

**Workers' Compensation Advisory Board**  
**June 17, 2008 OPEN Meeting Minutes**  
**Illinois Workers' Compensation Commission, Chicago**  
**1:30 p.m.**

Those present at the meeting were:

Dennis R. Ruth, Chairman of the Commission  
Michael Carrigan, Illinois AFL-CIO  
Dave Menchetti, Cullen, Haskins, Nicholson, & Menchetti  
Kim Presbrey, Presbrey & Associates  
Dave Vite, Illinois Retail Merchants Association

Members Attending Via Conference Call

Mark Flannery, Caterpillar, Inc.  
Kim Maisch, National Federation of Independent Businesses

Also Present

Amy Masters, Secretary of the Commission

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Chairman Ruth called the meeting to order at 1:40 p.m.

Upon motion duly made, seconded and unanimously carried, the minutes of the meeting held on April 1, 2008, were approved with 2 minor corrections regarding name spelling and grammatical change.

Chairman Ruth provided a legislative update, first discussing the Insurance Compliance department and the Illinois Workers' Benefit Fund. He presented more detailed information which was recently posted on the Commission web site regarding insurance compliance issues, along with an injured workers' benefit form to further inform the public about the fund and insurance compliance issues.

The Chairman noted the fund has been named this year in over 400 pending cases. When the fund is named, the Insurance Compliance department investigates employers and where appropriate, seeks fines and collects unpaid benefits on these cases. Mr. Vite inquired if the fund has been swept or is in danger of being swept. Chairman Ruth indicated the fund has not been swept, but encouraged all board members to discuss with their legislative contacts the importance of the fund to ensure this does not occur in the future.

Chairman Ruth added the Insurance Compliance department is currently in the process of interviewing applicants for downstate and Chicago investigator positions to assist with employer investigations across the state and community outreach efforts.

The Chairman noted the board should receive an annual report shortly from the Division of Insurance Fraud Unit. Preliminary numbers provided by unit manager Buzz Walsh indicate that the unit has attained 2 convictions: one involving an injured employee using a fraudulent off-work slip, and another regarding an employee who in fact received jail time, although that was in part due to a prior felony record. Additionally, more than 20 other indictments have occurred statewide where cases are currently being prosecuted.

Next Chairman Ruth discussed the medical fee schedule indicating the proposed fee schedules including hospital outpatient, ambulatory surgical facility treatment center, and radiology, path, lab, physical medicine & rehabilitation services will result in 90% coverage of treatment within the defined benefit amount based on geozip. He also invited all interested members to the upcoming medical fee advisory board meeting to be held on June 19, 2008. He also indicated the key issue to the medical fee schedule in regards to cost savings is tying medical fees to the consumer index, which the new schedules do.

Chairman Ruth also discussed implementation of the third panel of commissioners and indicated the Commission is very close to resolving regular cases on review within one year, and he anticipates they will meet this goal in the near future. He indicated the Commission needs to focus on improving resolution time of 19B cases. Mr. Vite inquired as to the parties' role in delaying cases on review, and Mr. Menchetti noted that the administration places more emphasis on requiring parties to move cases along. The Chairman did indicate that when a party seeks to continue a case the Commission is unable to meet timelines.

Additionally, Chairman Ruth presented online case docket information to the board, and noted that detailed contract and award information is now also available to anyone accessing the Commission web site.

Upon motion, the board went into closed meeting at 2:05 p.m.

The board returned to open meeting at 2:50 p.m.

Upon motion, the Advisory Board meeting was adjourned at 2:50 p.m.