

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

April 24, 2019
1:00 P.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
Laura Schank, Hearing Officer Trainer
Rachael T. Rentas-Black, Chief Legal Counsel
Gregory Hickman, Assistant Legal Counsel
Amanda Brown, Assistant Legal Counsel
Steven Kramer, Administrative Assistant
Kim Ferkany, Administrative Assistant
Debbie Fodey, Administrative Assistant
Julia Smythe, Administrative Assistant
Dr. John McGrail, Chief Medical Advisor
Sara Castle, Deputy Director of Medical Services

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:

Meeting Minutes: February 27, 2019

MOTION

Chairman Bainbridge moved to accept the minutes of the February 27, 2019 Commission meeting, and that they be approved as circulated.

Commissioner Taylor seconded the motion.

Chairman Bainbridge asked if there was any discussion. Hearing none, Chairman Bainbridge offered a vote to proceed and accept the minutes as circulated with the agenda.

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ACTION BY

Mr. Adams called the roll.

Commissioner Gillmor: Yes
Commissioner Taylor: Yes
Chairman Bainbridge: Yes

NEW BUSINESS

Statewide Hearing Officer Meeting Update from Training Coordinator

Chairman Bainbridge asked if the Commissioners would agree to divert from the agenda to hear an update from Laura Schank, Hearing Officer Trainer, regarding the statewide hearing officer meeting. After hearing no objections, Chairman Bainbridge stated Ms. Schank could proceed with her update.

Ms. Schank stated that she spoke with Dr. Peter Edwards' office, which told her that the doctor does not do knee surgeries. Ms. Schank stated that she sent formal invitations to most of the speakers. Ms. Schank further stated that she contacted Dr. Frogameni's office again and that the office provided her additional doctor names as possible medical speakers. Ms. Schank stated she also completed the necessary paperwork for CLE credit. Ms. Schank indicated that she has not received confirmation from either Dr. Frogameni, Dr. Welsh, or Chief Justice O'Connor yet, but that she has received confirmation from Administrator McCloud, as well as Megan Snyder, MSW, LISW, OLAP.

Ms. Schank then reported that she had rearranged the draft agenda for the meeting to accommodate a speaker's requested time to speak. Commissioner Taylor instructed Ms. Schank to note the times in which she scheduled Dr. Welsh to ensure he was available to speak beginning at 4:45. Ms. Schank thanked Commissioner Taylor.

Chairman Bainbridge then thanked Ms. Schank for her update.

Medical Examination Manual Changes

Chairman Bainbridge stated that he would like to call Dr. McGrail and Sarah Castle into the meeting to discuss the *Medical Examination Manual* changes.

Upon entry, Chairman Bainbridge asked Dr. McGrail to address the *Medical Examination Manual* changes.

Dr. McGrail stated that this project has been a year and a half in the making, and is a major update to the *Manual*. Dr. McGrail indicated the recommended changes represent current professional community practice and policies and that the changes remove redundancy and ambiguities, enabling the examiners to process the examinations in a consistent manner. Dr. McGrail noted that one of the recommended changes is to streamline the referral letter process by putting the information into one letter that provides examples for the examining doctors.

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Chairman Bainbridge asked if there was any discussion needed on the draft *Manual*.

Commissioner Taylor stated that she just received the most recently revised draft of the *Manual* yesterday, April 23, 2019, and that she would like to review and look at the changes made before she votes on adopting the draft. Commissioner Taylor asked Ms. Castle if there were changes in this packet that were not in the packet she previously delivered to the Commissioners.

Ms. Castle stated that there were limited changes to the most recent packet, noting she made minor grammatical changes to three or four sentences.

Chairman Bainbridge requested executive staff put the draft *Manual* on an agenda of a later date for a vote and inquired whether there were any questions regarding the recent draft. Commissioner Taylor stated that she would reach out to Ms. Castle with any questions.

PTD Rule – Tentative Orders

Chairman Bainbridge stated that the other issue for new business is the permanent total disability tentative order policy and the proposed amendment of Ohio Adm.Code 4121-3-34.

MOTION

Chairman Bainbridge moved that the Commission approve the original filing of the proposed amendment of Ohio Adm.Code 4121-3-34.

Commissioner Taylor inquired if there would be discussion about the proposed rule first.

Chairman Bainbridge stated that he is making the motion and that the motion should be seconded and then discussed.

Chairman Bainbridge asked if this is the correct process under Robert's Rules of Order.

Commissioner Gillmor responded that yes this is the correct process.

Chairman Bainbridge noted that there was no second to the motion and requested that executive staff place the proposed rule on an agenda at a later date for further discussion and a vote to file the proposed rule with JCARR.

Memo G3

MOTION

Chairman Bainbridge moved that Memo G3 be approved as discussed today. Chairman Bainbridge noted the Commissioners discussed the tentative order policy at the last meeting extensively and this discussion is a continuation of that discussion. Chairman Bainbridge asked if there was a second to the motion. Hearing no second, Chairman Bainbridge indicated that he was withdrawing the motion.

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ADJOURNMENT

MOTION

Chairman Bainbridge moved that the meeting be adjourned.

Commissioner Taylor seconded the motion.

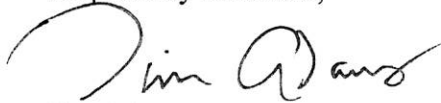
ACTION BY

Mr. Adams called the roll.

ROLL CALL

Commissioner Gillmor:	Yes
Commissioner Taylor:	Yes
Chairman Bainbridge:	Yes

Respectfully submitted,



Tim Adams
Executive Director

