

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

Meeting Minutes

August 7, 2013
1:30 P.M.

TYPE OF MEETING Commission Meeting

ATTENDEES Chairman Thomas H. Bainbridge
Commissioner Jodie M. Taylor
Commissioner Karen L. Gillmor
Tom Connor, Executive Director
Gerald Waterman, Chief Legal Counsel
Rachael Black, Deputy Legal Counsel
Debbie Fodey, Administrative Assistant
Barbara H. Hoylman, Administrative Assistant
Kimberly Ferkany, Administrative Assistant
Keith Carpenter, Administrative Assistant

CALL TO ORDER

The meeting was called to order by Chairman Bainbridge.

ACTION BY

Mr. Connor called the roll.

ROLL CALL

Chairman Bainbridge	Present
Commissioner Taylor	Present
Commissioner Gillmor	Present

OLD BUSINESS

June 5, 2013 Meeting Minutes.

MOTION

Commissioner Taylor moved to approve the minutes of the June 5, 2013 meeting. Commissioner Gillmor seconded the motion.

ACTION BY

Mr. Connor called the roll.

ROLL CALL

Chairman Bainbridge	Abstain
Commissioner Taylor	Yes
Commissioner Gillmor	Yes

NEW BUSINESS

A. Final Filing of OAC 4121-3-09.

B. Commission Resolution No. R12-1-03; Rescission and Adoption of New R12-1- 03 or Rescission and Adoption of R13-1-01 to correct a clerical error.

C. Discussion of the Proposed Telephone Hearing Request Guidelines and Guidelines for PTD Grant Orders.

D. Discussion of the New Draft IC-2.

MOTION

Chairman Bainbridge moved to approve the final filing for the amended rule 4121-3-09. Commissioner Taylor seconded the motion.

ACTION BY

Mr. Connor called the roll.

ROLL CALL

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Jodie M. Taylor, *Member*
Karen L. Gillmor, Ph.D., *Member*

Chairman Bainbridge	Yes
Commissioner Taylor	Yes
Commissioner Gillmor	Yes

MOTION

Chairman Bainbridge moved to approve the final effective date of the aforementioned amended rule for August 19, 2013. Commissioner Taylor seconded the motion.

ACTION BY

Mr. Connor called the roll.

ROLL CALL

Chairman Bainbridge	Yes
Commissioner Taylor	Yes
Commissioner Gillmor	Yes

MOTION

Chairman Bainbridge moved to approve the next five year review date for the aforementioned amended rule to February 1, 2017. Commissioner Taylor seconded the motion.

ACTION BY

Mr. Connor called the roll.

ROLL CALL

Chairman Bainbridge	Yes
Commissioner Taylor	Yes
Commissioner Gillmor	Yes

MOTION

Chairman Bainbridge moved to approve R12-1-03 contingent upon the proper clerical suggestions being made. Commissioner Taylor seconded the motion.

ACTION BY

Mr. Connor called the roll.

ROLL CALL

Chairman Bainbridge	Yes
Commissioner Taylor	Yes
Commissioner Gillmor	Yes

DISCUSSION

Telephone Hearing Request Guidelines:

Mr. Connor suggested that telephone guidelines be further discussed at Maumee Bay in September. Commissioner Taylor noted that discussion of telephone guidelines ought to be internal only. Chairman Bainbridge and Commission Gillmor agreed. Mr. Connor noted that support for telephone guidelines is not unanimous amongst the committee, though the majority is comfortable with the idea. Mr. Waterman noted that the court would probably find issues with judging credibility via telephone (Commissioner Taylor noted the “Ormet” case). Chairman Bainbridge agreed that the agency does need guidelines, and that it will be discussed internally on the second day at Maumee Bay. Chairman Bainbridge also noted that he would like to have another meeting regarding the guidelines prior to Maumee Bay.

Guidelines for PTD Tentative Grant Orders:

Commissioner Taylor asked if the agency should be using guidelines or policy regarding PTD tentative grant orders. Mr. Waterman noted that guidelines are not enforceable as statutes or rules. Chairman Bainbridge noted that the matter will be discussed at the next meeting. Mr. Connor noted that neither the committee nor the BWC had a problem with guidelines. Commissioner Taylor noted that the IC provides hearing officers direction on the application of *Russell* in a policy. Commissioner Taylor also suggested changing the rule so that a motion can be filed to change PTD start dates. Mr. Connor noted that the agency is not presented with many of these cases annually.

IC-2 PTD Application:

Proposed changes to the IC-2 application were discussed. Commissioner Gillmor noted that questions regarding computer skills ought to be on the application. Commissioner Taylor agreed, and also suggested adding questions about military experience. Also, it was noted that questions regarding social security benefits and rehabilitation interests should be on the application. Commissioner Gillmor would like to see questions regarding daily tasks. Chairman Bainbridge stated that he did not have any problems with the new application.

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ADJOURNMENT

Chairman Bainbridge moved to adjourn. Commissioner Taylor seconded the motion.

ACTION BY

Mr. Connor called the roll.

ROLL CALL

Chairman Bainbridge	Yes
Commissioner Taylor	Yes
Commissioner Gillmor	Yes

Respectfully submitted,



Tom Connor
Executive Director