

**MINUTES OF THE WORKERS' COMPENSATION SECTION
EXECUTIVE COMMITTEE
OF FEBRUARY 10, 2012**

I. CALL TO ORDER

Chair Dale Johnson called the Executive Committee (EC) to order at 12:15 p.m. at the Oregon State Bar office in Tigard, Oregon.

Committee members attending or absent were:

Exec Board Member	Present in Person	Present by Phone	Absent	Comments
Bloom, G. Duff			X	
Bohy, Ronald	X			
Cole, Norm	X			
Edmunson, James	X			
Fisher, Matthew	X			
Guarrasi, Robert	X			
Harrell, Tom		X		
Jacobson, Jacqueline	X			
Johnson, Dale	X			
Masters, Julie	X			
Oswald, John	X			
Parks, Carol	X			
Rock, Douglas			X	
Schoenfeld, Steven	X			
Semple, Keith			X	
Sencer, Nicholas			X	
VavRosky, Dennis			X	

II. MINUTES

A motion was made and seconded to approve the EC Minutes of January 13, 2011. The motion passed.

III. CHAIR'S REPORT

Dale Johnson.

Chair Johnson noted the following changes to the subcommittees:

Marty McKeown has joined the informal obituary committee. Due to lack of involvement with the section, Bob Yannity has decided to resign.

Dean Lederer has resigned from the nominating committee, and the remaining members are looking for his replacement.

The following members will be up for re-election to the executive committee this year: Dennis VavRosky, Steve Schoenfeld, Carol Parks, James Edmundson, and Tom Harrell. Chair Johnson will follow-up with Doug Rock to see whether he would like to continue on the committee for another term.

The members of the Legislative Rules committee are confirmed as follows:

David O. Wilson
ALJ Nick Sencer
Jim Edmundson
Keith Semple
Phil Garrow
Randy Elmer
Jeff Gerner
Dan Sato
Suzanne Gall
G. Duffy Bloom

The members of the Bench Bar committee are confirmed as follows:

ALJ Jill Reichers
Tom Harrell
Alison Lesh
ALJ Kate Donnelly
Kevin Barrett
Rob Kinney
Heidi Havercroft

The treasurer confirmed that the section will not make a donation to the Classroom Law Project this year.

Members discussed the possibility of increasing the membership fee. Any request for an increase must go before the BOG before September. John Oswald volunteered to look into the possibility of an increase, and the amounts charged by other sections.

IV. TREASURER'S REPORT

Julie Masters.

The preliminary report from the OSB indicated a shortfall of \$1140 for the year. The treasurer sent an e-mail to the Salishan committee as a reminder regarding the budget. The treasurer also adjusted the budget to accommodate for the shortfall in 2012.

V. COMMITTEE REPORTS

A. Salishan

The Salishan committee met on January 5, 2012 and February 8, 2012. The committee is being mindful of budgeting issues. Justice DeMuiz will be out of the country and cannot be the keynote speaker. The program includes the section business meeting, Judge McShane on evidence, Howard Nielson and Don Hooton on work disability, Dr. Albrecht on addiction, Krishna Balasubramani and Chris Slater on employment discrimination, Judge Wolheim on course and scope, and Dave Runner and Greig Lowell with the appellate update. The committee is still looking for another physician.

Brian Whitehead has agreed to donate a keg of beer, and Keith Semple has agreed to DJ the reception.

Sally Curey has gotten donations from LNW and IMO for \$500/each. Ron Bohy has confirmed \$2,500 in donations after sending approximately 40 letters to IMEs, vocational counselors, and court reports. Donations have been committed from SAIF, Star Medical, Integrity, ExamWorks, Bostwick Carter, and Sandy Krebs. The sponsors will be allowed to provide free pens, etc., and Star Medical will get extra billing in the Salishan materials for contributing directly to the section.

The Salishan committee also discussed how to honor ALJ Mundorff. ALJ Wren pointed out that re-naming the reception may not be appropriate because alcohol is served.

B. Communications

No report.

C. Daughtry Award of Merit

The committee received a few last minute applications. Three individuals have been nominated by four different people. The committee will be meeting on February 21st to discuss the application. The vote needs to be counted by written secret ballot, with a 2/3 vote required for approval. Matt Fisher will forward copies of the nominations to all members of the executive committee in preparation for a possible vote in March.

D. Legislative / Rules

Membership has been reconfigured, as noted above. The committee is considering splitting into two sub-groups, each with a co-chair. The committee will work to be in line with the OSB guidelines for legislative affairs. Legislature is currently in sessions, but no workers' compensation issues in development.

E. Bench / Bar Professionalism Committee

The committee is looking for feedback on the location. Kevin Barrett is looking into differences between the two locations, as well as different available spaces at Oregon Gardens.

F. Access to Justice

Bill Replogle presented in person. Mr. Replogle explained that the committee consists of four claimant's attorney, four defense attorneys and three ALJs. The committee meets nine times per year, usually in the first part of the month. The goal of the committee is to promote diversity within the section, and remove barriers to justice. Current issues involve finding ways to ease access for claimants to medical providers and for medical providers to have information about the system, and the lawyer referral service's 15% referral fee charge. The committee received a favorable response from Fred Bruns at the WCD regarding providing interpreters for medical arbiter examinations.

G. Going Forward

The DVD will be shown at Al Lyons workers' compensation class at Willamette University, and the committee is still hoping Margaret Weddell will allow them to show the video at Lewis & Clark College. The committee is focused on making workers' compensation more attractive to new and experienced practitioners as a practice area.

H. New Technologies

The Board's advisory committee met in Portland on February 9, 2012. The Board would like to encourage practitioners to use the online service to reduce work on staff answering phone calls. Issues under consideration include e-mail notification of CDA approval, publicizing the research tools available on the website, faxed and e-signatures, and the Board rules regarding online services for requesting a hearing or review.

I. Nominating

No report. Julie Masters noted that a new treasurer will be needed for 2013.

VI. OLD BUSINESS

No old business.

VII. NEW BUSINESS

No new business.

VIII. ADJOURNMENT AND NEXT MEETING

The Executive Committee Meeting adjourned at approximately 2:05 p.m.

The next meeting will be at 12:00 p.m. on March 9, 2012, at the Oregon State Bar office in Tigard.