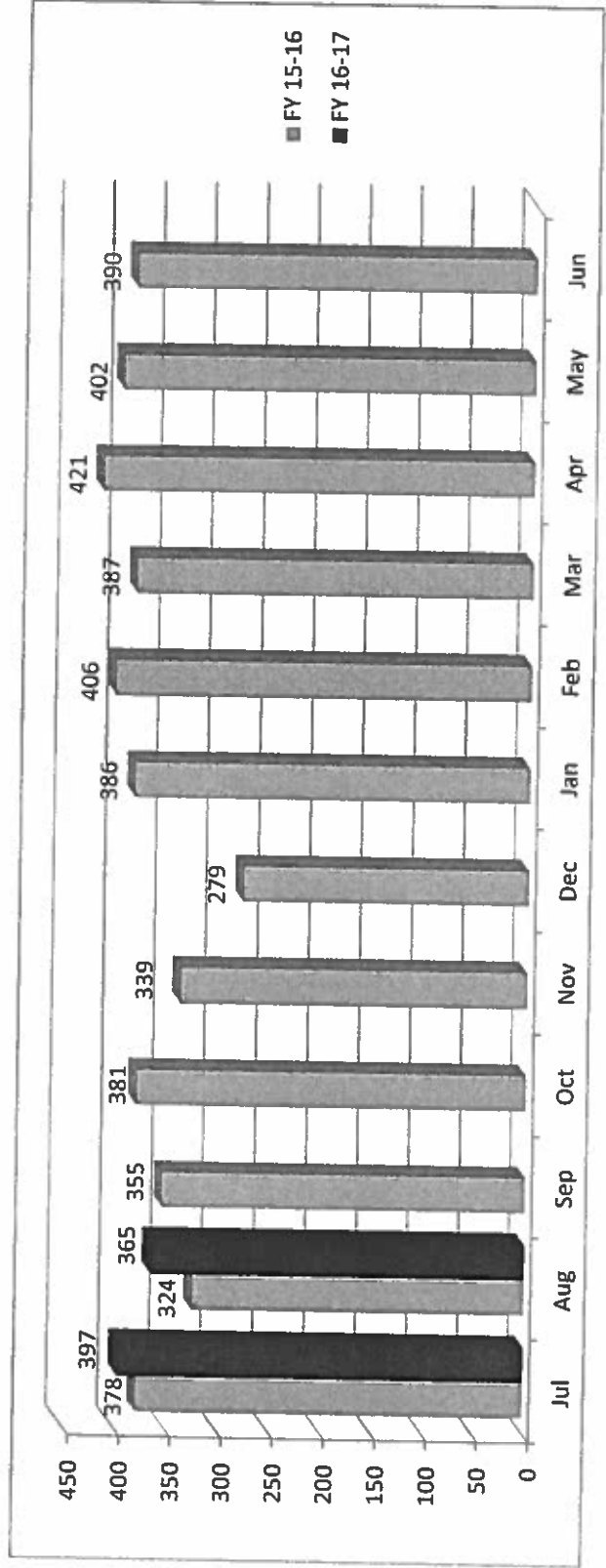


Informal Conf. Requested

	FY 15-16	FY 16-17
Jul	378	397
Aug	324	365
Sep	355	
Oct	381	
Nov	339	
Dec	279	
Jan	386	
Feb	406	
Mar	387	
Apr	421	
May	402	
Jun	390	
Total	4448	762



Y-T-D	FY 15-16	FY 16-17
	702	762



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Workers' Compensation Commission

Executive Director's Report Gary M. Cannon

September 19, 2016

FY2015-16 Accountability Report

The 2015-16 Accountability Report was submitted to the Department of Administration on September 15. A copy is posted on the Commission's website.

Recycling Annual Report

The S.C. Solid Waste Policy and Management Act of 1991 (Act) requires state agencies to establish recycling programs and submit to DHEC by September 15 of each year an overview of the recycling and buying recycled activities. The Commission utilizes the recycling collection services of the S.C. Department of Corrections. For FY 2016, the Commission recycled 9.92 tons of mixed paper.

Minority Business Enterprise (MBE) Utilization Plan for FY2016-17

Section 11-35-5240 of the S.C. Code of Laws requires each agency develop and submit to the Office of Small & Minority Business Contracting and Certification (OSMBCC) an annual Minority Business Enterprise (MBE) Utilization Plan. The Agency's FY2016-17 MBE Utilization Plan was submitted to OSMBCC on September 12, 2016.

Office Renovations

We are in the final phase of the renovations. Projected completion date is September 30. The contractor will begin renovating the elevator area and hallways upon completion of the interior renovations.

Governor's Prescription Drug Abuse Prevention Council

The Narcotics Use Advisory Committee presented its recommendations to the Commission in at the February 2016 Business meeting. The Commission forwarded the recommendations to the Governor's Prescription Drug Abuse Prevention Council. Chairman Beck asked me to obtain an update of the Governor's Council activities. Attached is information from Lee Dutton with the Department of Alcohol and Drug Abuse Services.

Meetings/Activities

The Executive Director participated in the following meetings/activities:

- August 15 – Meeting/conference call to finalize updates to the medical fee schedule
- August 19 – Presentation to SC Bar Workers' Compensation Practice Essentials Seminar
- August 21 – 24 - National Association of Workers' Compensation Judiciary College 2016 in Orlando, Florida
- August 31 – Along with Loretta Dykes, attended Public Budget Formulation training session conducted by the Executive Budget Office
- September 7 – United Way Board Meeting
- September 7 – Along with the Department Heads met with Nicole Jennings, Executive Budget Office, review the agency's financial, programmatic and policy areas
- September 12 – Participated in IAIABC Executive Committee teleconference

Personnel

Attorney I

Twenty-four individuals submitted applications for the Attorney I position. A total of five candidates were interviewed on September 1st, 2nd, and 13th. At publication of this memo a final decision and announcement is pending. We anticipate the individual beginning work with the Commission this month.

IT Consultant I

Sixty-three individuals submitted applications for the IT Consultant I position. Telephone interviews are being conducted with 16 of the candidates.

IT Business Analyst III

Seventeen individuals submitted applications for the IT Business Analyst III position. The position will be posted again this month.

IT Business Analyst I

The Senate approved in our FY 2016-17 budget funds for new Business Analyst I position in the IT Department. This position will support the commission's continuing efforts in upgrading security of the information technology system while developing ways to improve the efficiency of internal and external business processes. The recruiting process will begin this week.

Constituent /Public Information Services

For the period August 10, 2016 through September 14, 2016 the Executive Director's Office and the General Counsel's office had 756 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 August 10, 2016 through September 14, 2016, we added nine (9) individuals to the distribution list. A total of 652 individuals currently receive notifications from the Commission.

Employee Meetings

An Executive Staff meeting was held on August 30, 2016. The next All Employee meeting is scheduled for September 22.

SC Vocational Rehabilitation Department (SCVRD)

SCVRD reported eleven (11) referrals for the month of August, and 17 referrals year to date.

Cannon, Gary

From: Dutton, Lee
Sent: Friday, August 05, 2016 3:11 PM
To: Cannon, Gary
Subject: RE: Status of PDAP recommendations
Attachments: PDAP Council Update February 2016 with CF and DC Revisions.docx

Gary:

I will attach an update from February of 2016. However, I will try to update you a little more below.

Work continued during FY16 to implement several of the recommendations. Working with council partners, notable successes include an increase in the number of prescribers and pharmacists now registered and using the prescription drug tracking program (PDMP) - estimated at 85% up from 22% two years ago. This was done without passing mandatory legislation, but greatly assisted by the two major insurance carriers (South Carolina Public Employee Benefit Authority and South Carolina Health Connections - Medicaid) are requiring contracted prescribers to use the tracking program (SCPDMP).

DAODAS is rolling out broad support to local treatment providers that will allow access to medication for citizens with opioid use disorder. DAODAS was awarded \$1.75 million to make treatment available to uninsured clients on an outpatient basis for opiate addiction medication and treatment. Funding will go to cover medications, physician services, therapies, peer support services and naloxone reversal medications, to highlight a few line items.

DAODAS has partnered with DHEC and the Fifth Judicial Solicitor's Office to develop a training and tracking system for law enforcement officers to intervene on opioid overdoses - more than 450 police and sheriff officers have been trained. The local law enforcement agencies include:

Richland Co. Sheriff's Dept.
City of Columbia PD
City of Charleston PD
USC - PD
Greenville Co. Sheriff's Dept.
City of Greenville PD
Anderson Co. Sheriff's Dept.
Spartanburg PD

Fountain Inn PD will be trained later in August. Other agencies have inquired about training and are interested, it is just a matter of finding funds or grants for the drug and working through the logistics of storing and dispensing.

Additionally, DAODAS has focused on increasing number of sites around the state that host permanent collection receptacles for unused prescription drugs and four county coalitions around the state were granted prevention programming funds to target prescription drug misuse.

Gary, I hope this is of assistance. If questions, please do not hesitate to call.

Lee Dutton
896.1142

**Governor's Prescription Drug Abuse Prevention Council
STATE PLAN TO PREVENT AND TREAT PRESCRIPTION DRUG ABUSE
PROGRESS SUMMARY**

PRIORITY AREA: PRESCRIBERS

Recommendation	Lead Entity/Entities	Status and Considerations
<p><i>The Council recommends that the Medical Board, the South Carolina Department of Health and Environmental Control, and other stakeholders work together to create a suggested list of topics for the education providers to include in the mandated training.</i></p>	<p>LLR/DHEC</p>	<p>The Board of Medical Examiners amended the licensure renewal statement to include continuing medical education on prescribing and monitoring controlled substances. The BME also drafted and has published an advisory opinion regarding the 2 hours of mandatory training.</p>
<p><i>The Council recommends extending the education mandate contained in Act 244 to dentists, physician assistants, and advanced practice nurses with prescriptive authority.</i></p>	<p>Statute Change</p>	
<p><i>The Council recommends working with schools to increase course offerings related to this topic or make it a mandatory part of the curriculum.</i></p>	<p>Higher Education Institutions</p>	
<p><i>The Council strongly encourages all prescribers to be familiar with the Revised Pain Management Guidelines contained in Appendix A to this Plan and to conform their prescribing practice to these Revised Guidelines.</i></p>	<p>LLR</p>	<p>The Revised Pain Management Guidelines are included in the CME "Responsible Opioid Prescribing" required by SC Dept. of Labor Licensing and Regulation when prescribers renew licenses and are available on the LLR website for prescribers' convenient review.</p>
<p><i>The Council recommends that prescribers be knowledgeable about all state and federal laws and regulations regarding controlled substances.</i></p>	<p>LLR/DHEC</p>	<p>LLR requires 2 credit hour CME for "Responsible Opioid Prescribing" with training on SCRIPTS when physicians renew licenses. Over 7,500 have completed the CME so far.</p>

*denotes potential fiscal impact

<p><i>The Council recommends that registration and utilization of SCRIPTS be considered mandatory for prescribers to provide safe, adequate pain management.</i></p>	<p>Statute Change</p>	<p>The Council has asked that legislation be drafted to mandate SCRIPTS utilization by prescribers with exemptions as decided upon by respective boards as accepted by the Director of LLR.</p>
<p><i>The Council recommends that prescribers who prescribe chronic opioid therapy be familiar with treatment options for opioid addiction, including those available in licensed opioid treatment programs and those offered by an appropriately credentialed and experienced physician through office-based opioid treatment, so as to make appropriate referrals when needed.</i></p>	<p>LLR/DHEC</p>	<p>This information is covered in the required CME “Responsible Opioid Prescribing.”</p>
<p><i>The Council recommends prescribers treating patients with controlled substances consider prescribing Naloxone when clinically indicated.</i></p>	<p>LLR</p>	<p>The South Carolina Overdose Prevention Act passed in May 2015, allowing wider access to naloxone. The bill was amended in 2016 to allow prescription and dispensing of opioid antidotes pursuant to non-patient specific standing orders in certain circumstances. Information on prescribing Naloxone will be distributed to prescribers in a prescriber education package that will be distributed state-wide in 2016. A Naloxone pilot for law enforcement officers began January 2016 in Richland county. Training of officers has also been extended to Greenville and other parts of the state.</p>
<p><i>The Council strongly encourages the Boards of Medical Examiners, Dentistry, and Nursing to continue to update the Revised Pain Management Guidelines as lessons are learned and when data suggests that changes are needed.</i></p>	<p>LLR</p>	<p>The Boards of Medical Examiners, Dentistry, and Nursing will reexamine and revise Guidelines as data informs.</p>
<p><i>SCRIPTS must be as user friendly as possible to facilitate easy use.</i></p>	<p>DHEC</p>	<p>DHEC has transitioned SCRIPTS to a new vendor, <i>Appriss</i>. The new system has “usability” and other accessibility expectations built-in.</p>

* denotes potential fiscal impact

<p><i>The Bureau of Drug Control (BDC) and Boards have a shared interest in correcting improper prescribing behaviors, through education when possible and enforcement when necessary. Upon establishment of criteria by the Board of Medical Examiners, which may include, but are not limited to, a daily MED threshold and prescription volume by prescriber, SCRIPTS shall generate reports by which outlier prescribers will be identified for further review by the BDC and, if necessary, referral to LLR for initiation of the complaint process.</i></p>	<p>DHEC</p>	<p><i>DHEC is working with the Board of Medical Examiners to establish criteria.</i></p>
<p><i>Based on the Revised Guidelines, the Council recognizes that patients requiring more than 80 MED present an increased risk of death from respiratory depression. Accordingly, the Council recommends that, when capable, SCRIPTS offer an MED calculator that can generate an alert for each patient whose record is accessed and for which the MED exceeds 80 MED. The MED calculator and alert function will provide an additional tool for the prescriber to utilize when assessing a patient's prescriptive needs. This threshold is not a substitute for a prescriber's clinical judgment, but merely one factor for consideration in the prescribing process.</i></p>	<p>DHEC</p>	<p>The SCRIPTS report now lists the MED calculation of each narcotic prescription that has been filled for a patient.</p>
<p><i>The BDC shall utilize the full analytical capabilities of SCRIPTS to identify prescribers engaged in questionable prescribing activities.</i></p>	<p>DHEC</p>	<p>The Bureau of Drug Control uses every feature of the prescription drug monitoring program to identify prescribers engaged in questionable prescribing practices.</p>
<p><i>Information shared between LLR and DHEC may be used to assist the BDC in promptly identifying a prescriber's area of specialization, if applicable, when investigating a licensee's prescribing behavior.</i></p>	<p>DHEC</p>	<p>Communication between LLR and DHEC continues to serve the BDC in investigating prescribers' questionable activities.</p>
<p><i>The Council and the Boards support the compilation and distribution of report cards to all South Carolina licensed prescribers so that each prescriber can see how his or her prescribing patterns compare to other prescribers practicing in the same or similar clinical setting.</i></p>	<p>DHEC/LLR</p>	<p>DHEC and LLR's member boards support the use of report cards once the new platform can provide the necessary data analysis.</p>

*denotes potential fiscal impact

<p><i>Prescribers engaged in conduct not rising to the level of criminal activity, but who may benefit from additional education or counseling regarding appropriate prescribing, shall be identified by the BDC and provided an educational intervention.</i></p>	<p>DHEC/LLR</p>	<p>DHEC BDC Inspectors provide suggestions and tips to providers during on sight inspections. The BME is working with the Pain Society of the Carolinas to identify a group of physicians who are willing and available to serve as mentors for prescribers. Following a meeting on December 16, 2015, a small group of key physicians has been identified and will work to develop appropriate parameters for the mentoring experience.</p>
<p><i>Prescribers identified by the BDC engaged in conduct rising to the level of criminal activity, shall be subjected to the standard process of investigation by the BDC, arrest, where appropriate, and referral to LLR for investigation of unprofessional conduct.</i></p>	<p>DHEC/LLR</p>	<p>This is a mission of the Bureau of Drug Control. The BDC will continue to refer cases to LLR for investigation.</p>
<p><i>The Council recommends that the Boards identify licensees with expertise in ethical prescribing to serve as hearing officers or hearing panel members in any disciplinary cases arising from prescribing behavior. These designated individuals shall hear and review disciplinary matters and make recommendations to the applicable regulatory board for final action as set forth in each profession's Practice Act and regulations. These individuals shall not be the same licensees identified to serve as voluntary mentors.</i></p>	<p>LLR</p>	<p>Individuals identified by DAODAS and/or the group of physicians to be identified by the Pain Society of the Carolinas and the BME as described hereinabove who are not selected to serve as mentors may be recruited to serve as hearing officers for the BME's cases. Other regulatory boards will identify similarly qualified individuals to serve as hearing officers.</p>

*denotes potential fiscal impact

PRIORITY AREA: THE SOUTH CAROLINA PRESCRIPTION MONITORING PROGRAM

Recommendation	Lead Entity/Entities	Status and Considerations
<p><i>The Council recommends that prescriber registration and enrollment in SCRIPTS become required and recommends that each patient's prescription history is reviewed in certain circumstances prior to the prescription of controlled substances.</i></p>	<p>Statute Change</p>	<p>1133 new prescriber registrations for SCRIPTS between November 2014 and October 2015.</p>
<p><i>The Council recommends that DHEC proceed to acquire analytic services and/or products to work with SCRIPTS data, expanding the capacity to develop predictive models and to detect anomalies in prescriber patterns and patient prescription behaviors. The Council further recommends that DHEC send letters notifying prescribers of suspicious behavior identified by the analytics.*</i></p>	<p>Statute Change</p>	<p>BDC plans to begin notifying prescribers of patients exhibiting questionable prescription behavior in the first quarter of 2016.</p>
<p><i>The Council recommends that DHEC coordinate real-time hosting of data from other state agencies to include, but not be limited to, the South Carolina Department of Alcohol and Other Drug Abuse Services; South Carolina Department of Mental Health; South Carolina Department of Juvenile Justice; South Carolina Department of Social Services (DSS); South Carolina Department of Health and Human Services (DHHS); South Carolina Attorney General's Office; South Carolina Department of Probation, Parole, and Pardon Services; South Carolina Department of Corrections; South Carolina Prosecution Commission; and the South Carolina Law Enforcement Division.*</i></p>	<p>DHEC and Multiple Agencies</p>	
<p><i>The Council recommends that DHEC and the Revenue and Fiscal Affairs Office collaborate and create capacity for information sharing between SCRIPTS and South Carolina Health Information Exchange (SCHIEx).*</i></p>	<p>DHEC/RFA</p>	<p>DHEC and RFA continue to explore translation services for integration of SCRIPTS with SCHIEx. Limitations with state and federal confidentiality laws</p>

*denotes potential fiscal impact

<p><i>The Council recommends that DHEC work with prescribers and healthcare providers to integrate SCRIPTS data into electronic health records, so that access to patients' controlled substance records does not interrupt prescriber workflow.*</i></p>	<p>SCRIPTS has been integrated with two of the largest electronic health record vendors at two of the larger hospitals in the State. Palmetto Health and Lexington Medical Center now have SCRIPTS integrated into their electronic health records systems.</p> <p>Kroger pharmacy has integrated SCRIPTS data into the workflow of their pharmacy system.</p> <p>Limited grant funds remain available, there are no restrictions preventing other entities from pursuing integration.</p>
<p><i>The Council recommends that Governor Haley request by letter the States of North Carolina and Georgia enroll in the National Association of Boards of Pharmacy's Prescription Monitoring Program Interconnect hub to afford enhanced regional monitoring.</i></p>	<p>DHEC</p> <p>Office of Governor</p> <p>A letter has been sent to North Carolina.</p>
<p><i>The Council recommends that the BDC continue and expand initiatives to coordinate education and awareness campaigns for SCRIPTS, to include outreach to more stakeholders such as provider associations, licensing boards, and investigative agencies.</i></p>	<p>DHEC</p> <p>Information on registration and use of SCRIPTS is included in required continuing medical education at the point of licensure renewal with the SC Board of Medical Examiners. An education package developed at the South Carolina College of Pharmacy has been distributed to some providers and will be included in a prescriber education package that will be distributed state-wide in 2016.</p>

*denotes potential fiscal impact

PRIORITY AREA: PHARMACY

Recommendation	Lead Entity/Entities	Status and Considerations
<p><i>The Council recommends expanding prescription drug take-back programs across the state.*</i></p>	<p>Multiple Agencies</p>	<p>With help from The Alliance for a Healthier South Carolina, DAODAS, and many other agencies are working to get at least one permanent receptacle in every county. There are 46 permanent sites in 20 counties currently.</p>
<p><i>The Council recommends regulating non-resident entities dispensing controlled substances into the state.</i></p>	<p>DHEC</p>	<p>Bureau of Drug Control requires non-resident pharmacies, manufacturers and distributors to obtain a South Carolina Controlled Substances Registration. The requirement applies to any non-resident pharmacy, manufacturer or distributor who dispenses controlled substances into the state of South Carolina, including mail order pharmacies.</p>
<p><i>The Council recommends increasing the number of pharmacists registered to use SCRIPTS.</i></p>	<p>LLR/DHEC</p>	<p>The South Carolina Board of Pharmacy and South Carolina Pharmacy Association have each published newsletters, provided continuing education, and held presentations on the importance of registering and using SCRIPTS. 928 new pharmacists have registered for SCRIPTS between November 2014 and October 2015.</p>

PRIORITY AREA: THIRD-PARTY PAYERS

<p><i>The Council recommends that third-party payers adjust payer policies in accordance with the Revised Pain Management Guidelines outlined in the Prescribers section above and attached as Appendix A.</i></p>	<p>HHS/PEBA/DOI</p>	
<p><i>The Council recommends that third-party payers continue to adopt and revise interventions to address controlled substance misuse and abuse by beneficiaries, including participation in multi-agency data sharing with the Bureau of Drug Control Prescription Monitoring Program.</i></p>	<p>HHS/PEBA/DOI</p>	<p>On January 1, 2016, the State Health Plan and Medicaid will require in physician contracts that opioid prescribers check SCRIPTS prior to prescribing schedule II, III, or IV drugs. An announcement is anticipated in December or early 2016, which will include 90 days notice to require utilization. This will most likely become a requirement in Spring 2016.</p>

*denotes potential fiscal impact

<p><i>The Council recommends that third-party payers adapt pharmacy benefits packages to encourage appropriate use of opioids.</i></p>	<p>HHS/PEBA/DOI</p>	
<p><i>The Council recommends healthcare payer coverage for screening and treatment for substance use disorders.*</i></p>	<p>HHS/PEBA/DOI</p>	

PRIORITY AREA: LAW ENFORCEMENT

<p><i>The Council recommends expanding law enforcement sponsorship of prescription drug take-back programs.*</i></p>	<p>Law Enforcement/Multiple Agencies</p>	<p>Twenty-seven law enforcement stations are sites for prescription drug collection. DAODAS is assisting development of partnerships between local law enforcement agencies and hospitals and pharmacies that are eligible to collect unused prescription drugs for local, DEA approved disposal.</p>
<p><i>The Council recommends increasing awareness and education of law enforcement to identify potential misuse of prescription drugs.</i></p>	<p>SLED and Multiple Agencies</p>	<p>The South Carolina Alcohol Enforcement Team has implemented training for the identification of impairment due to opiates and other specific drugs during standardized field sobriety testing. The team intendeds to increase the number of “Drug recognition experts” statewide.</p>
<p><i>The Council recommends increasing law enforcement participation in community-based prevention programs.</i></p>	<p>Multiple Agencies</p>	<p>This year, four county coalitions were granted prevention programming funds to target prescription drug misuse. Programming will be inclusive of law enforcement training and participation.</p>
<p><i>The Council recommends continuing and expanding investigation and prosecution efforts specific to prescription drug diversion.*</i></p>	<p>Multiple Agencies</p>	

*denotes potential fiscal impact

<p><i>The Council recommends that law enforcement agencies and prosecutors work together to propose to the Legislature defined statutory amounts of opioids and other Schedule I through V controlled substances to qualify for the charges of Possession, Possession with the Intent to Distribute (PWID), and Trafficking.</i></p>	<p>Statute Changes</p>
--	------------------------

PRIORITY AREA: TREATMENT

<p>Recommendation</p>	<p>Lead Entity/Entities</p>	<p>Status and Considerations</p>
<p><i>The Council recommends expanding medication-assisted treatment (MAT) services for prescription opioid dependency and addiction, and integrating MAT and medication management services with recovery support services, and therapeutic interventions for substance use disorders, so that both are available to all individuals as conditions indicate.*</i></p>	<p>DAODAS/DHEC</p>	<p>DAODAS has developed a strategy to facilitate provider/prescriber relationships by connecting authorized prescribers with county agencies to provide medication management for clients receiving clinical services. DAODAS is currently seeking state funding to support the initiative.</p>
<p><i>The Council recommends coordinating substance use disorder treatment services with co-occurring, clinically substantiated pain-management needs.</i></p>	<p>LLR/DAODAS</p>	<p>LLR will defer to DAODAS as the treatment resource experts and its member boards will disseminate any guidelines or other resources shared with it to the respective licensee pools.</p>

* denotes potential fiscal impact

<p><i>The Council recommends establishing a protocol for primary care practitioners to refer cases of prescription drug addiction to treatment, and establishing a protocol for treatment providers to refer and navigate individuals to primary care.</i></p>	<p>LLR/DAODAS</p> <p>Components of a <i>Prescription Safety Campaign</i> targeting all prescribers in South Carolina will include information on identifying substance use disorder, and steps to perform an intervention and referral options to substance use disorder treatment for patients in need. In 2016 treatment providers will be given a protocol to navigate individuals to primary care.</p>
<p><i>The Council recommends providing family education and services, inclusive of substance use disorder treatment and recovery services.</i></p>	<p>DHEC/PEBA/ DAODAS</p> <p>20 of the 33 public treatment agencies in South Carolina have implemented steps to become a <i>Recovery Oriented System of Care</i> (ROSC). Essential elements of a ROSC include home and family support and involvement.</p>
<p><i>The Council recommends expanding community-based services for substance use disorder treatment and recovery support.*</i></p>	<p>DAODAS/DHHS</p> <p>DAODAS has worked with community-based organizations in the last year to expand peer-support training and to build recovery environments that are inclusive of individuals who use medication to get to recovery.</p>

PRIORITY AREA: EDUCATION AND ADVOCACY

<p><i>The Council recommends mandatory continuing education for pharmacists regarding SCRIPTS and general education on the problem itself. Further, the Council recommends reaching out to the pharmacy schools to increase course offerings related to the subject.</i></p>	<p>Statute Change</p>
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* denotes potential fiscal impact

<p>The Council recommends engaging a marketing firm or state or university employees to develop a marketing campaign and identify the target audience. The Council recommends that the campaign's message include, but not be limited to, the following three components:</p> <ul style="list-style-type: none"> • dangers of prescription drug abuse; • proper disposal of prescription drugs, including available sites; and • use of SC 211 information helpline for opioid addiction.* 	<p>Multiple Agencies</p>	<p>Work on a <i>Prescription Safety Campaign</i> is underway, with development by stakeholders including; UofSC College of Pharmacy, DAODAS, Blue Cross Blue Shield of SC, DHEC, SCMA, DHHS, SCHA, SC Board of Pharmacy, and others. The communication approach will utilize the presence of unity among state authorities and commercial payers to reach all prescribers in the state with best prescribing practices tool-kit that includes information on identifying substance use disorder, and referral options and resources.</p> <p>The campaign will also involve a public awareness component that targets citizens with messages on the dangers of prescription drug abuse, proper disposal of unused prescription drugs, and treatment of substance use disorder.</p>
<p>Once the plan is developed, the Council recommends reaching out to the existing community coalitions, the South Carolina Department of Education, and professional associations to distribute marketing materials through schools, hospitals, physician and dental offices, and pharmacies. Further, the Council recommends reaching out to local communities without an existing coalition to assist them in building one.</p>	<p>Multiple Agencies</p>	<p>Public awareness material from the Prescription Safety Campaign will be dispersed at local levels. Information and education for healthcare providers will be distributed to all prescribing entities. DAODAS and the South Carolina Prevention Learning Community continue to assist local communities to build prevention coalitions.</p>

PRIORITY AREA: DATA AND ANALYSIS

<p>The Council recommends that the Department of Health and Environmental Control and the Department of Health and Human Services (DHHS) work on a Memorandum of Understanding to facilitate information sharing between SCRIPTS and existing comprehensive databases.</p>	<p>DHEC/DHHS</p>	<p>SCRIPTS data is prohibited by law to be shared except under very specific situations. DHHS may have SCRIPTS data regarding Medicaid program recipients without an MOU.</p>
<p>The Council recommends exploring with the South Carolina Court Administration and Solicitor's Association the possibility of creating a database for tracking all prescription drug-related convictions.*</p>	<p>Multiple Agencies</p>	

*denotes potential fiscal impact

<p><i>The Council recommends identifying counties with adult drug courts and seeking information from those counties regarding currently collected data.</i></p>	<p>SLED/DAODAS</p>	
<p><i>The Council recommends identifying medication-assisted treatment (MAT) options for individuals battling prescription drug addiction and tracking the use of MAT in South Carolina.</i></p>	<p>DHEC/DAODAS</p>	<p>DAODAS, DHEC, and RFA have worked closely together to share state and county-level data identifying individuals seeking and receiving treatment with public and private providers.</p>
<p><i>The Council recommends that the Department of Labor, Licensing and Regulation (LLR) revise its ReLAES database to designate disciplinary matters with a searchable identifier for prescription drug misuse/abuse/addiction cases.</i></p>	<p>LLR</p>	<p>Evaluation of this option is ongoing.</p>
<p><i>The Council recommends that the South Carolina Law Enforcement Division (SLED) add a "special circumstances" field to designate prescription drug matters.</i></p>	<p>SLED</p>	
<p><i>The Council recommends that coroners uniformly report causes and manner of death so that a comprehensive reporting system exists to track deaths associated with prescription drug abuse and/or overdose. To rectify this data error, the Council recommends that DHEC add a data field on the electronic death certificate that requires a coroner to specify the type of implicated drugs, prescription or illicit, in cases of overdose deaths.*</i></p>	<p>DHEC</p>	<p>DHEC's Office of Vital Statistics has implemented procedural changes, whereby queries are done on overdose deaths with no specified drug. Information received due to the query is added to the death record per procedure. In addition, a question was added to the Electronic Death Registration System prompting the medical certifier to include drug names if the death is due to drug abuse and/or overdose. These efforts combined have substantially improved the specificity of drug related deaths for years 2014 and 2015.</p>

*denotes potential fiscal impact

<p><i>Further, the Council recommends expanding training for coroners and medical examiners. In South Carolina, coroners must annually complete 16 hours of continuing education, most of which is offered by the South Carolina Coroner's Association. Currently, coroners are offered a course regarding best practices in identifying drug-related deaths. The Council recommends that DHEC work with the Coroner's Association to add a component to this course regarding the proper reporting of these deaths.</i></p>	<p>DHEC/Coroners</p>	
<p><i>The Council recommends that additional metrics be added to the current benchmarks as the Plan is implemented and revised.</i></p>	<p>Multiple Agencies</p>	<p>The Council continues to watch national and state trends and health outcomes in order to revise if needed.</p>

*denotes potential fiscal impact

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Workers' Compensation Commission

TO: Commissioners

FROM: Gary M. Cannon

DATE: September 16, 2016

RE: FY 20116-17 Financial Report: Period Ending August 31, 2016

Attached is the Financial Report for the 2 month period ending August 31, 2016. The first page reflects a comparison of the budget to the actual expenditures for General Appropriations Fund. The budget benchmark for this period is 17%. The total expenditures to date is 17% of the budgeted amount.

The second page contains the information related to the annual operating revenues line items in the Earmarked Fund. The total received to date is 15% of the budgeted amount.

The last three pages contain the comparison of the actual expenditures by line item compared to the line items in the annual budgeted amount. The total expended is 12% of budget, 5% less than benchmark.

SC Workers' Compensation Commission
Financial Report
Budget vs. Actual
FY2016-17
Period Ending: August 31, 2016
General Fund

Fund Center Description	Fund	Commitment Items Description	Current Budget	Benchmark 17%	
				YTD Actual Expense	% of Budget
COMMISSIONERS	GENERAL FUND	CHAIRMAN	\$ 121,268	\$ 20,025	
		COMMISSIONER	\$ 698,231	\$ 120,995	
		TAXABLE SUBS		\$ 11,569	
		CLASSIFIED POS	\$ 313,837	\$ 55,092	
		TERMINAL LEAVE		\$ 9,497	
		EMPLOYER CONTRIB		\$ 66,446	
Total			\$ 1,133,336	\$ 283,625	25%
ADMINISTRATION	GENERAL FUND	DIRECTOR	\$ 98,915	\$ 17,021	
		CLASSIFIED POS	\$ 47,092	\$ 9,319	
		OTHER OPERATING	\$ 75,000		
		EMPLOYER CONTRIB		\$ 7,819	
Total			\$ 221,007	\$ 34,160	15%
	GENERAL FUND	CLASSIFIED POS	\$ 29,267		
Total			\$ 29,267		
CLAIMS SERVICES	GENERAL FUND	CLASSIFIED POS	\$ 77,223	\$ 13,164	
		EMPLOYER CONTRIB		\$ 3,955	
Total			\$ 77,223	\$ 17,119	22%
MEDICAL SERVICES	GENERAL FUND	CLASSIFIED POSITIONS	\$ 26,632	\$ 4,583	
		EMPLOYER CONTRIB		\$ 1,855	
Total			\$ 26,632	\$ 6,438	24%
		EMPLOYER CONTRIB	\$ 506,287		
Total			\$ 506,287		0%
		MISC OPS (Information Technology)	\$ 72,631		
Total			\$ 72,631		0%
Fund Total			\$ 2,066,383	\$ 341,342	17%

**SC Workers' Compensation Commission
Financial Report
Budget vs. Actual
FY2016-17**

**Period Ending: August 31, 2016
Earmarked Fund Revenues**

			Benchmark	17%
Account	Budget	YTD Actual Received	% of Budget	
Training Conference Registration Fee	\$ 3,578	\$ -	0%	
Sale of Publications and Brochures	\$ 1,557		0%	
Parking Fee	\$ 5,900	\$ 985	17%	
Workers Comp Hearing Fee	\$ 545,662	\$ 83,425	15%	
Voilations and Penalties	\$ 1,235,476	\$ 181,255	15%	
Workers Comp Award Review Fee	\$ 32,251	\$ 5,400	17%	
Sales of Photocopies	\$ 57,199	\$ 11,542	20%	
Sale of Listings Labels	\$ 5,687	\$ 2,020	36%	
MISC REVENUE	\$ 2,000	\$ 74	4%	
Self Insurance App Fee	\$ -	\$ 25		
Returned Checks	\$ -	\$ (117)		
	\$ 1,889,310	\$ 284,609	15%	
Appropriated Fund Balance	\$ 2,680,098			
Total	\$ 4,569,408			

SC Workers' Compensation Commission
 Financial Report
 Budget vs. Actual
 FY2016-17 Period Ending: August 31, 2016
 Earmarked Fund Expenditures

Fund	Commitment Items Description	Program	Current Budget	Benchmark 17%	
				YTD Actual Expense	% of Budget
COMMISSIONERS	TAXABLE SUBS	COMMISSIONERS	\$ 70,000		
	OTHER OPERATING		\$ 230,700		
	TELEPHONE & TELEGRPH			\$ 677	
	CELLULAR PHONE SVCS			\$ 1,508	
	LEGAL SERVICES			\$ 6,718	
	LEGAL SERVICES			\$ 1,273	
	POSTAGE			\$ 922	
	RENT-OFFICE EQUIP				
	RENT-DATA PROC EQUIP				
	RENTAL-CONT RENT PMT			\$ -	
	RENT-OTHER			\$ 120	
	INSURANCE-STATE			\$ 230	
	IN ST-MEALS-NON-REP			\$ 169	
	IN ST-LODGING			\$ 1,425	
	HR-IN ST-AIR TRANS			\$ 475	
	HR-IN ST-AUTO MILES			\$ 2,881	
	IN ST-MISC TR EXP			\$ 70	
	IN ST-SUBSIST ALLOW			\$ 2,580	
	OUT ST-REGISTR FEES			\$ 980	
	REPORTABLE MEALS			\$ -	
	LEASED CAR-ST OWNED			\$ 3,947	
	INS WORKERS COMP	EMPLOYER CONTR		\$ 11,926	
Total			\$ 300,700	\$ 35,900	12%
ADMINISTRATION	CLASSIFIED POS	ADMINISTRATION	\$ 585,119	\$ 61,415	
	OTH PERS SVC		\$ 41,000		
	TERMINAL LEAVE			\$ 953	
	OTHER OPERATING		\$ 1,914,920		
	OFFICE EQUIP SERVICE			\$ -	
	PRINT / BIND / ADV			\$ 367	
	DP SVCS-OTHER			\$ 4,015	
	FREIGHT EXPRESS DELV			\$ 12,308	
	TELEPHONE & TELEGRPH			\$ 506	
	CELLULAR PHONE SVCS			\$ 364	
	LEGAL SERVICES			\$ 4,223	
	OTHER CONTRACT SVCS			\$ 445	
	OFFICE SUPPLIES			\$ 528	
	POSTAGE			\$ 1,369	
	OTHER SUPPLIES			\$ 1,698	
	RENT-OFFICE EQUIP			\$ 321	
	RENT-DATA PROC EQUIP				
	RENTAL-CONT RENT PMT			\$ 193	
	RENT-OTHER			\$ 1,290	
	FEES AND FINES			\$ -	
	IN ST-MEALS-NON-REP			\$ 96	
	IN ST-LODGING			\$ 1,188	
	HR-IN ST-AUTO MILES			\$ 543	
	LEASED CAR-ST OWNED			\$ 7,947	
	EMPLOYER CONTRIB	EMPLOYER CONTR		\$ 37,491	
Total				\$ 137,260	

Fund	Commitment Items Description	Program	Current Budget	YTD Actual Expense	% of Budget
EXECUTIVE DIRECTOR	TEMPORARY POSITIONS	ADMINISTRATION		\$ 5,433	
	OT & SHIFT DIFFERENT			\$ 394	
	CELLULAR PHONE SVCS			\$ 193	
	DUES & MEMBER FEES				
	IN ST-MEALS-NON-REP			\$ 76	
	IN ST-LODGING			\$ 391	
	OUT ST-REGISTR FEES			\$ 250	
	REPORTABLE MEALS			\$ 90	
	EMPLOYER CONTRIB	EMPLOYER CONTR		\$ 1,430	
Total				\$ 8,257	
INFORM. SERVICES	DP SVCS-OTHER	ADMINISTRATION		\$ 66,969	
	TELEPHONE & TELEGRPH			\$ 120	
	CELLULAR PHONE SVCS			\$ 912	
	LEGAL SERVICES			\$ 2,845	
	DATA PROCESS SUPP				
	RENT-COPYING EQUIP			\$ 7,292	
	RENT-DATA PROC EQUIP				
	RENTAL-CONT RENT PMT			\$ 23	
	DUES & MEMBER FEES	ADMINISTRATION		\$ 100	
Total				\$ 78,262	
Total	EMPLOYER CONTRIB	EMPLOYER CONTR			
			\$ 2,541,039	\$ 223,779	9%
CLAIMS SERVICES	CLASSIFIED POS	CLAIMS	\$ 272,010		
	CLASSIFIED POSITIONS			\$ 43,547	
	CLASSIFIED POSITIONS			\$ 8,096	
	OTH PERS SVC				
	TERMINAL LEAVE			\$ 204	
	OTHER OPERATING		\$ 19,700		
	TELEPHONE & TELEGRPH			\$ 513	
	CELLULAR PHONE SVCS			\$ 53	
	POSTAGE			\$ 1,546	
	RENT-DATA PROC EQUIP				
	RENTAL-CONT RENT PMT			\$ 71	
	EMPLOYER CONTRIB	EMPLOYER CONTR		\$ 18,051	
Total			\$ 291,710	\$ 72,081	25%
MEDICAL SERVICES	CLASSIFIED POS	INS & MED SERVICES	\$ 445,000		
	CLASSIFIED POSITIONS			\$ 56,496	
	CLASSIFIED POSITIONS			\$ 23,594	
	OTH PERS SVC		\$ 22,881		
	TEMPORARY POSITIONS			\$ 2,988	
	OTHER OPERATING		\$ 54,500		
	CELLULAR PHONE SVCS			\$ 98	
	CELLULAR PHONE SVCS			\$ 76	
	OTHER PROFESS SVCS			\$ 3,144	
	OTHER CONTRACT SVCS			\$ 30	
	POSTAGE			\$ 933	
	RENT-DATA PROC EQUIP				
	RENTAL-CONT RENT PMT			\$ -	
	EMPLOYER CONTRIB	EMPLOYER CONTR		\$ 23,695	
Total				\$ 111,054	
COMPLIANCE	TELEPHONE & TELEGRPH	INS & MED SERVICES		\$ 526	
	OTHER PROFESS SVCS			\$ 640	
Total				\$ 1,166	
JUDICIAL DOCKETING	CLASSIFIED POS	MANAGEMENT	\$ 522,381	\$ 112,220	21%
	CLASSIFIED POSITIONS		\$ 292,779	\$ 50,364	

Fund	Commitment Items Description	Program	Current Budget	YTD Actual Expense	% of Budget
	OTHER OPERATING		\$ 12,800		
	TELEPHONE & TELEGRPH			\$ 310	
	CELLULAR PHONE SVCS			\$ 53	
	POSTAGE			\$ 1,230	
	RENT-DATA PROC EQUIP				
	RENTAL-CONT RENT PMT			\$ -	
	EMPLOYER CONTRIB	EMPLOYER CONTR		\$ 21,130	
Total				\$ 73,087	
JUDICIAL ASSESSMENT	CLASSIFIED POSITIONS	MANAGEMENT		\$ 6,129	
	EMPLOYER CONTRIB	EMPLOYER CONTR		\$ 2,578	
				\$ 8,707	
Total			\$ 305,579	\$ 81,794	27%
	EMPLOYER CONTRIB	EMPLOYER CONTR	\$ 607,999		
Fund Total			\$ 4,569,408	\$ 525,774	12%

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Workers' Compensation Commission

TO: Commissioners

FROM: Gary Cannon

DATE: September 15, 2016

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. The matter was carried over at the September 2015 Business Meeting.

The publication of a Notice of Drafting in the *State Register* is the first step in the regulatory process for promulgation of a regulation. Attached is a draft for your consideration. Also attached is a proposed timeline.

Action Requested: Commission approve the language of the Notice of Drafting for the proposed amendments to Chapter 67 for publication in the October 28, 2016 *State Register*.

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.67-611: The changes clarify a deadline for making amendments to a Pre-Hearing Brief. They are a result of the decision in *Fore v. Griffco of Wampee*, 409 S.C. 360, 762 S.E.2d 37 (S.C. App. 2014).

R67-613: The changes eliminate provisions of the regulation that are inconsistent with the Commission's current practice of following the "no punt rule", in which postponements are not passed on to the next jurisdictional Commissioner.

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.67-1804: The change provides grammatical amendments and clarify the timing in which a mediator must be selected.

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.

DRAFT