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## **WORKERS' COMPENSATION REVIEW COMMITTEE**

Tuesday and Wednesday, March 29-30, 2022  
Harvest Room, State Capitol  
Bismarck, North Dakota

Senator Scott Meyer, Chairman, called the meeting to order at 12:00 p.m.

**Members present:** Senators Scott Meyer, JoNell A. Bakke\*, Curt Kreun; Representatives Dan Ruby, Mary Schneider, Greg Stemen

**Members absent:** None

**Others present:** See [appendix](#)

*\*Attended remotely*

**It was moved by Senator Kreun, seconded by Representative Ruby, and carried on a voice vote that the minutes of the October 26, 2021, meeting be approved as distributed.**

### **CLAIM REVIEW**

The committee reviewed seven workers' compensation claims brought to the committee by injured employees for the purpose of determining whether changes should be made to the statutes relating to workers' compensation as provided for under North Dakota Century Code Section 54-35-22. For each of the claim reviews, the committee received a summary by Ms. Patsy Peyerl, Constituency Services, Workforce Safety and Insurance (WSI), of the injured employee's claim; a presentation by the injured employee of the claim and issues; and a response by a representative of WSI.

#### **Hubert Carter**

##### **Claim Summary**

Chairman Meyer called on Ms. Peyerl to provide a summary of Mr. Hubert Carter's workers' compensation claim. Ms. Peyerl noted:

- Mr. Carter filed a claim for a lumbar injury sustained from a slip and fall occurring at work on February 27, 2019, while employed as a facilities maintenance worker for the North Dakota Association of Counties.
- Mr. Carter was treated at Catholic Health Initiatives on March 4, 2019, and was diagnosed with lumbar pain and contusion. He was placed on light duty. He was treated a second time on March 11, 2019, and received a release to full duty. Workforce Safety and Insurance issued a notice of decision accepting the claim on March 15, 2019, and paid the associated medical benefits.
- In January 2021, WSI received notification that Mr. Carter was treated again on January 4, 2021.
- WSI issued a notice of decision ending benefits on January 7, 2021, for no further payments on the claim after March 11, 2019. The medical treatment from January 4, 2021, was not considered part of his 2019 lumbar spine injury.
- Mr. Carter appealed the decision on January 19, 2021. In his request for reconsideration, Mr. Carter indicated his lumbar spine injury never completely healed.

##### **Mr. Carter's testimony**

Chairman Meyer called on Mr. Carter to review his claim and discuss the issues related to his claim. Mr. Carter noted:

- WSI's claim process was designed to protect WSI and employers, with no regard for the injured employee.

- WSI would not respond to calls and was very difficult to contact.
- Physicians should be honest when reporting to WSI.

### **Workforce Safety and Insurance Response**

Chairman Meyer called on Ms. Anne Green, Staff Counsel, Workforce Safety and Insurance, to respond to the issues raised by Mr. Carter. Ms. Green noted:

- Section 65-01-11 provides the claimant has the burden of proving by a preponderance of the evidence the claimant is entitled to benefits.
- Section 65-01-02 defines a compensable injury as an injury by accident arising out of and in the course of hazardous employment which must be established by medical evidence supported by objective medical findings.
- WSI's physician advisor completed a medical review on January 20, 2021, and opined there did not appear to be any physical impairment at that time and the current treatment in 2021 was not related to the work incident. There was no objective evidence suggesting a correlation to the 2019 work incident that had resolved. Mr. Kevin Garret, Nurse Practitioner, Sanford Occupational Medicine Clinic, Fargo, opined the current symptoms were not related to the work injury incurred February 27, 2019.

### **Laurie Berck**

#### **Claim Summary**

Chairman Meyer called on Ms. Peyerl to provide a summary of Ms. Laurie Berck's workers' compensation claim. Ms. Peyerl noted:

- Ms. Berck filed a claim for a slip and fall on the ice on December 26, 2018, while working as a branch manager for Edward D. Jones in Jamestown. Ms. Berck sustained fractures to her pelvis and ribs and a right hip sprain.
- WSI began paying temporary total disability on December 26, 2018. On February 7, 2019, WSI received notice that Ms. Berck returned to work, part time for 4 hours per day. Due to ongoing medical issues, Ms. Berck was removed from work, and reinstated to temporary total disability benefits effective February 15, 2019.
- In March 2019, Ms. Berck began to report severe pain and issues from her groin and into the legs. Workforce Safety and Insurance coordinated a referral to a pain management provider in April 2019 to assist Ms. Berck in the management of her pain. At the time of the referral, referrals to different pain management providers were subject to long delays.
- In June 2019, WSI referred Ms. Berck's file for vocational rehabilitation services within WSI. Edward D. Jones terminated Ms. Berck's employment on June 24, 2019, because her work restrictions could not be accommodated and it was not known if or when those restrictions would be released.
- In June 2020, Dr. Krissondra Klop indicated Ms. Berck was released to regular duty. On July 2, 2020, WSI issued a notice of intent to discontinue benefits ending temporary total disability on July 23, 2020, due to the release to regular duty. Ms. Berck disagreed with the regular duty release because she needed to be able to lie down during the day.
- On March 5, 2021, WSI issued a reapplication to Ms. Berck as she relayed a change in her restrictions as provided by Dr. David Saxon, Sanford Occupational Medicine. Dr. Klop noted although she did not transfer care to Dr. Saxon, she agreed with the new restrictions put in place on February 15, 2021.
- Ms. Berck requested WSI approve a referral to Dr. Elkwood, a provider on the East Coast. WSI did not approve the referral as Ms. Berck was established with Dr. Castellanos and if a further opinion were needed, WSI would consider a referral to Mayo Clinic's Chronic Pelvic Pain Clinic through the Department of Gynecology.
- On April 12, 2021, WSI issued a notice of decision denying the reapplication on the basis Ms. Berck did not have a significant change or substantial worsening of the condition. Workforce Safety and Insurance determined an increase in pain was not considered a substantial worsening of the condition.
- Ms. Berck filed a request for reconsideration on May 7, 2021. Workforce Safety and Insurance entered a settlement agreement with Ms. Berck in efforts to resolve the denied reapplication issue.
- WSI issued the stipulated agreement on September 8, 2021. Terms of the stipulated payment included 2 years of temporary partial disability payment on a retained earnings capacity. Mr. Dean Haas, attorney, represented Ms. Berck. The signed stipulation provided for resolution of all previously appealed claims.

- The stipulation provided WSI would pay Ms. Berck temporary partial disability starting July 1, 2021, based on her recurrent average weekly wage of \$779 on a retained earnings capacity of \$388 per week, WSI would continue to identify a vocational plan for Ms. Berck, and the earnings capacity of \$388 would end if her vocational plan would outline a higher option of return to work.

### **Ms. Berck's testimony**

Chairman Meyer called on Ms. Berck to review her claim and discuss the issues related to her claim. Ms. Berck noted:

- If a local physician is not familiar with a disease or medical condition, WSI should make an immediate referral to a specialist.
- WSI should rely on the injured employee's medical provider's recommendations.
- Vocational training should not be mandatory if the injured employee is already working at a job paying a higher hourly rate than the job the injured employee had when the injury occurred.
- Mental health conditions resulting from a work injury, such as anxiety and depression, should be addressed and be part of the care received through WSI.

### **Workforce Safety and Insurance Response**

Chairman Meyer called on Mr. Timothy Wahlin, Chief of Injury Services, Workforce Safety and Insurance, to respond to the issues raised by Ms. Berck. Mr. Wahlin noted:

- Section 65-01-02 defines a compensable injury to include a mental or psychological condition caused by a physical injury, but only when the physical injury is determined with reasonable medical certainty to be at least 50 percent of the cause of the condition as compared with all other contributing causes combined, and only when the condition did not pre-exist the work injury.
- Section 65-02-20 provides WSI is obligated to establish a managed care program to effect the best medical solution for an injured employee in a cost-effective manner and if an employee, employer, or allied health care professional disputes a managed care decision, the employee, employer, or allied health care professional shall request binding dispute resolution on the decision.
- Section 65-02-20 provides disability benefits are reinstated upon proof by the injured employee that the employee has sustained a significant change in the compensable medical condition. Dr. Klop and Dr. Henzler did not indicate there was a significant change in the compensable injury. The medical notes indicated there was groin and bilateral medial thigh pain. Pain is a symptom and may be considered in determining whether there is a substantial acceleration or substantial worsening of a condition but pain alone is not a substantial acceleration or substantial worsening.
- Section 65-05-08 provides a presumption may not be established in favor of any health care provider's opinion. Workforce Safety and Insurance must resolve conflicting medical opinions and in doing so WSI must consider factors, including the nature and extent of the treatment relationship, the amount of relevant evidence in support of the opinion, and whether the health care provider specializes in the medical issues related to the opinion.
- WSI is a payor and does not treat or diagnose an injured employee.
- WSI follows the physician-ordered treatment plan and recommendations.

### **Luis Gomez**

#### **Claim Summary**

Chairman Meyer called on Ms. Peyerl to provide a summary of Mr. Luis Gomez's workers' compensation claim. Ms. Peyerl noted:

- Mr. Gomez has two claims to be reviewed.
- The first claim is a claim for Clostridium Difficile Colitis with an exposure date listed of October 4, 2016. Mr. Gomez claimed because of his work in a health care setting, he became colonized with this bacteria.
- On March 10, 2017, WSI issued a notice of decision denying the claim. Workforce Safety and Insurance determined the bacterial infection was a disease common to the public.
- WSI and Mr. Gomez entered a stipulated agreement to resolve the issue. Workforce Safety and Insurance issued a stipulated agreement on November 6, 2017, agreeing to pay Mr. Gomez's medical expenses from December 9, 2016, through April 13, 2017.

- The second claim is a claim for positive SARS-CoV-2 (COVID-19) exposure. Mr. Gomez asserted his positive status stemmed from work-related coworker exposure.
- Medical documentation dated September 14, 2020, outlines Mr. Gomez's continuous exposure to coworkers over lunch, and his coworkers tested positive for COVID-19. Mr. Gomez tested positive for COVID-19 on September 14, 2020.
- On September 21, 2020, WSI issued a notice of decision denying the claim. The notice of decision indicated Mr. Gomez's COVID-19 exposure, and required quarantine, were not the result of direct patient care exposing him to COVID-19.
- In March 2020, Governor Doug Burgum issued an executive order providing workers' compensation coverage for COVID-19 exposure, to certain groups under specific circumstances, including medical providers extending direct patient care exposing employees to COVID-19.
- Before the hearing on the denial, WSI and Mr. Gomez reached a settlement agreement. On May 28, 2021, WSI issued a stipulated settlement for a lump sum payment of \$1,900 to resolve the issue. The payment was a full and complete settlement of the dispute and issue.

### Mr. Gomez's testimony

Chairman Meyer called on Mr. Gomez to review his claim and discuss the issues related to his claim. Mr. Gomez noted:

- WSI's medical supervisor should sign off on decisions made by WSI and the medical supervisor's credentials should be reviewable by the injured employee.
- A decision made by WSI denying benefits should list when and where the meeting reaching the decision was made and include the initials of the people involved in the meeting. This would give more legitimacy to the reason for the denial.
- It is challenging finding North Dakota attorneys to handle workers' compensation claims. North Dakota should have more attorneys representing injured employees for a reasonable fee.

### Workforce Safety and Insurance Response

Chairman Meyer called on Ms. Jodi Bjornson, General Counsel, Workforce Safety and Insurance, to respond to the issues raised by Mr. Gomez. Ms. Bjornson noted:

- Section 65-01-02 excludes from the definition of a compensable injury ordinary diseases of life to which the general public outside of employment is exposed or preventive treatment for communicable diseases.
- Governor Burgum's Executive Order 2020-12 required the injured employee to demonstrate the infection resulted from a work-related exposure.

### Barbara Landa

#### Claim Summary

Chairman Meyer called on Ms. Peyerl to provide a summary of Ms. Barbara Landa's workers' compensation claim. Ms. Peyerl noted:

- Ms. Landa filed a claim for lumbar sprain and strain occurring on June 20, 2001, while trying to reposition a patient. At the time of the injury, Ms. Landa was a registered nurse of 19 years with Altru Health System. On July 5, 2001, WSI issued a notice of decision accepting the claim.
- Ms. Landa was removed from work by her employer due to her back injury. Workers Safety and Insurance issued temporary total disability benefits beginning January 23, 2002, through March 8, 2003. Ms. Landa returned to work on light duty with a 5- to 6-hour release per day, which resulted in WSI paying temporary partial disability March 9 through May 3, 2003. Ms. Landa was determined to be at maximum medical improvement effective July 2, 2003.
- In April 2005, Ms. Landa filed a new claim for the lumbar spine. Workforce Safety and Insurance consolidated the new claim with her June 20, 2001, claim. Workforce Safety and Insurance viewed the April 2005 claim as an exacerbation of her 2001 injury. In February 2006, Ms. Landa had another work-related injury to her lumbar spine for which she filed a new claim with WSI. Workforce Safety and Insurance consolidated this new claim filing with the 2001 work injury claim.
- Ms. Landa continued having issues with her lumbar spine. She filed with WSI a reapplication for wage loss benefits on January 4, 2010. Workforce Safety and Insurance accepted the reapplication and began paying total temporary disability benefits effective December 19, 2009. Ms. Landa returned to work full time on

February 5, 2010. From 2013 until 2020, Ms. Landa experienced flare-ups of her lumbar spine injury and sought treatment under her WSI claim.

- WSI began receiving medical notes and bills in early 2020 which indicated diagnoses of lumbar radiculopathy, degenerative disc disease, and stenosis. These were medical conditions not accepted under the original lumbar sprain injury.
- WSI requested an independent medical review to examine if the conditions were related to the original work injury. The findings of the independent medical review indicated Ms. Landa's ongoing medical treatment and diagnoses were not related to her original work injury. The review concluded her original work injury of June 20, 2001, resolved by July 10, 2001.
- On December 15, 2020, WSI issued a notice of decision ending benefits.
- WSI issued a copy of the independent medical review to Ms. Landa's treating provider on November 25, 2020, who responded Ms. Landa's current medical treatment probably stemmed not just from this one WSI claim, but her other WSI claim filings.

#### **Ms. Landa's testimony**

Chairman Meyer called on Ms. Landa to review her claim and discuss the issues related to her claim. Ms. Landa noted:

- The lack of an adequate explanation in light of the issues brought to WSI's attention gives the impression the process is used as a pretext to eliminate injured employees from having claims accepted.
- WSI's communication process could be improved by answering and addressing an injured employee's questions and concerns in a clear manner whenever a claim is denied.
- The questionnaire WSI sends to physicians inquiring about an injured employee's diagnosis, treatment, and cause should be reviewed so there is not an appearance of bias in the manner the questions are phrased.

#### **Workforce Safety and Insurance Response**

Chairman Meyer called on Mr. Wahlin to respond to the issues raised by Ms. Landa. Mr. Wahlin noted:

- Section 65-01-02 provides a compensable injury is not only an injury by accident arising out of and in the course of hazardous employment but one that must be established by medical evidence supported by objective medical findings.
- WSI follows a physician's treatment plan, recommendations, opinions, and diagnosis for purposes of accepting or denying claims and determining benefits. The physician determined Ms. Landa's new injury was related to natural body degeneration and was not related to her original work injury.

### **Jim Quam**

#### **Claim Summary**

Chairman Meyer called on Ms. Peyerl to provide a summary of Mr. Jim Quam's workers' compensation claim. Ms. Peyerl noted:

- Mr. Quam has three claims for review. He requested the assistance of the WSI Decision Review Office on each WSI order issued. The Decision Review Office issued certificates of completion with no change in decision on all Mr. Quam's orders.
- Due to the voluminous documents, convoluted background information, and time constraints, Mr. Quam's entire file was provided to the committee for review and the relevant documents tabbed.

#### **Mr. Quam's testimony**

Chairman Meyer called on Mr. Quam to review his claim and discuss the issues related to his claim. Mr. Quam noted:

- WSI should be more helpful in assisting injured employees through the claims process.
- WSI should not cherry-pick which medical provider opinions WSI accepts.
- WSI's claim and appeal process is unacceptable and difficult to navigate, which is why there are no attorneys in North Dakota willing to take a case against WSI.
- WSI should take the injured employee's opinion into consideration, not just the opinion of the treating physician or WSI's internal medical personnel.

### Workforce Safety and Insurance Response

Chairman Meyer called on Ms. Bjornson to respond to the issues raised by Mr. Quam. Ms. Bjornson noted:

- WSI regularly encounters several North Dakota attorneys who represent WSI claimants. Those attorneys represent injured employees at hearings and appear to be available for cases. There does not appear to be an attorney shortage within the scope of workers' compensation law in North Dakota.
- Section 65-01-02 provides a compensable injury is not only an injury by accident arising out of and in the course of hazardous employment but one that must be established by medical evidence supported by objective medical findings.
- Section 65-05-08.3 provides a presumption may not be established in favor of any health care provider's opinion. Workforce Safety and Insurance must resolve conflicting medical opinions and in doing so WSI must consider factors, including the nature and extent of the treatment relationship, the amount of relevant evidence in support of the opinion, and whether the health care provider specializes in the medical issues related to the opinion.
- WSI is a payor and does not treat or diagnose an injured employee.

### Adam Sommer

#### Claim Summary

Chairman Meyer called on Ms. Peyerl to provide a summary of Mr. Adam Sommer's workers' compensation claim. Ms. Peyerl noted:

- On March 10, 2019, Mr. Sommer was working as a technician for Interstate Power Systems when he slipped in the parking lot. At that time, he felt a tearing or pull in the left groin. He was treated by Dr. Ackerman, Essentia, on March 12, 2019, and was diagnosed with an inguinal hernia.
- In the compensability review of the claim, WSI issued correspondence to Mr. Sommer's treating surgeon, Dr. Gebur, to address the causation of the hernia. Dr. Gebur responded to WSI stating he had no evidence to not believe the slip caused the hernia.
- On April 26, 2019, WSI issued a notice of decision denying the claim. Workforce Safety and Insurance's physician advisor indicated the treating provider could not provide an objective reasoning for the hernia being a work-related incident.
- At the time of the compensability review, Mr. Sommer indicated to WSI he was not seeing the designated medical provider of his employer for the inguinal hernia.
- WSI issued an administrative order on June 25, 2019, denying the claim for an inguinal hernia. A secondary finding with the order stated that if it is later found his employment is the cause of the hernia, workers compensation benefits remain denied from March 10, 2019, to March 28, 2019, because Mr. Sommer did not seek treatment from the employer's designated medical provider during this period, nor did he select his own provider in writing before March 10, 2019.
- The administrative law judge's final order affirmed the medical treatment from March 10, 2019, to March 28, 2019, is not compensable because Mr. Sommer did not use his company's designated medical provider. Mr. Sommer returned to his company's designated medical provider network before being referred back to his original nondesignated medical provider. Due to this noncovered designated medical provider period, Mr. Sommer's hernia repair on March 28, 2019, was not paid by WSI.

#### Mr. Sommer's testimony

Chairman Meyer called on Mr. Sommer to review his claim and discuss the issues related to his claim. Mr. Sommer noted:

- Workers are not taught workers' compensation law or protocol by their employers. It is unfair for injured employees to be held accountable for work injuries and claims when their employer does not provide them with a workers' compensation handbook or explain what the process is after a work accident occurs.
- His employer did not refer him to the designated medical provider.
- Employers should be more helpful in assisting an injured employee through the claims process instead of being worried about their rating being increased.

### Workforce Safety and Insurance Response

Chairman Meyer called on Mr. Wahlin to respond to the issues raised by Mr. Sommer. Mr. Wahlin noted:

- Section 65-05-28.2 provides during the first 30 days after a work injury, an employee of an employer that has selected a preferred provider under this section may seek medical treatment only from the preferred provider for the injury. Treatment by a provider other than the preferred provider is not compensable and WSI may not pay for treatment by a provider that is not a preferred provider, unless a referral was made by the preferred provider.
- A provider that is not a preferred provider may not certify disability or render an opinion about any matter pertaining to the injury, including causation, compensability, impairment, or disability.
- An employee of an employer that has selected a preferred provider may elect to be treated by a different provider provided the employee makes the election and notifies the employer in writing before the occurrence of an injury.
- Mr. Sommer did not seek treatment from the employer's designated medical provider nor did he select his own provider in writing as required under Section 65-05-28.2.

### Arthur Walgren

#### Claim Summary

Chairman Meyer called on Ms. Peyerl to provide a summary of Mr. Arthur Walgren's workers' compensation claim. Ms. Peyerl noted:

- Mr. Walgren filed a claim with WSI for a left shoulder injury that occurred on September 9, 2019, while working as a Deputy Sheriff for Adams County. Mr. Walgren injured his left shoulder while assisting a patient to a mental health involuntary commitment at the hospital. During the incident, Mr. Walgren's left shoulder and arm were twisted and he was punched in the face. Upon treatment, he was confirmed to have a left shoulder injury with an MRI confirming a rotator cuff tear.
- Mr. Walgren had a prior left shoulder condition that predated this work event. In 2016, Mr. Walgren had a previous left shoulder rotator cuff repair from a nonwork-related fall off a four wheeler.
- WSI received the prior medical notes of the 2016 left shoulder injury and surgery, and submitted the notes to Mr. Walgren's treating provider, Dr. Derrick Cote, the Bone and Joint center of Bismarck, to determine whether the prior left shoulder condition had any relevance to his current left shoulder condition. Dr. Cote responded to WSI on December 2, 2019, that Mr. Walgren had an underlying condition to the left shoulder that predated his work injury. Dr. Cote further stated the work incident significantly worsened or accelerated the pre-existing condition.
- WSI issued a notice of decision accepting the claim on an aggravation basis on December 11, 2019. Workforce Safety and Insurance paid the claim on a nonaggravation basis from September 9 through November 7, 2019. As of November 8, 2019, WSI paid on a 50-percent aggravation basis. Mr. Walgren had a left rotator cuff repair on February 13, 2020, and became eligible for disability benefits. Because the disability start date was outside the nonaggravation phase that ended on November 7, 2019, Mr. Walgren's disability also would be paid at 50 percent as of November 8, 2019. Mr. Walgren returned to work on a part-time basis on March 9, 2020. Mr. Walgren returned to work full time on April 13, 2020, and WSI ended disability benefits.
- A reapplication for disability benefits was filed with WSI on July 9, 2020. Mr. Walgren had a functional capacity assessment on June 24, 2020, which placed him in the medium level category. Mr. Walgren was informed his employer would not be able to permanently accommodate his permanent restrictions from the functional capacity assessment. Workforce Safety and Insurance assigned vocational rehabilitation services in July 2020. Before this assignment, Mr. Walgren returned to work in a modified position with Adams County as an administrative secretary.
- On October 20, 2020, WSI issued a notice of decision on the vocational plan. The vocational notice outlined that since his return to work with Adams County, he would be eligible to receive temporary partial disability benefits for up to a 5-year period based on an earnings capacity of \$266 per week, or actual wages, whichever was higher. The temporary partial disability on an earnings capacity would begin on November 11, 2020. Mr. Walgren filed a request for reconsideration with WSI on November 8, 2020. Workforce Safety and Insurance issued an administrative order awarding temporary partial disability benefits upon completion of a vocational rehabilitation plan on December 29, 2020.
- Mr. Walgren notified WSI in March of 2021 that he was looking to secure a position with Runnings in Hettinger. Mr. Walgren's new employer became eligible to submit his wages through the preferred worker program, which provides wage payments to employers who hire former injured employees. Mr. Walgren is in active payment of his temporary partial disability benefits based on an earnings capacity of \$266 per week at the time of this hearing.

**Mr. Walgren's testimony**

Chairman Meyer called on Mr. Walgren to review his claim and discuss the issues related to his claim. Mr. Walgren noted:

- His prior injury had completely healed with no limitations and his current claim should therefore not have been deemed to be an aggravated claim. Workforce Safety and Insurance should deem a new injury as an aggravated claim only if the prior injury limits that bodily function at the time of the new injury.
- Deadlines to appeal a decision made by WSI should begin when the injured employee's letter to appeal is postmarked.
- WSI should cover an injured employee's health insurance when the injured employee is forced to take a part-time job.

**Workforce Safety and Insurance Response**

Chairman Meyer called on Ms. Bjornson to respond to the issues raised by Mr. Walgren. Ms. Bjornson noted:

- Section 65-05.1-01 provides it is the goal of vocational rehabilitation to return the injured employee to substantial gainful employment with a minimum of retraining, as soon as possible after an injury occurs.
- Section 65-05-15 provides in cases of a prior injury, disease, or other condition, known in advance of the work injury, which has caused previous work restriction or interference with physical function the progression of which is substantially accelerated by, or the severity of which is substantially worsened by, a compensable injury, WSI shall pay benefits during the period of acute care in full. The period of acute care is presumed to be 60 days immediately following the compensable injury, absent clear and convincing evidence to the contrary. Following the period of acute care, the organization shall pay benefits on an aggravation basis.
- When an injured employee is entitled to benefits on an aggravation basis, WSI pays the costs of vocational rehabilitation, travel, other personal reimbursement for seeking and obtaining medical care, and dependency allowance on a 100-percent basis.

**OTHER**

The committee members requested Mr. Christopher S. Joseph, Counsel, Legislative Council, to create a bill draft repealing the Workers' Compensation Review Committee and a second bill draft repealing the reports provided to the committee.

Chairman Meyer recessed the meeting at 4:20 p.m. on Tuesday, March 29, and reconvened the meeting on Wednesday, March 30, 2022, at 9:00 a.m. He said a date for the next meeting has not yet been determined but likely will be in August 2022.

No further business appearing, Chairman Meyer adjourned the meeting at 2:00 p.m.

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Christopher S. Joseph  
Counsel

ATTACH:1