

**MINUTES OF THE WORKERS' COMPENSATION SECTION
EXECUTIVE COMMITTEE
February 12, 2016**

I. CALL TO ORDER

Chair Tom Harrell called the Executive Committee (EC) to order at 12:14 p.m.

Committee members attending or absent were:

Exec Board Member	Present in Person	Present by Phone	Absent	Comments
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	
TOTAL	4	5	8	

II. MINUTES

A motion passed to approve the EC Minutes of the January 8, 2016 meeting, (with a spelling correction for Appaloosa). .

III. Chair Report

Chair Harrell previously forwarded, for review, the list from the Bar of people who did not renew their section membership for 2016. Katherine Olney provided to Chair Harrell her list of those she thought had retired. Chair Harrell will forward that list to the Board to add any other names to the list. Chair Harrell also reported that 44 members did not renew their membership. The section currently has 324 members, of which, 11 are new members.

Chair Harrell contacted Anna Zanolli, who will attend next month's meeting to discuss using the Bar's website services and to make recommendations.

IV. Treasurer Report

Ron Bohy e-mailed the preliminary Statement of Revenue and Expense for December 31, 2015. The ending fund balance is \$18,850. The January statement has not been published yet.

V. Committee Reports

A. Going Forward

Kes Joerg, CLE Seminars Planning Specialist, was present to discuss working with the Going Forward committee to co-sponsor a 2-hour general ethics CLE for new attorneys in September 2016. The CLE would be held at the Bar office. Available dates are Thursday, September 8, 15, 22, or 30.

If the Section co-sponsors with the Bar, then the CLE Seminars Dept. receives the revenue, pays the expenses, does all registration and logistics, webcasts the program, and house the program in its on-line library. We would be responsible for the schedule and speakers.

If the Section does the CLE on its own, then we keep the revenue, pay the expenses, and do all the logistics. The CLE Seminars Dept. would provide registration services for \$10/head.

Steve Schoenfeld moved to hold the CLE in September 2016, to be co-sponsored by the Bar. Motion passed. Chair Harrell subsequently moved to allow the Going Forward committee to select the date for the CLE. Motion passed.

Kes also mentioned that the Bar co-sponsored a CLE with the Section in 2011 regarding Workers' Comp basics and that the Bar would like to do the CLE again with the Section.

B. Bench/Bar

Chair Harrell moved to hold the Bench/Bar Forum on October 21, 2016 at the Salem Convention Center. Motion passed. The speakers will be 1) a District Attorney speaking on elder abuse; 2) Judge Egan speaking on judicial fitness; and 3) speaker TBD, who will speak on attorney liens.

C. Salishan

No report.

///

///

D. Professionalism Award

Keith Semple reported that the committee met on March 4. One nomination has been received.

E. Access to Justice

Bin Chen reported that the committee is in the process of completing the Legislative Proposal form regarding the translation of documents proposed rule.

The committee will be working on the following new projects:

- 1) Whether representing non-English proficient workers should be a factor in awarding attorney fees under OAR 438-015-0010(4).
- 2) Eliminate the restriction on time loss in ORS 656.325(5)(c) regarding workers who are "present in the United States in violation of federal immigration laws" when the employer knew or had good reason to know the worker's undocumented status.
- 3) Is access to justice obstructed by Managed Care Organizations?
- 4) Why are doctors afraid or unwilling to get involved with Workers' Compensation cases? How can we get younger doctors to take on these cases?

D. Legislative and Rules

Keith Semple reported the committee will meet on March 17 to discuss proposals that have been submitted for this Legislative session.

ALJ Bloom will be heading a subcommittee to draft proposed rules/LC regarding Board members be attorneys. The rules would likely mirror the language concerning other judicial appointments; *i.e.*, be members in good standing with the Bar.

E. New Technologies/Communications

Chair Harrell discussed whether to continue the newsletter on the current website or wait until transition to the Bar's platform. We should decide next meeting which committee member should be responsible for doing the newsletter.

H. Nominations

No report.

VI. Old Business

None

///

VII. New Business

None

VIII. Adjournment and Next Meeting

The Executive Committee Meeting adjourned at approximately 12:51 p.m.

The next meeting will be at 12:00 p.m. on Friday, March 11, 2016 at the offices of the Oregon State Bar.