

Meeting Minutes

Thursday, January 29, 2009 – 1:00 p.m.
30 West Spring Street, 30th Floor, Conference Room A

Present: Gary DiCeglio, Chairman
William Thompson, Commissioner
Kevin Abrams, Commissioner

Attendees: Christa Deegan, Executive Director
Tom Connor, Director, Hearing Services
Paul Walker, Legal Counsel
Janet Lucktenberg, Administrative Assistant
Susan Murnane, Administrative Assistant
Rupi Singh, Administrative Assistant
Debbie Fodey, Administrative Assistant

Chairman DiCeglio called the meeting to order. Ms. Deegan called the roll.

Roll Call: Chairman DiCeglio Present
Commissioner Thompson Present
Commissioner Abrams Present

Old Business:

- (A) November 4, 2008 Meeting Minutes: Commissioner Abrams moved to approve the minutes of the November 4, 2008 meeting as presented. Commissioner Thompson seconded the motion. Ms. Deegan called the roll:

Roll Call Vote: Chairman DiCeglio Yes
Commissioner Thompson Yes
Commissioner Abrams Yes

New Business:

- (A) File-Year Rule Review

Ohio Administrative Code Rules 4121-2-01 Standards of practice for attorneys, agents and representatives of claimants or employers; 4121-2-02 Suspension from practice; 4121-15-02 Policy; 4121-15-04 Posting, distribution and employee acknowledgement and receipt; 4121-15-06 Furnishing employees' code of ethics and rules on improper influence to representatives; and 4121-15-07 Representatives' responsibility relative to employees' code of ethics: The Commission members and staff discussed the listed rules. Commissioner Thompson moved that notice be provided to the Joint Committee on Agency Rule Review that after the review required pursuant to section 119.032 of the

Revised Code that the following rules of the Ohio Administrative Code be continued without change: 4121-2-01, 4121-2-02, 4121-15-02, 4121-15-04, 4121-15-06, and 4121-15-07. Commissioner Thompson further moved that the next rule review date for the aforementioned rules be February 1, 2014. Commissioner Abrams seconded the motion. Ms. Deegan called the roll:

Roll Call Vote:	Chairman DiCeglio	Yes
	Commissioner Thompson	Yes
	Commissioner Abrams	Yes

The Commission members and staff discussed proposed changes to the following rules:

Ohio Administrative Code Rule 4121-15-01 Code of ethics, title and rules covering: Chairman DiCeglio moved that after the review required pursuant to section 119.032 Revised Code that Ohio Administrative Code rule 4121-15-01 be originally filed for amendment as set forth in Exhibit A, in accordance with Chapter 119 of the Revised Code. Commissioner Thompson seconded the motion. Ms. Deegan called the roll:

Roll Call Vote:	Chairman DiCeglio	Yes
	Commissioner Thompson	Yes
	Commissioner Abrams	Yes

Ohio Administrative Code Rule 4121-15-03 Standards of conduct: Commissioner Thompson moved that after the review required pursuant to section 119.032 Revised Code that Ohio Administrative Code rule 4121-15-03 be originally filed for amendment as set forth in Exhibit A, in accordance with Chapter 119 of the Revised Code. Chairman DiCeglio seconded the motion. Ms. Deegan called the roll:

Roll Call Vote:	Chairman DiCeglio	Yes
	Commissioner Thompson	Yes
	Commissioner Abrams	Yes

Ohio Administrative Code Rule 4121-15-05 Purpose: eliminating outside influence; producing impartiality in handling of claims and employer risk accounts and avoiding favoritism: Commissioner Abrams moved that after the review required pursuant to section 119.032 Revised Code that Ohio Administrative Code rule 4121-15-05 be originally filed for amendment as set forth in Exhibit A, in accordance with Chapter 119 of the Revised Code. Commissioner Thompson seconded the motion. Ms. Deegan called the roll:

Roll Call Vote:	Chairman DiCeglio	Yes
	Commissioner Thompson	Yes
	Commissioner Abrams	Yes

Ohio Administrative Code Rule 4121-15-08 Remedial action against persons exercising improper influence and engaging in favoritism: Chairman DiCeglio moved that after the review required pursuant to section 119.032 Revised Code that Ohio Administrative Code rule 4121-15-08 be originally filed for amendment as set forth in Exhibit A, in accordance with Chapter 119 of the Revised Code. Commissioner Abrams seconded the motion. Ms. Deegan called the roll:

Roll Call Vote: Chairman DiCeglio Yes
Commissioner Thompson Yes
Commissioner Abrams Yes

Ohio Administrative Code Rule 4121-15-09 Prohibition against unnecessary claim file possession: Commissioner Abrams moved that after the review required pursuant to section 119.032 Revised Code that Ohio Administrative Code rule 4121-15-09 be originally filed for amendment as set forth in Exhibit A, in accordance with Chapter 119 of the Revised Code. Commissioner Thompson seconded the motion. Ms. Deegan called the roll:

Roll Call Vote: Chairman DiCeglio Yes
Commissioner Thompson Yes
Commissioner Abrams Yes


Industrial Commission Public Hearing: The Commission's public hearing for the rules being filed for amendment must be held between the 31st and 40th day after the filing of the rules. If the Commission chooses March 13, 2009 for the public hearing, the rules must be filed between February 1, 2009 and February 10, 2009. Chairman DiCeglio moved that the public hearing for the proposed amendment to Ohio Administrative Code rules 4121-15-01, 4121-15-03, 4121-15-05, 4121-15-08, and 4121-15-09 be scheduled for Friday, March 13, 2009 at 1:00 p.m. in Conference Room B on the 3rd floor at 30 West Spring Street, Columbus, Ohio. Commissioner Thompson seconded the motion. Ms. Deegan called the roll:

Roll Call Vote: Chairman DiCeglio Yes
Commissioner Thompson Yes
Commissioner Abrams Yes

Chairman DiCeglio moved to adjourn. Commissioner Abrams seconded the motion. Ms. Deegan called the roll:

Roll Call: Chairman DiCeglio Yes
Commissioner Thompson Yes
Commissioner Abrams Yes

Respectfully submitted,


Christa D. Deegan
Executive Director

