

**MINUTES OF THE WORKERS' COMPENSATION SECTION  
EXECUTIVE COMMITTEE  
May 12, 2017**

**I. CALL TO ORDER**

Chair Jenny Ogawa called the Executive Committee (EC) to order at 10:32 am.  
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			at 11:07
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			
TOTAL	15		2	

## II. MINUTES

The April minutes were approved.

## III. CHAIR REPORT

### OMLA donation

On the agenda was the question of whether we will be donating to OMLA. Treasurer Ron Bohy reported that the OMLA donation is already in budget for \$500.

### CLE Feedback Request from Helen Hirschbiel

Prior to the meeting, Chair Jenny Ogawa forwarded members the following message from Helen Hirschbiel:

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Thanks to all of you who have been engaged and provided comments on section policy issues over the last two years. As you may recall, last December I wrote to inform section leaders of the Board of Governor's decision to delay implementation of the CLE co-sponsorship requirements. This decision was based on the response to a section-sponsored House of Delegates resolution to allow groups to opt-out of the co-sponsorship requirement. Ultimately the House of Delegates resolution could not be voted on, so the Board of Governors created a special committee to consider options moving forward.

The special committee, chaired by OSB President-Elect Vanessa Nordyke, discussed the basis for the co-sponsorship policy, feedback received from sections, and alternatives to the policy. The committee's broad discussion helped us refocus on the original goal -- to make sure we have a comprehensive, quality library of CLE materials available to all lawyers in the state.

With this in mind, the Board of Governors and I would like feedback on a possible compromise: Require co-sponsorship only once every three years. Benefits of this approach include:

- New programs would be available in most practice areas during each member's three-year MCLE compliance cycle.
- Sections would retain flexibility in hosting their own programs.
- Co-sponsored programs would almost always include live webcasting, a benefit for rural members and those who have difficulty attending in person.
- Co-sponsored programs offered on demand or on DVD will include captioning to make them more accessible to members with hearing disabilities.

I encourage you to discuss this compromise with your executive committee and share your feedback with me. If you would like a board member to attend one of your upcoming meeting to discuss the idea further, please let me know. All comments and suggestions will be shared with the board during their June 23 meeting.

Thank you in advance for your consideration.”

Helen Hierschbiel, CEO/Executive Director

[hhierschbiel@osbar.org](mailto:hhierschbiel@osbar.org)

503-620-0222, ext. 361

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Chair Ogawa asked the EC whether we have a response for Helen. After discussion, it was decided that Chair Ogawa will reach out to the Salishan and Bench Bar Forum committee heads to see whether they have any thoughts on the proposed compromise. Sally Curey, chair of the Salishan committee, previously stated about the Bar's initial co-sponsorship proposal that she did not think it would greatly affect our section.

Concerns were raised as to whether streaming the Salishan meeting would result in significantly fewer people attending in person. Treasurer Bohy reported that we generally just about break even with our Salishan expenses and revenue. Chair Ogawa will ask the Bar for more details about their newly proposed policies.

#### **IV. TREASURER REPORT**

Treasurer Ron Bohy reported that the April balance is not yet available. We have been paying money toward the Salishan expenses. Ron will provide the annual treasurer's report to the section at the annual meeting later today.

#### **V. COMMITTEE REPORTS**

##### **A. Professionalism Award**

Ev Malagon will be introducing Dale Johnson, this year's recipient of the Professionalism Award.

## **B. Access to Justice**

Lou Savage will attend the July EC meeting to discuss some of the issues raised by the Access to Justice Committee. Chair Ogawa will forward the summary of issues prepared by Jovanna Patrick on behalf of Access to Justice to Lou and the EC members.

## **C. Salishan**

This year's Salishan conference is today. The down payment for next year has been paid. A new company owns the Salishan resort and the general consensus was that things seemed to be running smoothly.

The issue of possible relocation of the annual meeting and CLE was again raised. The main contenders for alternate venues would be Skamania and Sunriver. If the CLE was moved to Skamania, the annual meeting would have to occur at Bench Bar Forum so that it occurred within the state. Because the annual meeting must be held before a certain point in the year if the section is going to vote to raise dues, Bench Bar Forum would potentially have to occur earlier in the year. The committee will look into the options and continue to discuss.

Also discussed were the low numbers of Salishan conference attendees who typically provide feedback via the written surveys provided each year. Jovanna suggested that perhaps in the future these could be done electronically.

## **D. Bench Bar Forum**

No report.

## **E. Going Forward**

John Oswald reported that the Going Forward committee was scheduled to have their next meeting this weekend. They do not yet have a date for the summer social. Kathryn Olney reminded him to send the date, once set, to Skylar Hall at SAIF for section website.

## **F. Legislative and Rules**

Keith Semple reported that all the bills that passed through MLAC are now passed into law. The MLAC website has a list. The most significant are: (1) changes to PTD benefits (previously capped at 100% of the state average weekly wage) are now capped at 133% of the state average weekly wage; and, (2) alterations to the fatality benefits.

Kathryn reminded Keith to get information regarding legislation and rules to Skylar for the section website.

## **VI. OLD BUSINESS**

### Website update

Linda Conratt reported that she would be taking photos of past Professionalism Award recipients during the Salishan conference for adding to the section website.

## **VII. NEW BUSINESS**

None.

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

The EC meeting adjourned at 11:09 am.

The next meeting will be June 9, 2017 at noon at the OSB offices.