

**MINUTES OF THE WORKERS' COMPENSATION SECTION  
EXECUTIVE COMMITTEE  
June 10, 2016**

**I. CALL TO ORDER**

Chair Tom Harrell called the Executive Committee (EC) to order at 12:04 p.m.

Committee members attending or absent were:

<b>Exec Board Member</b>	<b>Present in Person</b>	<b>Present by Phone</b>	<b>Absent</b>	<b>Comments</b>
Bohy, Ronald	x			
Caldwell, Katherine	x			
Chen, Bin			x	
Conratt, Linda			x	
DiCicco, Alana		x		
DiBartolomeo, Joe			x	
Frost, Christine			x	
Garrow, Phil		x		
Harrell, Tom	x			
Lesh, Allison		x		
Ogawa, Jenny	x			
Olney, Kathryn		x		
Oswald, John	x			
Schoenfeld, Steve		x		
Semple, Keith		x		
Smith, Bruce		x		
Wren, Geoffrey		x		
<b>TOTAL</b>				

**II. MINUTES**

A motion passed to approve the EC Minutes of the May 13, 2016 meeting.

### **III. Chair Report**

Tom Harrell will be on vacation at the time of the next July, 2016 EC meeting. Jenny Ogawa will step in to act as Chair for the July, 2016 EC meeting.

Allison Lesh and Jenny Ogawa went through the list of the Section members provided by the Bar. The members of the section are broken down by the following affiliation/practice area:

Claimant = 103  
Defense = 153  
Both sides = 3  
Independent = 23  
Government (ALJs, Board Members & staff attorneys, WCD, DOJ, etc.) = 25  
Retired = 3  
Inactive = 1  
Non-attorney = 4  
Unknown = 9

### **IV. Treasurer Report**

Ron Bohy reported that the Section had a balance of \$50,663. However, he sent checks paying various expenses: the Salishan bill, reimbursement to Holly for prizes, and Campaign for Equal Justice & Minority. After payment of expenses, the Section has a balance of \$28,600. The Section is down 23 members than was budgeted for in 2016 (which accounts for \$575 less in revenue).

The Salishan CLE received \$1,850 in donations from various sponsors: Bostwick, Carter & Kreir; Impartial Medical Opinions; OME; SAIF; Integrity. The Salishan CLE had budgeted for \$2,075 in sponsor donations.

A discussion was brought up that the Section should consider a contribution to "Kids Chance" (a 501 (c)(3) tax exempt charitable organization) out of the 2016 budget. Kids Chance awards scholarships to children of injured workers who died due to their on the job injuries or were catastrophically injured and disabled. A motion was presented to have the Section contribute \$500 to Kids Chance. The motion was seconded and passed.

Ron Bohy attended the Section Summit Webcast. The Bar is converting websites by December 31, 2016. The Bar's new CLE policy will start January 1, 2017: any CLE over 2 hours has to go through the Bar as a "co-sponsor". If the Bar co-sponsors the CLE, the Section does not have to pay any expenses. The Bar works with facilities, but the Section works on CLE content. If the CLE is a one day event, \$15 a head goes to the Section. If the CLE is a half-day event, \$8 a head goes to the Section. If the CLE is a two day event, the Bar and the Section split the CLE revenue 50/50. The

Section is not charged any cost to transfer content to the Bar website. But the Section needs a webmaster to transfer the content (our Section webmaster will be Julie Maters).

The Bar may not want to co-sponsor Salishan because of the narrow scope of the CLE to the workers' compensation practice. But the Section would still have to use the Bar registration services. The Bar is more interested to co-sponsor broader CLE programs with general interest for all Bar members (especially with webcasts to bring in Eastern Oregon practitioners). Free seminars do not require Bar co-sponsorship.

## **V. Committee Reports**

### **A. Salishan**

Allison Lesh stepped down from the Salishan committee. Sally Curey will chair the Salishan Committee next year (2017). Geoff Wren will be the liaison for the EC and the Salishan committee.

### **B. Professionalism Award**

No report.

### **C. Access to Justice**

This committee met on June 6, 2016. ALJ Keith Kekauoha plans to circulate in the next Bar News & Notes a solicitation of comments on language notice in response to the *Camacho* case. The committee is monitoring rules on time loss. The committee is also waiting on the ruling in *US v. Texas* challenging immigration policy (Dreamers) created by executive action by President Obama. The outcome of *US v. Texas* may impact Oregon's time loss entitlement depending on immigration status (ORS 656.335).

### **D. Bench/Bar**

The Salem Convention Center has been reserved. The Bench/Bar CLE date is 10/21/16. The CLE speakers have been finalized, but waiting on written material. The speakers topics will include: Elder Abuse, Liens (Tim Nay), and Judicial Ethics (Judge Egan).

The EC will meet 30 minutes prior to the CLE program.

### **E. Going Forward**

The committee and the Bar are co-sponsoring a CLE on September 29, 2016, for general practice tips and ethics in a workers' compensation practice. There will also be a new member section brown bag CLE at the end of September, 2016.

## **F. Legislative and Rules**

Keith Semple reported that no reason was given for the rejection of the proposed language submitted for statutory change regarding WCB Board Members qualifications that was discussed at the March, 2016 EC meeting.

## **G. New Technologies/Communications**

No report.

## **H. Nominations**

No report, except Section members have expressed interest on serving on EC committees. Tom Harrell will send out email to committee chairs to see if any committees need new members.

## **VI. Old Business**

None.

## **VII. New Business**

A question was brought up whether the Section should conduct some type of survey of what other States require when it comes to the formality of attorney fee petitions. Some practitioners may want to know whether there should be a separate proceeding for attorney fees (how do other State handle this issue). Tom Harrell will contact Holly Somers to see if the Board could use this information. If so, Tom may assign the survey to the Legislative Rules committee. A motion was presented to have Tom pursue this course. The motion was seconded and passed.

## **VIII. Adjournment and Next Meeting**

The Executive Committee Meeting adjourned at approximately 12:50 p.m.

The next meeting will be at 12:00 p.m. on Friday, July 8, 2016 at the offices of the Oregon State Bar.