

## A G E N D A

### SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

1333 Main Street, 5<sup>th</sup> Floor  
Columbia, South Carolina 29201  
**August 28, 2023 10:30 a.m.**

#### Meeting to be held in Hearing Room A

The Commission's Business Meeting will be broadcast live on the Internet via Zoom. Interested parties may access the broadcast at the following link:

Join Zoom Meeting

<https://us02web.zoom.us/j/8249297108?pwd=akcwMkMxSnYzQWFxdEs4V2x6UWtyUT09>

Meeting ID: 824 929 7108

Passcode: 073988

*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 AUGUST 28, 2023  | CHAIRMAN BECK  |
| 3. APPROVAL OF MINUTES OF THE REGULAR BUSINESS MEETING OF JULY 17, 2023 (Tab 1)   | CHAIRMAN BECK  |
| 4. GENERAL ANNOUNCEMENTS  | MR. CANNON   |
| 5. APPLICATIONS FOR APPROVAL TO SELF-INSURE (Tab 2)   | MS. BROWN  |
| 6. DEPARTMENT DIRECTORS' REPORTS<br>Human Resources (Tab 3)<br>Information Services (Tab 4)<br>Insurance and Medical Services (Tab 5)<br>Claims (Tab 6)<br>Judicial (Tab 7) | MS. MCREE<br>MR. PLUSS<br>MR. DUCOTE<br>MS. SPANN<br>MS. BRACY |
| 7. DEPARTMENT OF VOCATIONAL REHABILITATION<br>Monthly Report (Tab 8)  | MR. CANNON   |
| 8. EXECUTIVE DIRECTOR'S REPORT (Tab 9)  | MR. CANNON   |
| 9. FINANCIAL REPORT (Tab 10)  | MR. CANNON   |
| 10. OLD BUSINESS  | CHAIRMAN BECK  |
| 11. NEW BUSINESS (Tab 11)<br>Stephen Samuels, Esq. Request to address the Commission – Form 15  | CHAIRMAN BECK  |
| 12. EXECUTIVE SESSION   | CHAIRMAN BECK  |
| 13. ADJOURNMENT   | CHAIRMAN BECK  |

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<b>8</b>	<b>Vocational Rehabilitation</b>
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**TAB 1**

THE  
SOUTH CAROLINA WORKERS'  
COMPENSATION COMMISSION  
BUSINESS MEETING  
**July 17, 2023**

A Business Meeting of the South Carolina Workers' Compensation Commission was held in Hearing Room A of the Workers' Compensation Commission on Monday, July 17, 2023, 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  
AVERY WILKERSON, COMMISSIONER  
R. MICHEAL CAMPBELL, II, COMMISSIONER  
MELODY JAMES, COMMISSIONER  
CYNTHIA DOOLEY, COMMISSIONER

Present also were Keith Roberts, General Counsel; Christy Brown, Self-Insurance Director; Sonji Spann, Claims Director; Amy Bracy, Judicial Director; Kristen Mcree, Staff Attorney; Kris Pluss, Director of Information Technology; Chris Crump, IT Consultant and Whitney Klauck, Injured Workers' Advocates and Emily Grooms.

Chairman Beck called the meeting to order at 10:41 a.m.

Commissioner Aisha Taylor joined the meeting by Zoom.

**AGENDA**

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

**APPROVAL OF MINUTES – BUSINESS MEETING OF JUNE 5, 2023**

Commissioner James moved that the minutes of the Business Meeting of June 5, 2023, be approved. Commissioner Dooley seconded the motion, and the motion was approved.

**GENERAL ANNOUNCEMENTS**

Mr. Roberts conducted the July 17, 2023 Business Meeting in the absence of Executive Director, Gary Cannon.

**APPLICATIONS FOR APPROVAL TO SELF-INSURE**

Self-insurance applications were presented by Christy Brown, Self-Insurance Director. **Eight (8)** prospective members of **Two (2)** funds were presented to the Commission for approval. The applications were:

**Palmetto Timber Fund**

Higgins Forest Products LLC

One Day Timber LLC

**South Carolina Home Builders SIF**

A New Creation Greenville LLC

Farina Construction Services LLC

Greer Flooring Center, Inc.

Harper Building Group LLC

Majestic Builders, Inc.

Trio Construction, Inc.

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. Commissioner Campbell seconded the motion to approve the applications to self-insure, and the motion was approved.

**DEPARTMENT DIRECTORS' REPORTS**

Each Department report was submitted in written form and included in the Commission's agenda booklets.

**HUMAN RESOURCES**

Mr. Roberts presented the Human Resources report. There were no comments or questions from the Commission.

**INFORMATION TECHNOLOGY DEPARTMENT**

Mr. Pluss presented the IT report. There were no comments or questions from the Commission.

**INSURANCE AND MEDICAL SERVICES DEPARTMENT**

Mr. Ducote presented his report in written form. There were no comments or questions from the Commission.

**CLAIMS DEPARTMENT**

Ms. Spann presented her report in written form. There were no comments or questions from the Commission.

**JUDICIAL DEPARTMENT**

Ms. Bracy presented her report in written form. There were no questions from the Commission.

## **VOCABATIONAL RAHBAITIALBION**

Mr. Roberts reviewed the Vocational Rehabilitation Report. There were no questions from the Commission.

## **EXECUTIVE DIRECTOR'S REPORT**

Mr. Roberts submitted his report in written form. There were no comments or questions from the Commission.

## **ADMINISTRATION – FINANCIAL REPORT**

Mr. Roberts submitted his report in written form. There were no questions from the Commission.

## **OLD BUSINESS**

There was no old business.

## **NEW BUSINESS**

Mr. Roberts discussed the updates of the Court Reporters policy regarding the retention of audio tapes and transcripts. Commissioner Wilkerson wanted to know if it was an undue burden if there is a cost to external storage. Commissioner McCaskill made a motion to accept the changes. Commissioner Dooley seconded the motion.

## **EXECUTIVE SESSION**

There was no executive session.

## **ADJOURNMENT**

Commissioner Campbell made the motion to adjourn. Commissioner Dooley seconded the motion, and the motion was approved.

The July 17, 2023, meeting of the South Carolina Workers' Compensation Commission adjourned at 10:57 am.

Reported July 26, 2023  
Arnisha Keitt  
Executive Assistant

**TAB 2**

**TAB 3**



*State of South Carolina*

1333 Main Street, 5<sup>th</sup> Floor  
P.O. Box 1715  
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*Workers' Compensation Commission*

**TO:** Gary Cannon  
**FROM:** Kristen McRee  
**DATE:** August 18, 2023

**SUBJECT: Monthly Human Resources Report for July for August 2023 Business Meeting**

This report summarizes Human Resources' activities from July 1, 2023, through July 31, 2023. At the end of July, the Commission had 49 full-time employees and two part-time employees.

- **New Hires:** None      **Separations or Retirements:** One      **FMLA Leaves:** Two

HR processed one SCEIS personnel transaction and six SCEIS time/leave transactions. All detailed reports were run as scheduled, and any issues that arose were corrected with the collaborative effort of the SCEIS teams and the Comptroller General's Office. HR sent five "All Employee" emails during July and processed three travel trip reports.

HR participated in the following:

- A Career Path Teams Meeting with DHSR.
- Updating the HCLO (House Committee on Legislative Oversight) Presentation.
- 3 Teams Meeting with the SC Human Affairs Commission on July 13 & 14 for the new format they will use for 2022 – 2023 EEO reporting.

In July, the CG's office applied the General Increase for 2023 with the effective date of June 2<sup>nd</sup>. Since the increase was applied late, all employees of the Commission received their new semi-monthly pay plus back pay on July 14. Starting in August, employees will see their new semi-monthly pay.

There were three building issues in July and no parking issues. All building issues were resolved, and there were no updates to the parking assignments. There were no COVID cases or scares in July, and HR will continue to obtain testing kits from DHEC to provide convenient free testing for all employees.

Vacant positions to be filled:

- HR Manager

Position(s) filled in July:

- None.

**TAB 4**

# State of South Carolina

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## Workers' Compensation Commission

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To: Gary Cannon, SCWCC Executive Director  
From: Kris Pluss, IT Director  
Date: August 18, 2023  
Subject: IT Department July 2023 Full Commission Report

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This report summarizes the activities and accomplishments for projects and initiatives in the IT Department during July 2023.

### **I. Systems Operations, Maintenance and Support**

#### EDI

WCC IT and Verisk have mutually agreed to pause the weekly MS Teams Meetings to allow Verisk the opportunity to focus on the four deployments they have scheduled between June and November, 2023 and WCC IT to focus on the Legacy Modernization Project. WCC IT and Verisk will continue to exchange Historical Claims Data in the test formats until weekly meetings resume in August, 2023.

#### Progress

WCC IT coordinated the deployment of the new eCase Display enhancements with Progress Professional Services, the Division of Technology Operations and KeyMark Staff on Tuesday, July 25, 2023. The new link, eCase User Manual and Frequently Asked Questions (FAQs) subsection were added to the [wcc.sc.gov](http://wcc.sc.gov) website. The new enhancements include an updated user interface that displays additional information and can be optimized for an iPad or iPhone screen. Additionally, external stakeholders can now view, download and print single and/or multiple documents for claims they are connected with.

#### Security

No Phishing emails were reported to the WCC IT Team during July.

#### Reporting

90 Service Desk tickets were received by WCC IT during July 2023.  
74 Tickets were assigned a priority of Low.  
13 Tickets were assigned a priority of Medium.  
3 Tickets were assigned a priority of High.  
0 Tickets were assigned a priority of Urgent.

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

### Legacy Modernization

WCC IT attended 24 Virtual Meetings with SC.Gov and the Department of Administration's, Digital of Governmental Services Division to coordinate the deployment of the electronic form uploads and electronic payment processing services. Internal testing will continue with WCC IT and WCC Subject Matter Experts in August. The first phased deployment will encompass the No-Fee Filings and Forms. Several external stakeholders have volunteered to test the uploads and payment sections prior to a full launch. WCC IT will continue to provide updates to external stakeholders via constant contact email blasts and the [wcc.sc.gov](http://wcc.sc.gov) website.

**TAB 5**

# State of South Carolina



## Workers' Compensation Commission

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**To:** Mr. Gary Cannon  
SCWCC Executive Director

**From:** Wayne Ducote, Jr.  
IMS Director

**Date:** 25-Aug-23

**Subj:** Insurance and Medical Services Department  
July 2023 Full Commission Report

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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"><li>1. Reviewing revenue metrics / projections.</li><li>2. Working with staff to review workflow processes and additional training opportunities.</li><li>3. Continuing to explore outreach opportunities with stakeholders.</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 (Progress): 36 new registrants; 0 notifications sent.</li><li>3. State Accident Fund coverage is now available via the CVS on our website.</li></ol> |
| Medical Services    | <ol style="list-style-type: none"><li>1. Two medical bill pricing reviews were done in the month of July.</li></ol>  |

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.

**Employer Rule to Show Cause Hearings and Compliance Activity**

The Compliance Division docketed 0 new RTSC cases and 0 total RTSC cases in the month of July. And, compelled 27 South Carolina employers to come into compliance with the Act. Year to date, 0 new RTSC cases and 0 total RTSC cases have been docketed.

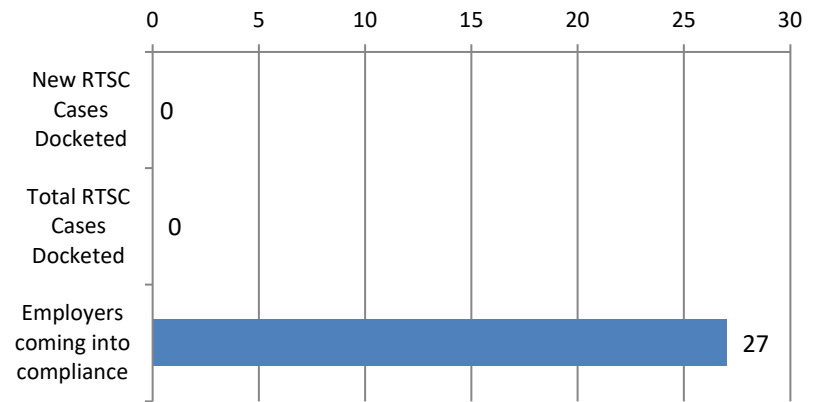
**Employers Obtaining Coverage**

Year to date, the Compliance Division has compelled 27 South Carolina employers to come into compliance with the Act. In so doing, approximately 207 previously uninsured workers are now properly covered.

**Penalties Waived**

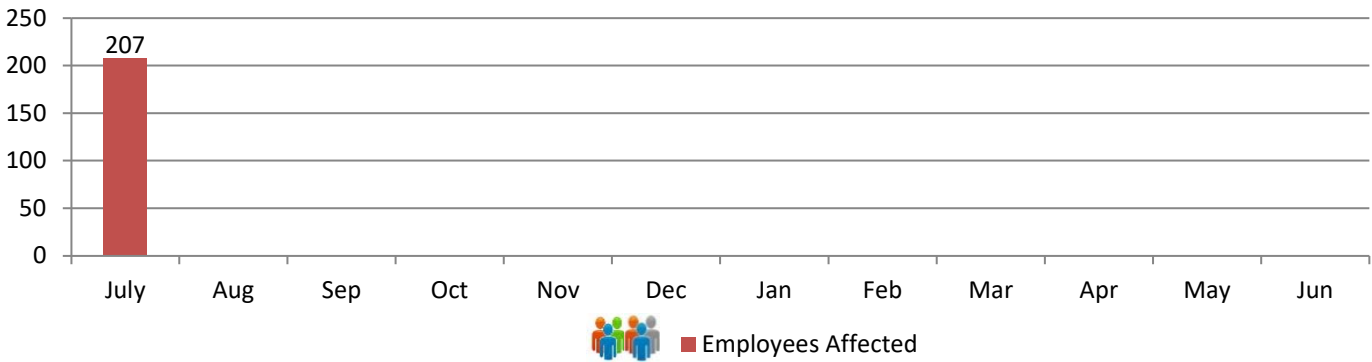
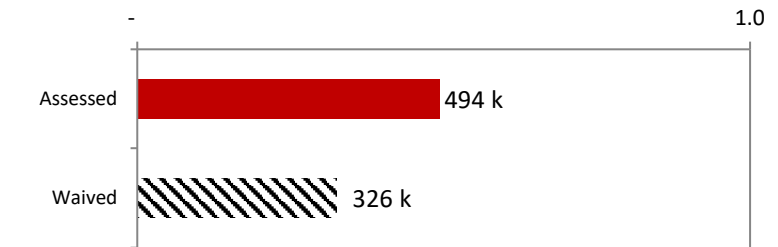
Although the Division has assessed \$494 k in fines this fiscal year, \$326 k have been waived or rescinded as employers have either obtained insurance coverage or were found not to be subject to the Act.

**RTSC and Compliance Activity**



**Fines and Penalties**

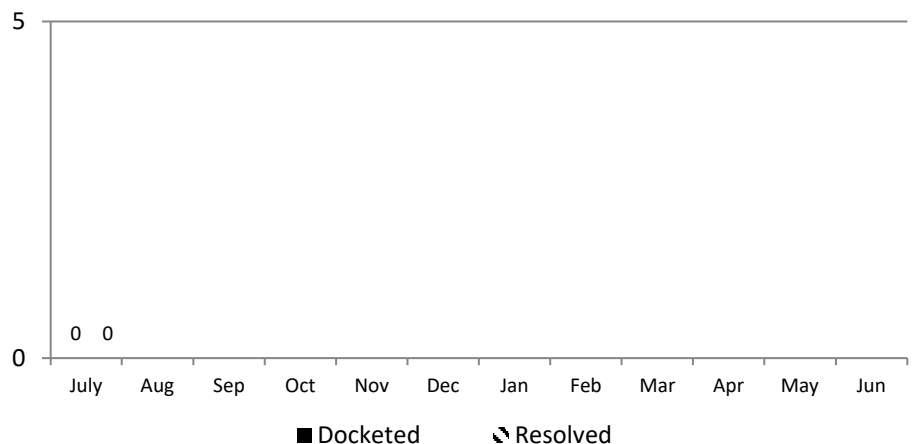
Millions



**Carrier Rule to Show Cause Hearings**

The Compliance Division manages the Rule to Show Cause process involving the recovery of outstanding carrier fines and penalties. In the month of July 2023, 0 carrier RTSC cases were docketed; 0 cases were resolved for a total of \$0.

Year to date, a total of 0 carrier RTSC cases have been docketed, 0 cases for a total of \$0 have been resolved.

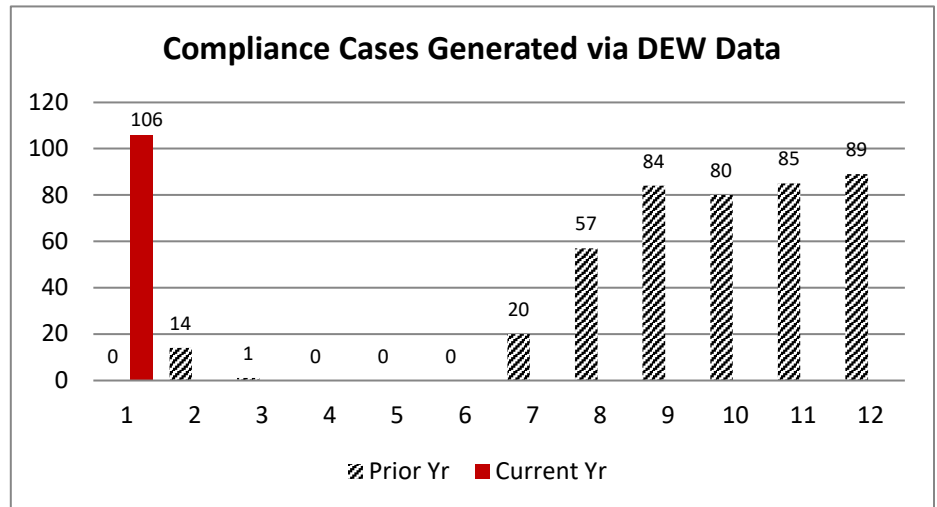
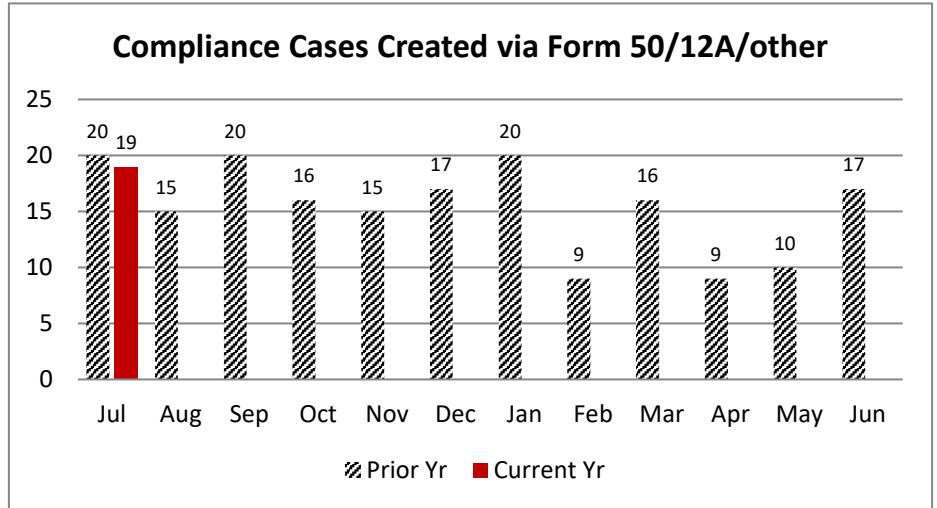


In July 2023, 19 compliance files were created from the combined filings of Form 50's, 12A's, and stakeholder reporting involving uninsured employers.

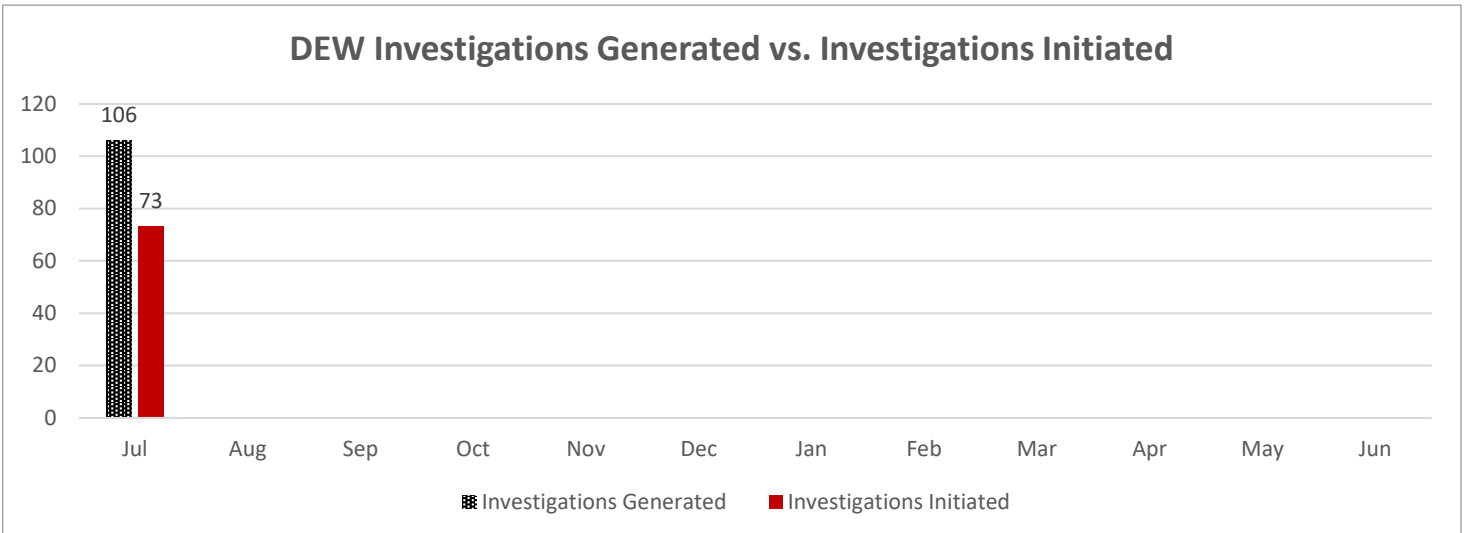
YTD vs. Prior Year total (184): 10%  
 July 2022 to July 2023: 95%  
 Current Yr End trend: 124% of 2022-2023  
 YTD 2023-2024 v. YTD 2022-2023: 95%

In July 2023, 106 compliance files were generated from the DEW data process.

YTD vs. Prior Year total (430): 25%  
 July 2022 to July 2023: %  
 Current Yr End trend: 296% of 2022-2023  
 YTD 2023-2024 v. YTD 2022-2023: %



The DEW Data Pool is determined by the total number of potential, non-compliant employers who report wages to DEW with at least 4 employees and who's FEIN does not match with any coverage records in the Commission's coverage database. The investigations generated is the number of compliance investigations generated from the pool. The investigations initiated is the number of compliance investigations initiated from those that were generated.





**Carryover Caseload:**

The Compliance Division closed July 2023 with 169 cases active, compared to an active caseload of 339 at the close of July 2022.

**Cases Resolved:**

For the month of July 2023, Compliance Division staff closed-out 111 cases.

**Compliance Fines:**

In July 2023, the Compliance Division collected \$67,381 in fines and penalties. Year to Date, the Compliance Division has collected \$67,381 in fines and penalties.

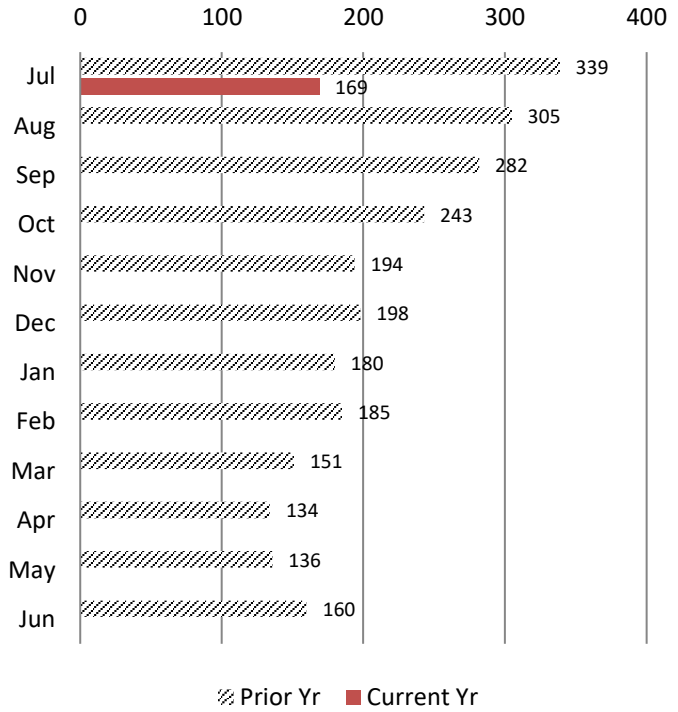
Year to Date vs Prior Year Total (\$483,063): 14%

July 2022 vs. July 2023: 96%

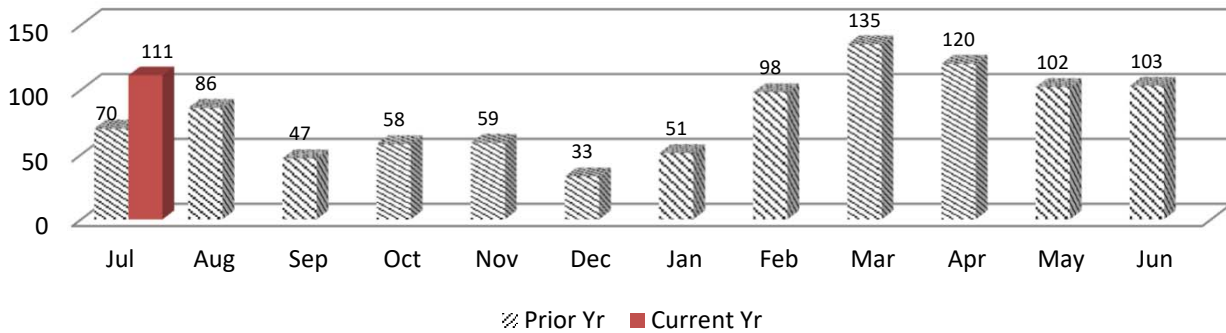
Current Year End trend is 167% of 2022-2023

YTD 2022-23 (July - June) vs YTD 2023-2024: 97%

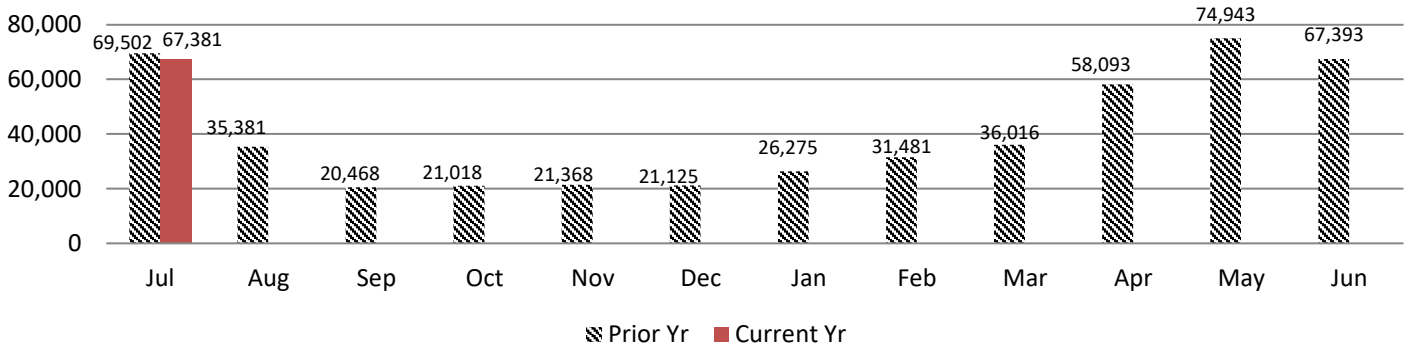
**Caseload Pending v. Prior Year**



**Cases Resolved v. Prior Year**



**Compliance Fines Collected v. Prior Year**

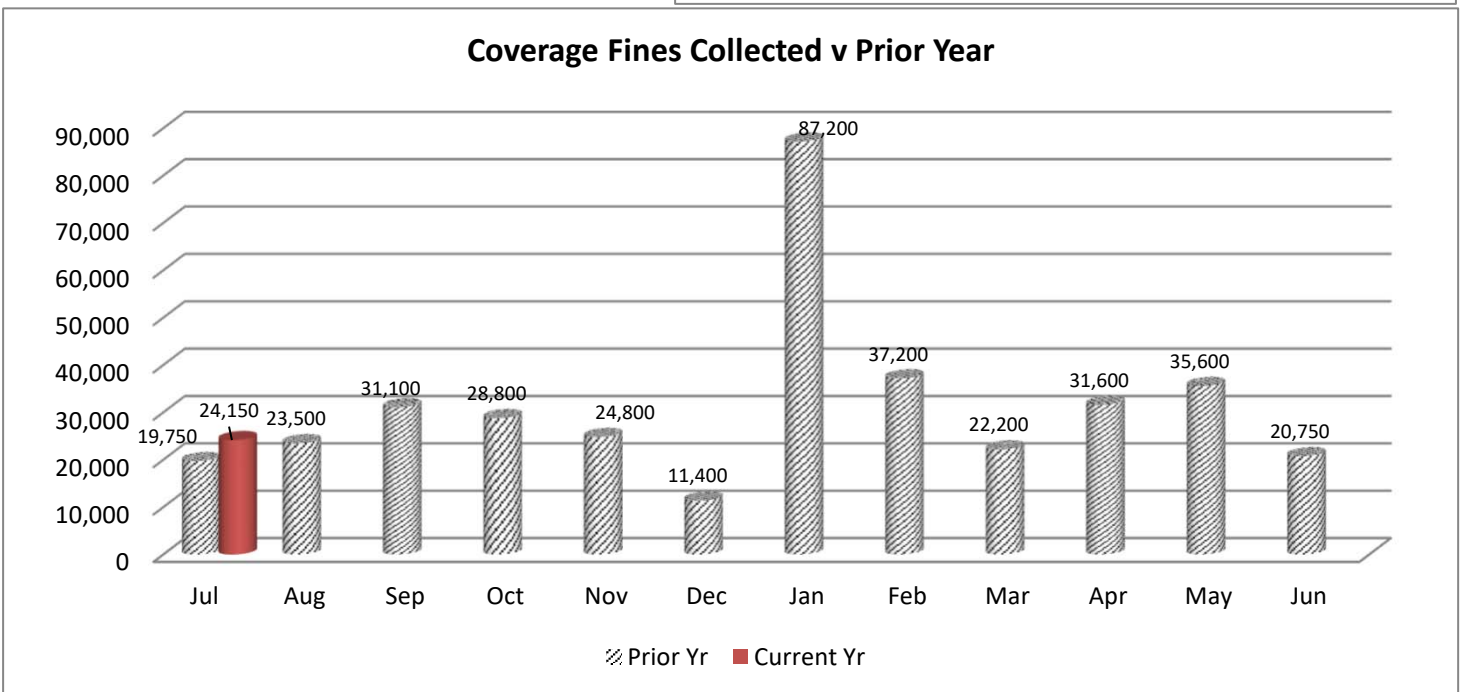
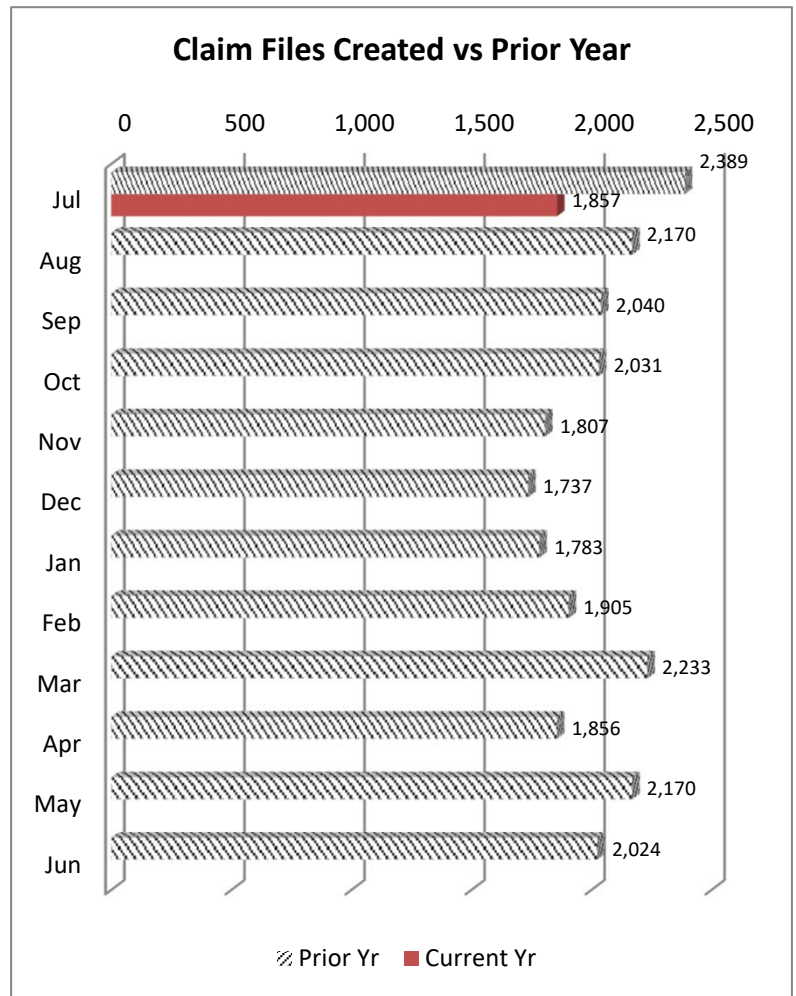


**WCC Claim Files:**

In July 2023, the Coverage Division received a total of 1,857 WCC Claim files. Of these, 1,597 were created through proper carrier filing of a 12A, and 260 were generated as a result of a Form 50 claim filing. Year to Date 1,597 Claim files have been created which is 8% of claim file volume prior year (24,145).

**Coverage Fines:**

The Coverage Division collected \$24,150 in fine revenue in July 2023, as compared to \$19,750 in Coverage fines/penalties accrued during July 2022. Year on Year, Coverage fines are at 7% of collections for prior year.



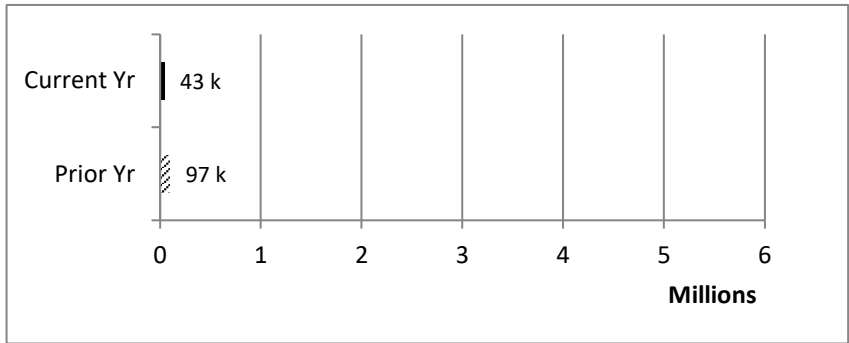
**IMS SELF INSURANCE DIVISION**

July 2023

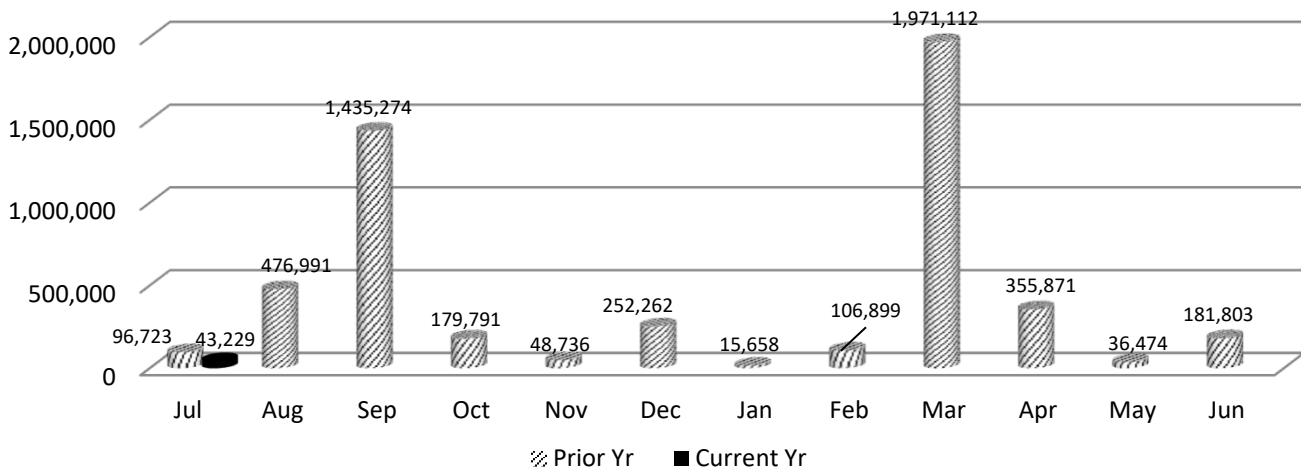
During the month of July 2023, the Self Insurance Division:

- \* collected \$43,229 in self-insurance tax.
- \* added 8 new self-insurers.
- \* conducted 4 Self Insurance audits.

Year to Date, Self Insurance tax revenue is trending at 45% of prior year and 4 Self Insurance audits have been completed.



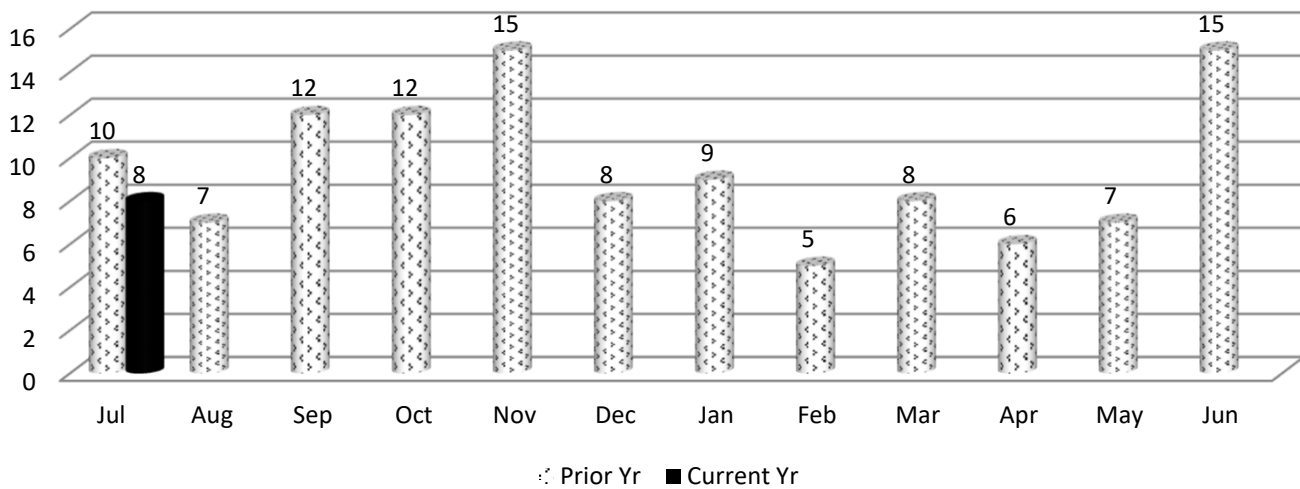
**Self Insurance Tax Collections v. Prior Year**



**IMS MEDICAL SERVICES DIVISION**

In July 2023, the Medical Services Division began the month with 15 bills pending review, received an additional 7 bills for review, conducted 14 bill reviews and ended the month with 8 bills pending.

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



**TAB 6**

# *State of South Carolina*

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## *Workers' Compensation Commission* **MEMORANDUM**

**To: Gary Cannon, Executive Director**

**From: Sonji Spann, Claims Director**

**Date: August 28, 2023**

**Re: Claims Department August 2023 Full Commission Report**

Attached is the Statistical Report for the Claims Department for the period July 1, 2023 - June 30, 2024, for the Business Meeting on August 28, 2023. Please note the format using row numbers and column letters for ease of use when referencing data.

Claims activities are in Column (a) with the totals for the first-month period for FY23-24 in column (o). Column (q) reflects the percentage change when comparing the totals for same period in the current fiscal at the totals for the same period in last fiscal year. The total Claims Activities, for this period have decrease 16% when compared to the same period from last fiscal year.

The number of Total Fines assessed are down 52% compared to the same period last fiscal year and the Total Fines paid 47% decrease when compared to the same period last year

I will be happy to answer any questions you or the Commissioners have.

**Claims Department Statistical Report**

**FY2022-2023**

**July 1, 2023 - June 30, 2023**

Claims Activities	July	August	FY23-24 Total	FY22-23 Total	% Diff from prev year
(a)	(b)	(c)	(o)	(p)	(q)
Forms 15-I	927		927	1,041	-11%
Forms 15-II/Forms 17	670		670	826	-19%
Forms 16 for PP/Disf	43		43	207	-79%
Forms 18	4,716		4,716	5,023	-6%
Forms 20	514		514	541	-5%
Form 50 Claims Only	267		267	311	-14%
Form 61	628		628	602	4%
Letters of Rep	123		123	195	-37%
Clinchers	601		601	701	-14%
Third Party Settlements	17		17	27	-37%
SSA Requests for Info	44		44	23	91%
Cases Closed	1,927		1,927	2,056	-6%
Cases Reviewed	1,947		1,947	3,290	-41%
<b>Total</b>	<b>12,424</b>	<b>-</b>	<b>12,424</b>	<b>14,843</b>	<b>-16%</b>
			-	-	
<b>Total Fines Assessed</b>	241		241	505	-52%
<b>Form 18 Fines</b>	230		230	478	-52%
<b>Total Amt Paid</b>	\$33,400		33,400	63,200	-47%

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**FY2022-2023**

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Form 61	628		628	602	4%
Letters of Rep	123		123	195	-37%
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			-	-	
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**TAB 7**

State of South Carolina

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**Workers' Compensation Commission**

August 15, 2023

To: Gary Cannon  
Executive Director

From: Amy A. Bracy  
Judicial Director

**RE: Monthly Judicial Report for July 2023**

During the month of July, the Judicial Department processed seven hundred seventy-seven (777) requests for hearings (claimant and defense pleadings). Comparing the numbers from the same period last year, claimant pleadings are down 16% and defense pleadings experienced a 17% increase. The department received ninety (90) Motions, a 13% decrease compared to the same period last year and one hundred twenty-seven (127) clincher conference requests, a 4% increase compared to the same time last year.

There were forty-six (46) Single Commissioner Hearings conducted during the past month, four (4) pre-hearing conferences held, and three (3) Full Commission hearings held. A total of three hundred seventy-eight (378) Orders (Single Commissioner Orders, Consent Orders and Administrative Orders) were served at the single Commissioner level, thirty-one (31) of those were Decision and Orders that resulted from hearings that went on the record and ninety-nine (99) were Motion Orders that were a result of Motions ruled upon by Commissioners.

There were two hundred nineteen (219) Informal Conferences requested during July and one hundred sixty (160) were conducted.

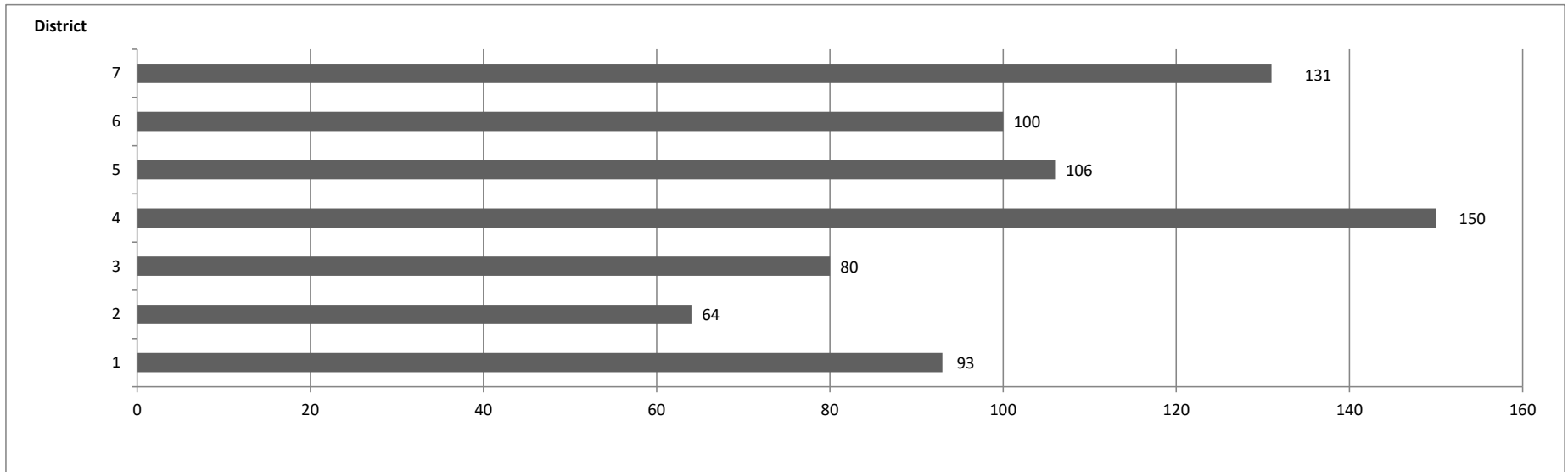
There were thirty-seven (37) regulatory mediations scheduled and sixty (60) requested mediations. Totals are up 37% and 28% in the respective categories for the same period last year. The Judicial Department was notified of thirty-three (33) matters resolved in mediation, with the receipt of Forms 70. This category's total is down 15% compared to this period last year. This does not include mediations that take place outside of what is reported to the Commission.

In the month of July, Judicial received one (1) Notice of Intent to Appeal to the Court of Appeals and zero (0) to the Circuit Court.

### Pleadings Assigned - Three Year Comparison by Month

	District 1			District 2			District 3			District 4			District 5			District 6			District 7		
	Greenville			Anderson			Orangeburg			Charleston			Florence			Spartanburg			Richland		
	23-24	22-23	21-22	23-24	22-23	21-22	23-24	22-23	21-22	23-24	22-23	21-22	23-24	22-23	21-22	23-24	22-23	21-22	23-24	22-23	21-22
Jul	93	105	112	64	81	87	80	112	72	150	150	166	106	111	109	100	135	122	131	142	156
Aug		105	93		70	67		86	101		172	174		118	112		124	101		155	134
Sep		93	109		68	77		98	96		144	158		121	143		104	112		135	143
Oct		78	89		59	73		97	103		140	152		114	110		96	95		126	130
Nov		90	96		77	66		106	95		180	144		135	112		137	84		164	116
Dec		91	104		74	80		108	100		166	156		136	123		113	108		117	131
Jan		74	85		74	54		90	84		172	167		126	129		97	91		130	118
Feb		78	93		69	75		90	87		144	170		102	105		88	108		122	145
Mar		96	108		69	87		124	84		174	186		133	149		139	130		158	166
Apr		82	106		82	75		78	82		158	181		138	120		113	127		146	164
May		70	82		64	69		92	81		156	149		126	130		114	103		148	136
Jun		118	122		76	74		118	100		235	161		131	152		119	111		185	147
<b>Totals</b>	<b>93</b>	<b>1080</b>	<b>1199</b>	<b>64</b>	<b>863</b>	<b>884</b>	<b>80</b>	<b>1199</b>	<b>1085</b>	<b>150</b>	<b>1991</b>	<b>1964</b>	<b>106</b>	<b>1491</b>	<b>1494</b>	<b>100</b>	<b>1379</b>	<b>1292</b>	<b>131</b>	<b>1728</b>	<b>1686</b>

### Pleadings Assigned by District Year to Date

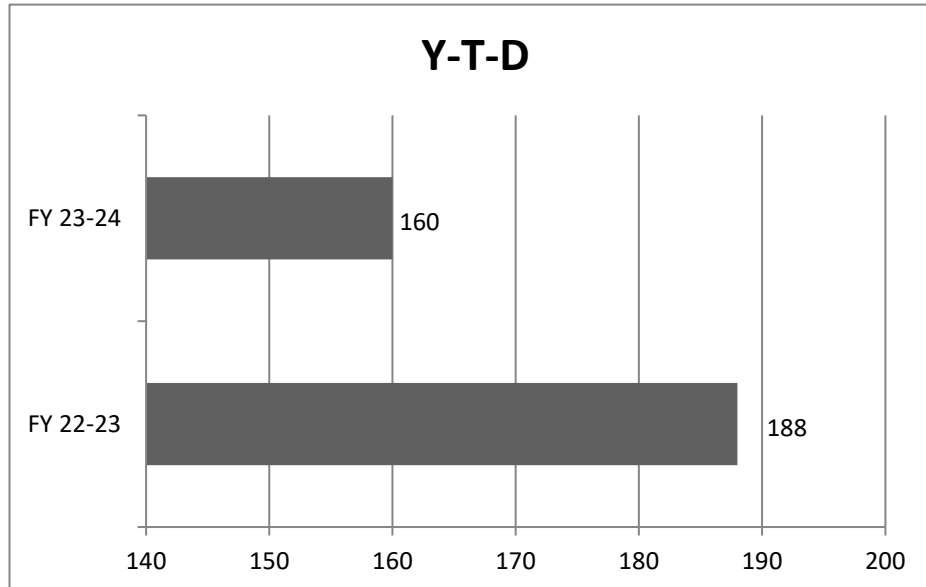


**Judicial Department Statistical Report  
Statistics For Fiscal Year 2023-2024**

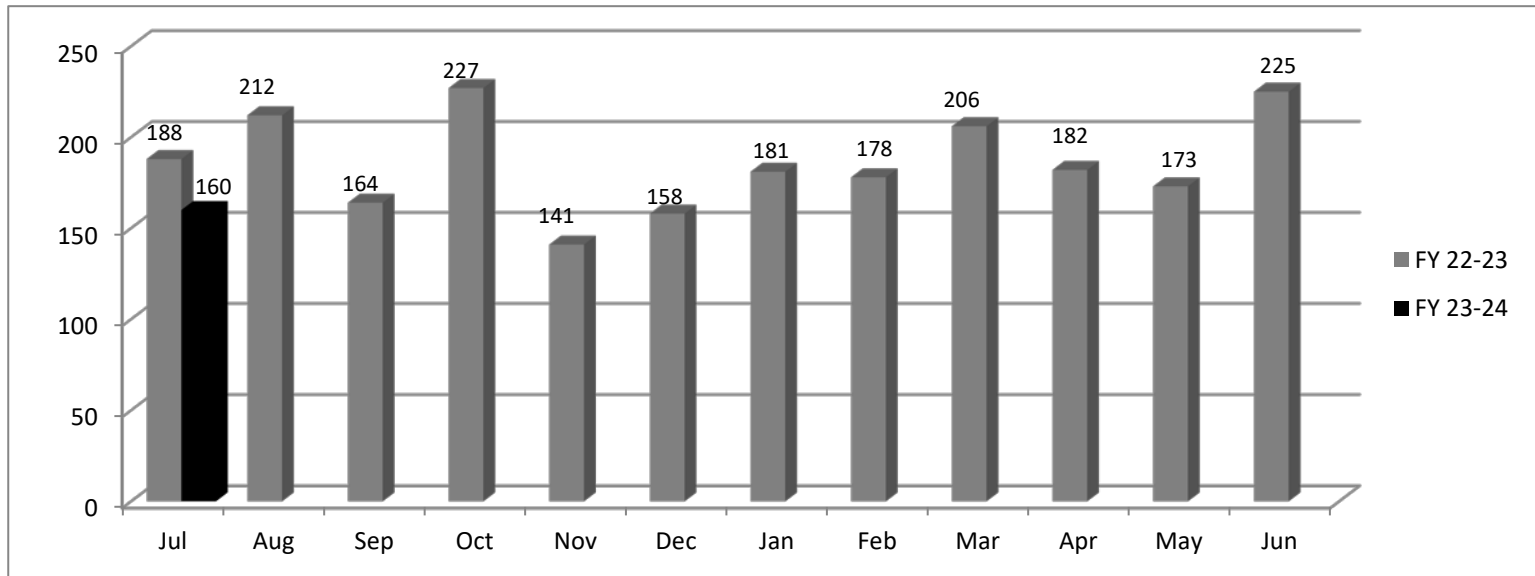
	July	Aug	Sept	Oct	Nov	Totals YTD 2023-2024	Totals YTD 2022-2023	% Diff from prev year	YTD Diff + (-)	FY23-24 Mth Avg	FY22-23 Mth Avg
Claimant Pleadings	516					516	612	-16%	(96)	516	612
Defense Response to Pleadings	432					432	474	-9%	(42)	432	474
Defense Pleadings	261					261	223	17%	38	261	223
Motions	90					90	104	-13%	(14)	90	104
Form 30	8					8	11	-27%	(3)	8	11
FC Hearings Held	3					3	4	-25%	(1)	3	4
FC Orders Served	6					6	8	-25%	(2)	6	8
Single Comm. Hearings Held	46					46	31	48%	15	46	31
Single Comm. Orders Served	136					136	160	-15%	(24)	136	160
Single Comm. Pre-Hearing Conf Held	4					4	20	-80%	(16)	4	20
Consent Orders	239					239	261	-8%	(22)	239	261
Administrative Orders	3					3	2	50%	1	3	2
Clincher Conference Requested	127					127	122	4%	5	127	122
Informal Conference Requested	219					219	222	-1%	(3)	219	222
Informal Conference Conducted	160					160	188	-15%	(28)	160	188
Regulatory Mediations	37					37	27	37%	10	37	27
Requested Mediations	60					60	47	28%	13	60	47
Ordered Mediations	1					1	1	0%	0	1	1
Mediation Resolved	33					33	39	-15%	(6)	33	39
Mediation Impasse	7					7	8	-13%	(1)	7	8
Mediation Held; Issues Pending	1					1	0	100%	1	1	0
Claim Settled Prior to Mediation	5					5	6	-17%	(1)	5	6
Mediation Not Complete in 60 days	0					0	2	-100%	(2)	0	2

**Informal Conf. Conducted**

	FY 22-23	FY 23-24
Jul	188	160
Aug	212	
Sep	164	
Oct	227	
Nov	141	
Dec	158	
Jan	181	
Feb	178	
Mar	206	
Apr	182	
May	173	
Jun	225	
<b>Total</b>	<b>2235</b>	<b>160</b>

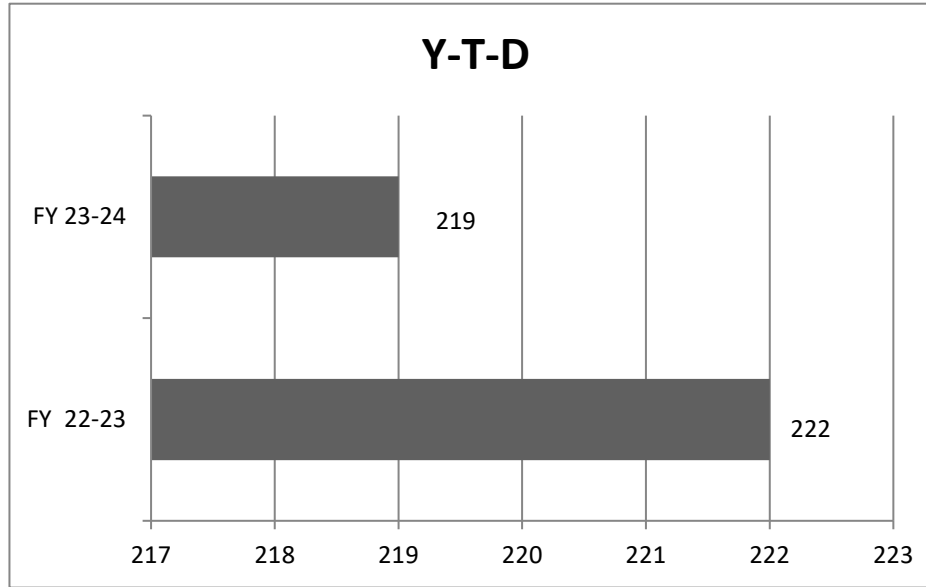


	FY 22-23	FY 23-24
<b>Y-T-D</b>	<b>188</b>	<b>160</b>

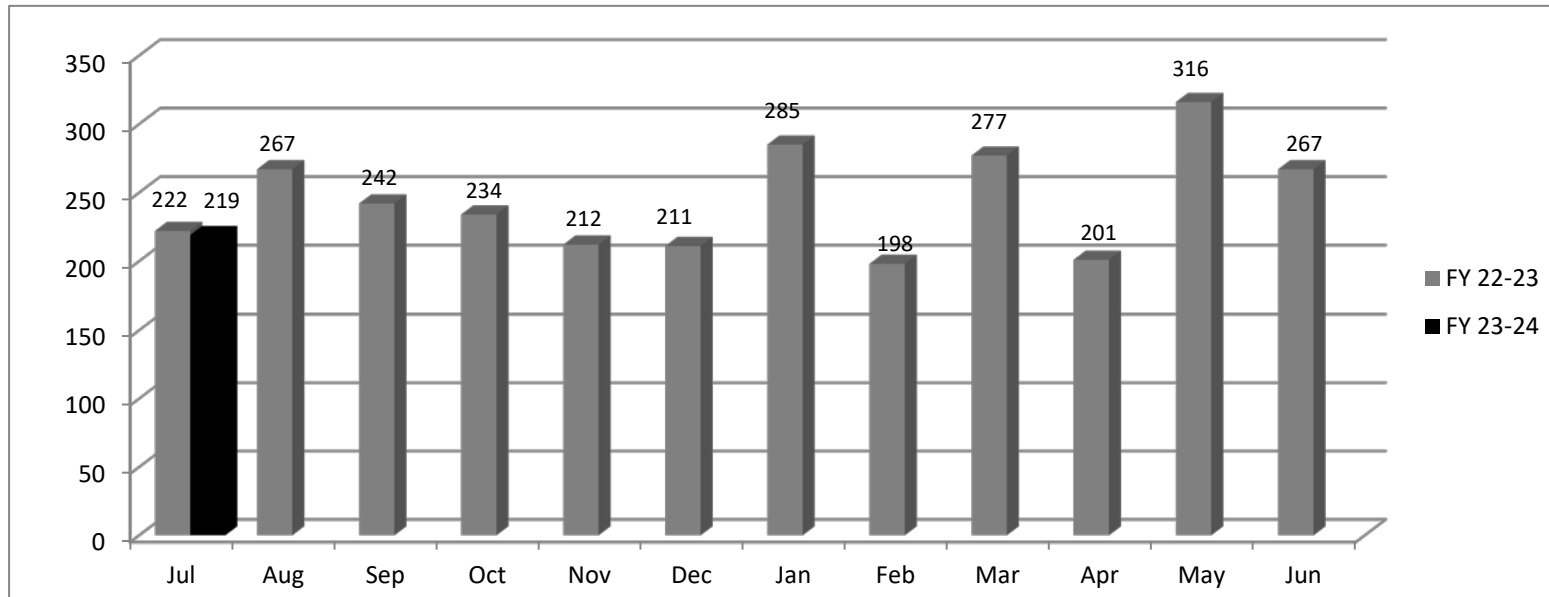


**Informal Conf. Requested**

	FY 22-23	FY 23-24
Jul	222	219
Aug	267	
Sep	242	
Oct	234	
Nov	212	
Dec	211	
Jan	285	
Feb	198	
Mar	277	
Apr	201	
May	316	
Jun	267	
<b>Total</b>	<b>2932</b>	<b>219</b>



Y-T-D	FY 22-23	FY 23-24
	<b>222</b>	<b>219</b>



**TAB 8**

# *State of South Carolina*

1333 Main Street, 5<sup>th</sup> Floor  
P.O. Box 1715  
Columbia, S.C. 29202-1715



TEL: (803) 737-5700  
[www.wcc.sc.gov](http://www.wcc.sc.gov)

## *Workers' Compensation Commission*

### *MEMORANDUM*

**TO:** COMMISSIONERS

**FROM:** Gary Cannon, Executive Director

**DATE:** August 28, 2023

**RE:** SC Department of Vocational Rehabilitation Report

Attached are two reports from the SC Department of Vocational Rehabilitation. The first reflects the total number of referrals for the period July 1, 2022, to June 30, 2023. The summary shows 2,561 referrals for this period.

The second is the report for the period July 1-31, 2023. The summary shows 205 referrals for this period.



# SC WCC Referrals State Fiscal year 2023



Referral Date

7/1/2022 6/30/2023

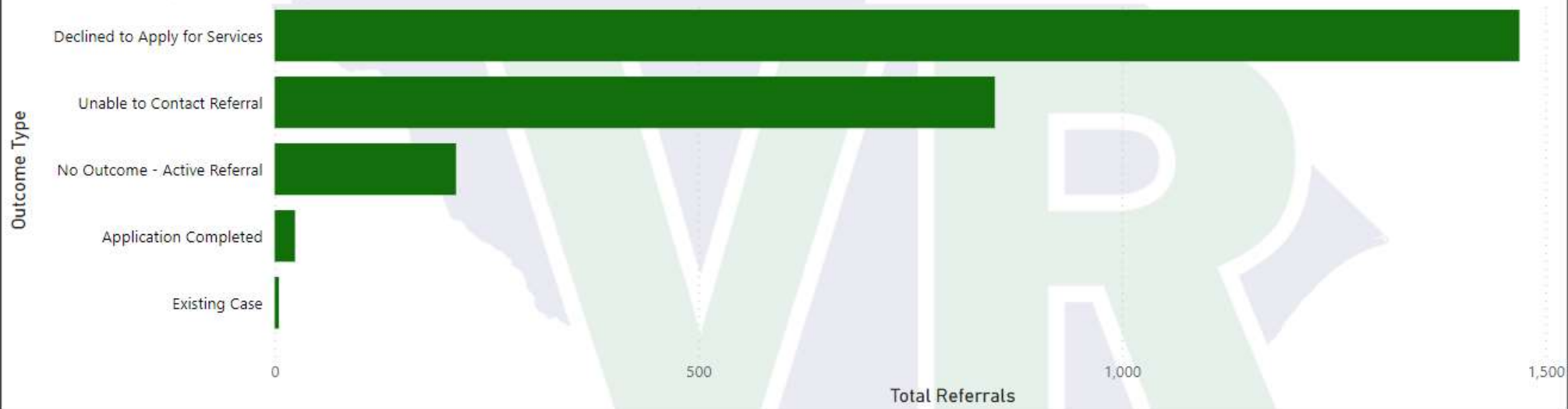
Area Office

All

Referring Organization

SC Workers Compensation

### Total Referrals by Outcome Type



### Referral Summary

Outcome Type	Total Referrals
Application Completed	24
Declined to Apply for Services	1469
Existing Case	5
No Outcome - Active Referral	214
Unable to Contact Referral	849
<b>Total</b>	<b>2561</b>

# SC WCC Referrals 07.01.2023 - 07.31.2023

Favorites Browse

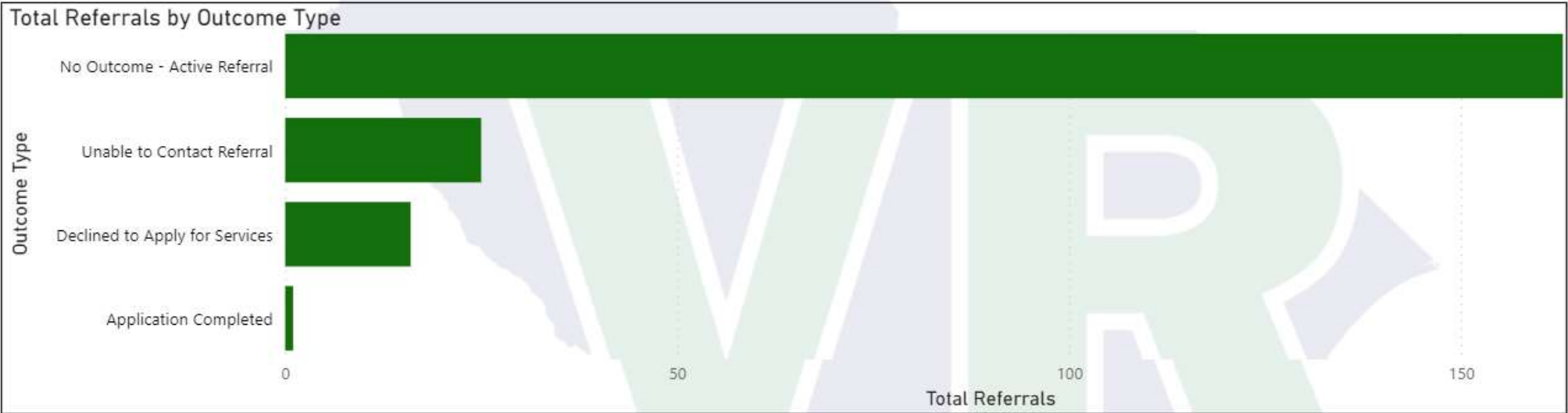
File View Explore Refresh



Referral Date  
7/1/2023 7/31/2023

Area Office  
All

Referring Organization  
SC Workers Compensation



### Referral Summary

Outcome Type	Total Referrals
Application Completed	1
Declined to Apply for Services	16
No Outcome - Active Referral	163
Unable to Contact Referral	25
<b>Total</b>	<b>205</b>

# TAB 9

# *State of South Carolina*



## *Workers' Compensation Commission*

### **Executive Director's Report**

**August 28, 2023**

#### **Meetings/Activities - July**

The Executive Director participated in one meeting with staff in follow up to the House Legislative Oversight Presentation; meeting with outside legal counsel about pending litigation; a conference call with the agency's DSHR consultant; and an on-line training to prepare for the Annual Accountability Report.

#### **Constituent /Public Information Services**

For the month of July, the Executive Director's and the General Counsel's offices had 101 contacts with stakeholders.

#### **Financial Transactions Activity**

During the month of July the Director's office processed and approved 8 travel expense reports, 92 invoices and 44 deposits for DOA to process in the SCEIS system.

#### **SCWCC Stakeholder Electronic Distribution List**

For the month of July, the Office had twenty-two (22) additions to the email distribution list.

#### **Advisory Notices**

During the month of July, the office posted five (5) notices on the Commission's website and emailed it to the distribution list.



**akeitt**  
2023-08-23 13:21:51

Unmarked set by akeitt

**TAB 10**

# State of South Carolina

1333 Main Street, 5<sup>th</sup> Floor  
P.O. Box 1715  
Columbia, S.C. 29202-1715



TEL: (803) 737-5700  
www.wcc.sc.gov

## Workers' Compensation Commission

### MEMORANDUM

**TO: COMMISSIONERS**

**FROM: Gary Cannon, Executive Director**

**DATE: August 28, 2023**

**RE: FINANCIAL REPORT – FY Period ending July 31, 2023**

Attached is the Budget vs. Actual Report for the General Fund and Earmarked Fund for the fiscal year period ending July 31, 2023. The benchmark for this period is 8%.

#### Expenditures – General Fund – Annual Budget \$2,766,722

The total expenditure for the General Fund for this period is \$237,440 or 9% of the annual budget. Page 3 and 4 reflects the balances of funds appropriated by the General Assembly for the IT System Modernization Project.

#### Expenditures – Earmarked Fund – Annual Budget \$5,607,845

The Earmarked Fund (38440000) financials begin on page 5 with the total expenditures found on page 8. The total expenditures for this period are \$330,452 which is 6% of budget.

#### Revenues – Earmarked Annual Budget \$3,157,092

The Commission posted \$211,836 in Earmarked Fund operating revenues for this period, which is 7% of the annual budget. Accounts with shortfalls in the revenues collected will be covered transfers from the Self-Insurance Taxes collected and retained by the Commission.

#### Self-Insurance Tax Funds

The amount budgeted from the Self-Insurance Tax for the Commission is \$2,500,000. The amount received for this period was \$150.

**South Carolina Workers' Compensation Commission**  
**Budget vs. Actual Report**  
**FY 2024 As of 7/31/2023**  
**8% of year elapsed**

**Fund 10010000 - GENERAL FUND - Operating Items**

**Administration**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501015	DIRECTOR	146,417	12,811	9%		133,606
512001	OTHER OPERATING	119,208				
Total OTHER OPERATING:		119,208				119,208
<b>Total Administration:</b>		<b>265,625</b>	<b>12,811</b>	<b>5%</b>		<b>252,814</b>

**Claims**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	85,630	7,442	9%		78,188
<b>Total Claims:</b>		<b>85,630</b>	<b>7,442</b>	<b>9%</b>		<b>78,188</b>

**Commissioners**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501026	CHAIRMAN	177,426	15,525	9%		161,901
501033	COMMISSIONER	1,033,541	90,434	9%		943,107
501050	TAXABLE SUBS	70,000	9,184	13%		60,816
501058	CLASSIFIED POS	370,000	32,309	9%		337,691
<b>Total Commissioners:</b>		<b>1,650,967</b>	<b>147,451</b>	<b>9%</b>	<b>0</b>	<b>1,503,516</b>

**Insurance & Medical**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	35,000	3,125	9%		31,875
<b>Total Insurance &amp; Medical:</b>		<b>35,000</b>	<b>3,125</b>	<b>9%</b>		<b>31,875</b>

**Employer Contributions**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
513000	EMPLOYER CONTRIB	729,500	66,609	9%		662,891
<b>Total Employer Contributions:</b>		<b>729,500</b>	<b>66,609</b>	<b>9%</b>		<b>662,891</b>

**South Carolina Workers' Compensation Commission**  
**Budget vs. Actual Report**  
**FY 2024 As of 7/31/2023**  
**8% of year elapsed**

**Fund 10010000 - GENERAL FUND - Operating Items**

<b>Total GENERAL FUND - Operating Items:</b>	<b>2,766,722</b>	<b>237,440</b>	<b>9%</b>	<b>0</b>	<b>2,529,282</b>
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**South Carolina Workers' Compensation Commission**  
**Budget vs. Actual Report**  
**FY 2024 As of 7/31/2023**  
**8% of year elapsed**

**Fund 10010000 - GENERAL FUND - Special Items**

**IT System Project**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
561000	Special Item	1,695,084				1,695,084
<b>Total IT System Project:</b>		<b>1,695,084</b>				<b>1,695,084</b>

<b>Total GENERAL FUND - Special Items:</b>		<b>1,695,084</b>				<b>1,695,084</b>
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**South Carolina Workers' Compensation Commission**  
**Budget vs. Actual Report**  
**FY 2024 As of 7/31/2023**  
**8% of year elapsed**

**Fund 10050023 - GF-NONRECUR APROP-23 - Special Items**

**IT System Project**

<b>Commitment Item</b>	<b>Commitment Item Description</b>	<b>Current Budget</b>	<b>YTD Expenditures</b>	<b>% Used</b>	<b>Commitments</b>	<b>Remaining Balance</b>
561000	Special Item	5,000,000				5,000,000
<b>Total IT System Project:</b>		<b>5,000,000</b>				<b>5,000,000</b>
<b>Total GF-NONRECUR APROP-23 - Special</b>		<b>5,000,000</b>				<b>5,000,000</b>

**South Carolina Workers' Compensation Commission**  
**Budget vs. Actual Report**  
**FY 2024 As of 7/31/2023**  
**8% of year elapsed**

**Fund 38440000 - EARMARKED FUND**

**Administration**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	791,985	19,493	2%		772,492
501070	OTH PERS SVC	41,000				41,000
512001	OTHER OPERATING	2,316,948				
5020030000	PRINT / BIND / ADV		4			
5020077100	SERVICES- APP SUP				33,975	
5020077220	SERVICES- VOICENET				19,050	
5020080000	FREIGHT EXPRESS DELV		9			
5021020000	ATTORNEY FEES		855			
5021540001	PROF SRV-LANG INTER				122	
5030010000	OFFICE SUPPLIES		30			
5030010004	SUBSCRIPTIONS		604		10,328	
5030030000	PRINTED ITEMS		-61			
5030067101	PRGM LIC - APP SUPP				76,394	
5031479203	JANITORIAL SUPPLIES		544			
5040060000	ST RENT-NON ST BLDG				6,087	
5040490009	RENT PARKING				395	
5040520000	INSURANCE-NON STATE		171			
5041020000	FEES AND FINES				20	
5041840000	LEASE BLDG PRINCIPAL		65,481		1	
5041850000	LEASE BLDG INTEREST		5,365		4,635	
Total OTHER OPERATING:		2,316,948	73,001	3%	151,007	2,092,940
<b>Total Administration:</b>		<b>3,149,933</b>	<b>92,495</b>	<b>3%</b>	<b>151,007</b>	<b>2,906,432</b>

**South Carolina Workers' Compensation Commission**  
**Budget vs. Actual Report**  
**FY 2024 As of 7/31/2023**  
**8% of year elapsed**

**Fund 38440000 - EARMARKED FUND**

**Inform. services**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS		31,595			-31,595
5020050000	PHOTO & VISUAL SVCS				1,200	
5020077100	SERVICES- APP SUP				72,117	
5020077220	SERVICES- VOICENET				16,946	
5030050000	PHOTO & VISUAL SUPP				1,939	
5030067170	EQUIP&SUPP- PRINT EU				3,660	
5040057000	CONTINGNT RENT - IT		190			
5041020000	FEES AND FINES				2,930	
5060322000	TV/Radio Eq Acq (MA)				8,646	
Total OTHER OPERATING:			190		107,437	-107,627
<b>Total Inform. services:</b>			<b>31,785</b>		<b>107,437</b>	<b>-139,222</b>

**Claims**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	280,850	18,412	7%		262,438
512001	OTHER OPERATING	19,700				
Total OTHER OPERATING:		19,700				19,700
<b>Total Claims:</b>		<b>300,550</b>	<b>18,412</b>	<b>6%</b>		<b>282,138</b>

**South Carolina Workers' Compensation Commission**  
**Budget vs. Actual Report**  
**FY 2024 As of 7/31/2023**  
**8% of year elapsed**

**Fund 38440000 - EARMARKED FUND**

**Commissioners**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501050	TAXABLE SUBS	70,000				70,000
512001	OTHER OPERATING	230,700				
5020077112	NCV- DATA NET		532			
5020077113	MOBILE HOTSPOT SRVC		494			
5020120000	CELLULAR PHONE SVCS		885			
5021010003	LEGAL SRV-TRANSCRIPT		171			
5021010005	LEGAL SRV-REPORTER		4,236			
5050010000	IN ST-MEALS-NON-REP		15			
5050041000	HR-IN ST-AUTO MILES		1,777			
5050080000	IN ST-SUBSIST ALLOW		1,159			
Total OTHER OPERATING:		230,700	9,270	4%	0	221,430
<b>Total Commissioners:</b>		<b>300,700</b>	<b>9,270</b>	<b>3%</b>	<b>0</b>	<b>291,430</b>

**Insurance & Medical**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	459,463	40,166	9%		419,297
501070	OTH PERS SVC	22,881	2,247	10%		20,634
512001	OTHER OPERATING	54,500				
5021540000	NON-IT OTHER PRO SRV		1,500			
Total OTHER OPERATING:		54,500	1,500	3%	0	53,000
<b>Total Insurance &amp; Medical:</b>		<b>536,844</b>	<b>43,913</b>	<b>8%</b>	<b>0</b>	<b>492,931</b>

**South Carolina Workers' Compensation Commission**  
**Budget vs. Actual Report**  
**FY 2024 As of 7/31/2023**  
**8% of year elapsed**

**Fund 38440000 - EARMARKED FUND**

**Judicial**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	500,000	43,445	9%		456,555
501070	OTH PERS SVC	75,000	3,431	5%		71,569
512001	OTHER OPERATING	25,000				
5030070000	POSTAGE		4,000			
Total OTHER OPERATING:		25,000	4,000	16%	0	21,000
<b>Total Judicial:</b>		<b>600,000</b>	<b>50,875</b>	<b>8%</b>	<b>0</b>	<b>549,125</b>

**Employer Contributions**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
513000	EMPLOYER CONTRIB	719,818	83,702	12%	0	636,116
<b>Total Employer Contributions:</b>		<b>719,818</b>	<b>83,702</b>	<b>12%</b>	<b>0</b>	<b>636,116</b>

<b>Total EARMARKED FUND:</b>		<b>5,607,845</b>	<b>330,452</b>	<b>6%</b>	<b>258,444</b>	<b>5,018,949</b>
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**South Carolina Workers' Compensation Commission**  
**Commitments**  
**FY 2024 As of 7/31/2023**

**Fund 38440000 - EARMARKED FUND**

**Administration**

Commitment Item	Commitment Item Description	Vendor	Commitment
5020077100	SERVICES- APP SUP	PROGRESS SOFTWARE CORP	33,975
5020077220	SERVICES- VOICENET	NWN CORPORATION	19,050
5021540001	PROF SRV-LANG INTER	GLOBAL INTERPRETING NETWORK INC	122
5030010004	SUBSCRIPTIONS	WEST PUBLISHING CORPORATION	10,328
5030067101	PRGM LIC - APP SUPP	INSURANCE SERVICES OFFICE INC	35,640
5030067101	PRGM LIC - APP SUPP	WEST PUBLISHING CORPORATION	40,754
5040060000	ST RENT-NON ST BLDG	GALIUM 1333 MAIN LLC	6,087
5040490009	RENT PARKING	REPUBLIC PARKING SYSTEM INC	395
5041020000	FEES AND FINES	REPUBLIC PARKING SYSTEM INC	20
5041840000	LEASE BLDG PRINCIPAL	GALIUM 1333 MAIN LLC	1
5041850000	LEASE BLDG INTEREST	GALIUM 1333 MAIN LLC	4,635
<b>Total Administration:</b>			<b>151,007</b>

**Inform. services**

Commitment Item	Commitment Item Description	Vendor	Commitment
5020050000	PHOTO & VISUAL SVCS	SUMMIT SOLUTIONZ INC	1,200
5020077100	SERVICES- APP SUP	INSURANCE SERVICES OFFICE INC	62,640
5020077100	SERVICES- APP SUP	PROGRESS SOFTWARE CORP	9,477
5020077220	SERVICES- VOICENET	NWN CORPORATION	16,946
5030050000	PHOTO & VISUAL SUPP	SUMMIT SOLUTIONZ INC	1,939
5030067170	EQUIP&SUPP- PRINT EU	US INK AND TONER INC	3,660
5041020000	FEES AND FINES	SONITROL SECURITY SYSTEMS	2,930
5060322000	TV/Radio Eq Acq (MA)	SUMMIT SOLUTIONZ INC	8,646
<b>Total Inform. services:</b>			<b>107,437</b>

<b>Total EARMARKED FUND:</b>	<b>258,444</b>
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Any items with vendor "Not assigned" are pending financial adjustments. Any commitment on the Budget vs. Actual Report that is missing from this list is a travel commitment.

**South Carolina Workers' Compensation Commission**  
**Earmarked Fund Revenues**  
**FY 2024 As of 7/31/2023**  
**8% of year elapsed**

<b>Account</b>	<b>Acct No.</b>	<b>Budget</b>	<b>YTD Actual Revenue</b>	<b>% of Budget</b>
WORKERS' COMPENSATION HEARING FEE	4110090000	1,091,322	76,850	7%
WORKERS COMP SELF INSURANCE APPLIC/	4160040000	7,350		
WORKERS COMPENSATION FILING VIOLATIC	4223030000	1,985,476	128,250	6%
PARKING FEE	4350040000	12,790	475	4%
WORKERS COMPENSATION AWARD REVIEW	4350140000	32,251	1,050	3%
PHOTOCOPYING FEE	4380050000	25,300	5,161	20%
SALE OF LISTINGS & LABELS	4480060000	2,603	50	2%
RETURNED CHECKS	4530010000			
ADJUSTMENT TO AGENCY DEPOSITS	4530020000			
<b>Total Revenues</b>		<b>3,157,092</b>	<b>211,836</b>	<b>7%</b>
<b>Self Insurance Tax</b>		<b>2,500,000</b>	<b>150</b>	<b>0%</b>
<b>Total</b>		<b>5,657,092</b>	<b>211,986</b>	<b>4%</b>



**TAB 11**

# *State of South Carolina*

1333 Main Street, 5<sup>th</sup> Floor  
P.O. Box 1715  
Columbia, S.C. 29202-1715



TEL: (803) 737-5700  
[www.wcc.sc.gov](http://www.wcc.sc.gov)

## *Workers' Compensation Commission*

### *MEMORANDUM*

**TO:** COMMISSIONERS

**FROM:** Gary Cannon, Executive Director

**DATE:** August 28, 2023

**RE:** Request from Stephen Samuels, Esq.

Stephen Samuels, Esq. requested to appear before the Commissioners at the Business Meeting in August to discuss the recent changes to the Form 15.



STEPHEN B. SAMUELS  
P. JASON REYNOLDS  
C. DAVID BEALE, JR.  
MICHAEL R. PARKS  
ATTORNEYS AT LAW

July 26, 2023

**Via Electronic Correspondence**

[sdebruhl@wcc.sc.gov](mailto:sdebruhl@wcc.sc.gov)

The Honorable T. Scott Beck  
Commissioner  
South Carolina Workers' Compensation Commission  
1333 Main St.  
Columbia, SC 29201

Re: Revised Form 15

Dear Commissioner Beck:

I am writing on behalf of Injured Workers' Advocates to request permission for IWA representatives to address the Commission at the next Business Meeting on the recently revised Form 15.

Our membership is concerned over the inability to obtain a 60-day hearing unless (1) the claim is within the first 150 days; and (2) the Employer has filed and served a Form 15 (Section II) suspending or terminating temporary compensation. We believe Section 42-9-260 (C) requires the Commission to set a hearing within 60 days when requested by an "employee whose disability payments have been terminated or suspended . . ." The statute does not restrict this right to the first 150 days nor does it prevent a hearing when the employer does not comply with procedures set forth in the statute and regulations. By adding these procedural barriers, IWA believes the new Form 15 violates the statute, denies equal protection to claimants, and will be detrimental to the orderly administration of justice by the Commission.

Thank you for considering this request. I look forward to seeing you at the August business meeting. I am also available to discuss our concerns with you at your convenience.

With kindest regards, I am

Sincerely yours,

A handwritten signature in blue ink, appearing to read "SBS", is written over the typed name.

Stephen B. Samuels

SBS