

Maryland Workers' Compensation Commission
Meeting Minutes
Thursday May 23, 2024

Call to Order: Chairwoman Maureen Quinn called the meeting to order at 9:30 a.m.

Present: Chairwoman Maureen Quinn and Commissioners Kathleen Evans, James Forrester, Allan Kittleman, Morrisann Martin, Howard Metz, Ju Oh, and Delia Schadt.

Staff Members Present: Mary Ahearn, Chief Executive Officer, Theresa Cornish, Chief Operating Officer, Dr. Jerome Reichmister, Medical Director, Stacey Roig, Director of Insurance, Compliance, and Reporting Division, and Elizabeth Fletcher, Secretary of the Commission.

Approval of Minutes: The Minutes of the Commission meeting on May 9, 2024, were reviewed by the Commissioners. Upon motion of Commissioner Kittleman and seconded by Commissioner Martin, the Minutes were approved with a unanimous vote.

Closed Session: At 9:35 a.m., upon motion of Commissioner Kittleman seconded by Commissioner Martin and upon unanimous vote, pursuant to GP §§3-305(13), LE §§9-402, 9-403, 9-406, and 9-1104, and COMAR 14.09.13.12, the Commission entered into a closed session for the purpose of discussing self-insured employers' financial information.

ICR Report: Stacey Roig, Director of the Insurance, Compliance and Reporting Division, advised the Commissioners of the withdrawal of UPS Ground Freight, Inc.'s request for a reduction of their security deposit at this time.

Open Session: At 9:40 a.m., upon a motion from Commissioner Kittleman and second from Commissioner Evans, and upon a unanimous vote, the Commission re-opened the meeting.

Chair's Report: Chairwoman Quinn discussed the goal of sustaining a competitive, profitable, and stable market for workers' compensation insurance. She noted that the market's potential collapse would likely arise from the state of the private insurance sector rather than the economy. She updated the Commissioners on the legislature's creation of a task force to dissolve the Uninsured Employers Fund (UEF), and mentioned that, upon our recommendation, the Chair of the Maryland Insurance Agency (MIA) Commission has been invited to participate. However, with the MIA Commission Chair retiring on June 30th and no successor yet appointed, the task force has appointed an MIA representative to work with Chairwoman Quinn. The Governor's Workplace Fraud committee plans to reconvene, following a delay caused by the Key Bridge collapse, with the next meeting set for May 31, 2024. Chairwoman Quinn inquired about the Maryland State Bar Association (MSBA) meeting from Commissioner Schadt, who enthusiastically reported the MSBA's induction of new, young, and eager members. Chairwoman Quinn also brought to the commissioners' attention the challenges with non-Spanish interpreters and encouraged them to report any courtroom issues to Dorothy Smith, Deputy Director of the Support Services Division.

Old Business: There was no old business.

New Business: Commissioner Martin discussed Kid's Chance Foundation's efforts to provide scholarships for children of deceased or permanently disabled workers. She encouraged the Commissioners to inform attorneys about the services Kid's Chance offers for their clients' dependents when appropriate. She noted the foundation has substantial funds for scholarships and is actively promoting its services. The foundation is reorganizing with new, enthusiastic members poised to make significant contributions. Commissioner Martin announced the annual Gala will take place on October 17, 2024, at the Museum of Industry, with business attire required. Commissioner Evans reminded her colleagues of her absence at the previous meeting discussing postponements and Commission statistics. Mary Ahearn clarified that awards should be issued within thirty days of the decision, and delays beyond this period adversely affect the statistics.

Medical Alerts: Dr. Jerome Reichmister presented an article to the Commissioners titled "Long COVID – ACOEM Guidance Statement," from the April 2024 Journal of Occupational and Environmental Medicine, discussing the evaluation of workers' compensation claims related to long COVID. He reported an uptick in total knee replacements among patients who had prior arthroscopic surgery for meniscal tears, noting that such surgery may be unnecessary for asymptomatic patients. Dr. Reichmister also referenced a study indicating Taiwanese workers exposed to industrial chemicals have an increased diabetes rate. Additionally, he mentioned a comprehensive study examining talcum powder's link to cancer, which found minimal evidence of talcum powder being a sole cancer cause.

Adjournment: Upon a motion by Commissioner Forrester and seconded by Commissioner Schadt and upon a unanimous vote, the meeting adjourned at 10:15 a.m.

Maureen Quinn, Chairwoman

Elizabeth Fletcher, Secretary