

**MINUTES OF THE WORKERS' COMPENSATION SECTION  
EXECUTIVE COMMITTEE  
April 14, 2017**

**I. CALL TO ORDER**

Chair Jenny Ogawa called the Executive Committee (EC) to order at 12:04 PM.

EC 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, Kate	X			
Chen, Bin			X	
Conratt, Linda	X			
Dibartolomeo, Joe		X		
Fisher, Martin		X		
Frost, Christine		X		
Garrow, Phil	X			
Harrell, Tom			X	
Lesh, Allison			X	
Ogawa, Jenny	X			
Olney, Kathryn		X		
Oswald, John	X			
Patrick, Jovanna	X			
Semple, Keith		X		
Smith, Bruce		X		
Wren, Geoffrey		X		
<b>TOTAL</b>	<b>7</b>	<b>7</b>	<b>3</b>	

\*Members present by phone were inadvertently cut off at 1:16 PM.

**II. MINUTES**

The March minutes were approved with addition of specific criteria for professionalism award.

**III. CHAIR REPORT**

Video conferencing

Members of the OSB staff were present to demonstrate the OSB's current video conferencing capabilities. However, the OSB will be moving to a new platform in 2018

which will be the same platform used for CLEs. The EC decided to further investigate video conferencing for meetings and the associated costs once the new platform is in place.

### Nominees for 2018 EC

Joe DiBartolomeo plans to renew his membership on the committee. EC still needs two defense members and one claimant member. The nominations committee proposed the following possible new members: John Klor, Bill Replogle, and Carrie Wipplinger for defense-side, and Sydney Montanero, Colin Hackett, and Martie McQuain for claimant-side.

For the new defense members, a motion passed that Carrie Wipplinger and John Klor be approved as members.

For the new claimant member, upon motion a vote was conducted to approve either Martie McQuain or Colin Hackett. The vote was conducted with all members present voting. Colin Hackett received the majority of votes and was approved as a new member.

### Bar swearing-in

Chair Ogawa reported that an OSB representative will hand out postcards on behalf of the Workers' Compensation Section.

### OLIO sponsorship

OLIO has asked for sponsorship. In 2009 the section donated \$500 and donated \$250 in 2010. Ron Bohy's recollection was that there was no contribution in 2011 or 2012 and that in 2013 the section donated to the Classroom Law Project, Campaign for Equal Justice and Oregon Minority Lawyers Association. This year EC has budgeted for \$500 each to the Campaign for Equal Justices and Oregon Minority Lawyers Association.

Discussion was held about what OLIO is and what they do. They are the OSB's recruitment and retention for historically underrepresented groups. OLIO is run by the Diversity and Inclusion Program of the OSB. They hold a large event every year to support the minority student population in the law schools. The program provides seminars to help students with studying techniques, grants and scholarships for taking the bar exam and networking opportunities.

Treasurer Ron Bohy suggested if there is interest in OLIO contributions, it would be better to put in budget for 2018 rather than to pay this year. Ron thinks our current donations reflect our section's values. Chair Ogawa agreed and asked that members consider this in preparation for drafting next year's budget.

## Nomination for the Edwin J. Peterson Professionalism Award

The OSB wants to know if we want to put forth a nomination for the Edwin J. Peterson Professionalism Award. The deadline for submissions is June 14, 2017. Secretary Kate Caldwell will send the letter and criteria received from OSB to all EC members as soon as possible. Chair Ogawa will include this items on May's agenda.

## **IV. TREASURER REPORT**

Treasurer Ron Bohy reported that as of 3/31/2017, our fund balance was \$32,331. We have paid the deposit for the 2018 annual meeting at Salishan, which was \$2,000. We currently have 328 section members. He also reported that the plaques for Tom Harrell (past chair of EC) and Dale Johnson (recipient of the Professionalism Award) have been ordered.

## **V. COMMITTEE REPORTS**

### **A. Professionalism Award**

Ev Malagon will introduce this year's recipient, Dale Johnson.

### **B. Access to Justice**

Prior to the meeting, Jovanna Patrick emailed a summary of issues Access to Justice is working on so that EC could decide which to discuss with Lou Savage of WCD. Chair Ogawa reported that Lou will likely attend either the June or July meeting, depending on his schedule. Jovanna felt the key issues Access to Justice would like to address were: (1) ensuring that MCO lists are properly updated and that doctors are available; and (2) streamlining the approval of treatment process.

Chair Ogawa asked that the Access to Justice committee draft a memo to present in writing to Lou of how WCD might be able to help address these issues.

### **C. Salishan**

Geoff Wren reported that the Salishan Committee added a brief presentation on *Brown v SAIF*. Chair Ogawa noted that Salishan Committee member Sally Currey and inquired about recording this year's Salishan. Ron Bohy noted that recording costs are not in the Salishan budget for this year. Chair Ogawa asked Geoff to discuss the possibility of video recording future annual meetings with the Salishan.

## **D. Bench Bar Forum**

No report.

## **E. Going Forward**

John Oswald requested that EC approve the Going Forward Committee's plan to co sponsor a social event with the Young Lawyers Division. The event would likely be in late June or September of 2017. The purpose of the event is to bring visibility to our section. YLD will put in \$250. Treasurer Ron Bohy noted that there was no specific budget item for this, but that any contribution toward this would come out of the seminars budget category. A motion passed that EC contribute up to \$200 to the event. The Going Forward Committee was reminded that they will need to provide a receipt to Treasurer Bohy.

## **F. Legislative and Rules**

Keith Semple reported that the legislative session was winding down and there was nothing new at MLAC since his last report. There has been a lot of discussion about the WRME process, but it is now too late in the session to add a new bill.

He reported that there was a rulemaking advisory committee meeting scheduled for 4/20/17 to discuss changes based on *Brown* decision. The Division has already released some temporary rules in response to *Brown*.

## **VI. OLD BUSINESS**

### Section website

Kathryn Olney reported on several conversations she had with section members about the website. She talked with Julie Masters of SAIF and found that she has recruited Skylar Hall, also of SAIF, to help with maintaining the website. For the portion of the website with information about MLAC, she talked with Keith Semple and he thinks it will not be a problem to provide links to active bills. Skylar Hall said she can create links to join the section and the listserv, as well as a statement about the benefits of membership. Greig Lowell at the Board felt there would be no problem with providing a link for applying for ALJ or Board member position with brief descriptions of those positions.

## **VII. NEW BUSINESS**

John Oswald reported that he received a call from some national workers' compensation group (he wasn't sure of the name) seeking comment on the *Brown* decision. He did not return the call. EC agreed that it is not for this committee to say

anything regarding the impact or substance of that opinion. John will refer her to the OSB if she calls back.

#### **VIII. ADJOURNMENT AND NEXT MEETING**

The EC meeting adjourned at 1:22 PM.

The next meeting will be 5/12/2017 at 10:30 am at Salishan (in The Cellar).