

# Meeting Minutes

Wednesday, May 13, 2009 – 9:00 a.m.  
30 West Spring Street, 30<sup>th</sup> Floor, Conference Room A

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

**Attendees:** Christa Deegan, Executive Director  
Tom Connor, Director, Hearing Services  
Rick Tilton, Hearing Officer Trainer  
Paul Walker, Legal Counsel  
John Georgiton, Director, Fiscal Management  
Terrence Welsh, M.D., Chief Medical Advisor  
Wanda Mullins, Deputy Director, Medical Services  
Robin Hossfeld, 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) April 21, 2009 Meeting Minutes: Commissioner Abrams moved to approve the minutes of the April 21, 2009 meeting. 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) Hearing Officer Manual Policy Statements and Guidelines Memo A5, Memo I1, and Memo S11: The Commission members and staff discussed the proposed amendment to Memos A5, I1, and S11. The only amendment to each policy is to change the effective date to August 25, 2006. The change in the effective date is made as a result of a footnote contained within the Supreme Court's decision in Thorton v. Montville Plastics & Rubber, Inc., 121 Ohio St.3d 124, 902 N.E.2d 482. The footnote provided that statutory amendments resulting from Am.Sub.S.B. No.

7 became effective on August 25, 2006. Representatives from the Attorney General's Office confirmed the departure from their previous direction on this issue. Chairman DiCeglio moved that the Commission adopt the following revised Hearing Officer Manual Policy Statements and Guidelines to be effective May 13, 2009:

Memo A5 - Substantial Aggravation

Memo I1 - Continuing Jurisdiction – 10 Years and 5 Years

Memo S11 – Request for Allowance of a Condition by Either Direct Causation or by Aggravation/Substantial Aggravation and Jurisdiction to Rule at hearing

Commissioner Thompson seconded the motion. Ms. Deegan called the roll:

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

- (B) Medical Fee Schedule: The Commission members and staff discussed proposed changes to the Commission's Physician Fee Schedule. The adoption of the new fee schedule would also call for changes to pages 4, 23, and 26 of the Medical Examination Manual. Chairman DiCeglio moved that the Commission accept the fee increases as shown on the attached document labeled "Proposed Ohio Industrial Commission Fees May, 2009" and also make the appropriate changes to the Medical Examination Manual as required by that page and as shown on the attached pages 4, 23, and 26. Chairman DiCeglio further moved that the updated Physician Fee Schedule is to be effective for examinations, interrogatories, depositions, and file reviews performed on and after September 1, 2009. Commissioner Abrams seconded the motion. Ms. Deegan called the roll:

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

Commissioner Thompson 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