

**MINUTES OF THE ILLINOIS WORKERS' COMPENSATION COMMISSION
IWCC CHICAGO OFFICE, ORAL ARGUMENT ROOM
HELD ON SEPTEMBER 26, 2008
OPEN SESSION**

Present at the meeting were:

Dennis R. Ruth, Chairman
Arbitrator Gerald Jutila
Commissioner Mario Basurto
Commissioner James DeMunno
Commissioner Yolaine Dauphin
Commissioner David Gore
Commissioner Kevin Lamborn
Commissioner Nancy Lindsay
Commissioner Molly Mason
Commissioner Paul Rink
Commissioner Barbara Sherman

IWCC staff present at the meeting were:

Ms. Kathryn Kelley, General Counsel

Participants via conference call at the meeting were:

Mr. Glen Boyle, Medical Fee Schedule Project Manager

Chairman Ruth called the meeting to order at 2:00 p.m. A previously prepared agenda is attached.

Chairman Ruth introduced and welcomed Gerald Jutila as the new Chairman, effective October 3, 2008. Chairman Ruth indicated that Glen Boyle, the Commission's medical fee schedule consultant, was available at the meeting via telephone to answer any questions from the Commissioners.

Upon motion by Chairman Ruth, seconded by Commissioner DeMunno, the minutes of the Commission meeting held on February 21, 2008 were unanimously approved with one correction: the word "Council" on page 1 was corrected to "Counsel."

Chairman Ruth indicated that the proposed rules (Amendments to Section 7110.90, Illinois Workers' Compensation Medical Fee Schedule (proposed 32 Ill. Reg. 3213, March 7, 2008) and instructions and guidelines include new fee schedules for hospital outpatient, including radiology, pathology and laboratory, physical medicine and rehabilitation and hospital outpatient surgical facility. He stated that the proposal also includes fee schedules for ambulatory surgical treatment centers and rehabilitation

hospitals. He stated that the instructions and guidelines include examples of how to apply the schedule.

Chairman Ruth indicated that the Commission held two hearings on the fee schedule and received comments during the first notice period which were distributed to the Commissioners with suggested changes. He indicated that the changes include language changes, "wordsmithing", and adding examples to the instructions and guidelines which show how to apply the fee schedule.

Commissioner Rink moved to approve and adopt the changes to the medical fee schedule rules and instructions and guidelines, seconded by Commissioner DeMunno. The Commission unanimously approved the changes.

Chairman Ruth indicated that the Commission would submit the rules to JCAR for the second notice period and the Commission will try to file the rules by December 1, 2008.

Chairman Ruth indicated that there is an imbalance in the Commissioners' caseload to correct the imbalance by assigning cases to each Commissioner based on how many staff attorneys are in his or her office.

Commissioner Mason announced that she will be getting another staff attorney, Emily Meehan, next week.

Upon motion duly made, seconded and unanimously carried, the Commission went into closed session to discuss personnel issues. The Commission reconvened in open session at 3:10 p.m. There being no further business, the meeting adjourned.