

John R. Kasich, Governor
Thomas H. Bainbridge, *Chairman*
Jodie M. Taylor, *Member*
Karen L. Gillmor, Ph.D., *Member*
Tim Adams, *Executive Director*

Meeting Minutes

May 10, 2018
11:00 A.M.

TYPE OF MEETING Commission Meeting

ATTENDEES Chairman Thomas H. Bainbridge
 Commissioner Jodie M. Taylor
 Commissioner Karen L. Gillmor
 Tim Adams, Executive Director
 Tom Connor, Director of Hearing Services
 Rachael T. Rentas-Black, Chief Legal Counsel
 Steven Kramer, Administrative Assistant
 Kim Ferkany, Administrative Assistant
 Debbie Fodey, Administrative Assistant
 Julia Smythe, Administrative Assistant
 Greg Hickman, Assistant Legal Counsel

CALL TO ORDER
Chairman Bainbridge called the meeting to order.

ACTION BY
Mr. Adams called the roll.

ROLL CALL

Commissioner Gillmor	Present
Commissioner Taylor	Present
Chairman Bainbridge	Present

OLD BUSINESS
Chairman Bainbridge called the item November 29, 2017 Meeting Minutes.

MOTION
Chairman Bainbridge moved that the November 29, 2017 Commission meeting minutes be approved.

Commissioner Taylor seconded the motion.

DISCUSSION
N/A

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ACTION BY

Mr. Adams called the roll.

ROLL CALL

Commissioner Gillmor	Yes
Commissioner Taylor	Yes
Chairman Bainbridge	Yes

NEW BUSINESS

Chairman Bainbridge indicated new business to be discussed is the Statewide Hearing Officers Meeting and statewide speakers.

Commissioner Taylor asked Tom Connor whether there is an outline/itinerary for the Statewide Hearing Officers Meeting.

Tom Connor stated this meeting is to discuss possible ideas and speakers. Mr. Connor indicated that he would coordinate with Dr. McGrail. In addition, Mr. Connor stated that pain management is a possible topic to be considered with Dr. McDowell presenting.

Commissioner Taylor stated that she was fine with Dr. McDowell presenting on pain management.

Chairman Bainbridge stated that last year's topic included the shoulder, and prior to last year was chronic pain.

Commissioner Taylor stated that Dr. Welsh suggested Dr. McDowell. Commissioner Taylor agreed with Dr. Welsh's recommendation.

Commissioner Gillmor stated that she agreed with Dr. Welsh's recommendation, but would also like to hear about psychological testing and other diagnostic tools. Commissioner Taylor recommended Dr. Tosi as a presenter at the Statewide Hearing Officers Meeting because he is preeminent in his field.

Chairman Bainbridge stated that he would veto Dr. Tosi as a presenter. Chairman Bainbridge stated that he would like a more independent medical examiner.

Commissioner Taylor stated the Commission could direct Dr. Tosi to talk only about the tools he uses in regards to determining psychological conditions.

Tom Connor stated that he would talk with Dr. McGrail about these possible presenters and would send outlines to the doctors who would be presenting at the Statewide Hearing Officers Meeting to address certain concerns.

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Commissioner Gillmor stated she wants to hear about the diagnostic tools and objective testing, not talk therapy or other subjective testing in regard to psychological conditions.

Commissioner Taylor stated she would also like to hear about how stress and anxiety affect lawyers and how to manage it and develop coping skills.

Tom Connor stated he would reach out to the Ohio Supreme Court Lawyers Assistance Program.

Commissioner Taylor stated she would like Rachael Black to continue to do the case law update, as she presents an unbiased opinion in presenting case law.

Chairman Bainbridge asked Rachael Black if she would like to continue to be a presenter for the case law update.

Rachael Black stated that she would like to continue to present because it helps her stay on top of relevant case law.

Commissioner Taylor stated Randy Mikes approached her after last year's Statewide Hearing Officers Meeting indicating that he would like to be considered as a speaker for this year's Statewide Hearing Officers Meeting.

Chairman Bainbridge stated the Commission should try to fit Randy Mikes into Statewide Hearing Officers Meeting if there is available time for him.

Rachael Black stated that Randy Mikes could be an option to present on coping and anxiety.

Chairman Bainbridge indicated other new business to be discussed is the resolution project update by Greg Hickman.

Greg Hickman stated he was getting help from the legal resource center to help identify the Industrial Commission resolutions to be rescinded and amended. Greg Hickman stated some resolutions are outdated and no longer follow the current case law. He further indicated the Bureau of Workers' Compensation has taken over duties that used to be held by the Industrial Commission. Greg Hickman stated that there are also other resolutions that need more consideration.

Rachael Black requested these changes to the resolutions be sent in memos to be reviewed by the Commissioners' corners before Commission meetings to help the meetings become more efficient.

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Commissioner Taylor stated she would like the resolutions separated into one large group to be rescinded and another group to be modified for further consideration. She also stated she is concerned the resolutions are not listed in a specific place. Commissioner Taylor asked if there is a legal answer if a resolution is found that was not considered after the completion of this project. She suggested a catch-all phrase for resolutions that have not been considered after the end of this project. She also stated we need to fix cited resolutions because they may not have applicability.

Rachael Black stated she would look into Commissioner Taylor's concerns and suggestion.

ADJOURNMENT

Chairman Bainbridge moved to adjourn.

Commissioner Taylor seconded the motion.

ACTION BY

Mr. Adams called the roll.

ROLL CALL

Commissioner Gillmor	Yes
Commissioner Taylor	Yes
Chairman Bainbridge	Yes

Respectfully submitted,



Tim Adams
Executive Director