

OHIO INDUSTRIAL COMMISSION

SPECIAL MEETING

Thursday, December 1, 2022

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PROCEEDINGS

before the Ohio Industrial Commission

- - -

PRESENT:

Mr. Jim Hughes, Chairman

Ms. Karen L. Gillmor, Ph.D., Commissioner

Mr. Daniel J. Massey, Commissioner

Mr. Tim Adams, Executive Director

Mr. Tom Connor, Director of Adjudication

Ms. Amanda Brown, Assistant Legal Counsel

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Thursday Afternoon Session,
December 1, 2022.

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P R O C E E D I N G S

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CHAIRMAN HUGHES: This is Chairman Jim Hughes. The special meeting of the Ohio Industrial is now being called to order. The meeting is being conducted in person, and it's being held in the main meeting room of the William Green Building located at 30 West Spring Street, Columbus, Ohio.

The meeting is also being streamed through the Ohio Industrial Commission's YouTube channel. The link to listen to this meeting is available on the Industrial Commission's public website.

The purpose of the special meeting is limited to the following: Roll call; roll call vote on special meeting minutes for July 14, 2022; review, discussion and roll call vote on 2023 five year rules scheduled for the year.

During this meeting it is important that prior to speaking each participant introduce themselves by stating their name and title. This is to ensure that the audio recording accurately reflects the proceeding so the public is properly informed. For

1 those of you who are listening on the Industrial
2 Commission's YouTube channel, please be aware that if
3 the Commission votes to enter into executive session,
4 you will not be able to hear a live recording during
5 that time. When the Commissioners exit executive
6 session, the recording will resume.

7 I now ask our Executive Director, Mr. Tim
8 Adams, to call the roll.

9 MR. ADAMS: This is Tim Adams, Executive
10 Director of the Ohio Industrial Commission. As I call
11 your name, please restate your name and affirm your
12 presence.

13 Commissioner Karen Gillmor.

14 COMMISSIONER GILLMOR: Commissioner
15 Karen Gillmor, present.

16 MR. ADAMS: Commissioner Dan Massey.

17 COMMISSIONER MASSEY: Commissioner Dan
18 Massey, present.

19 MR. ADAMS: Chairman Jim Hughes.

20 CHAIRMAN HUGHES: Chairman Jim Hughes,
21 present.

22 We do have a quorum.

23 We'll now discuss the approval of the minutes
24 of a special meeting held on July 14, 2022. The floor
25 is now open for any discussions of the meeting minutes.

1 (No response.)

2 CHAIRMAN HUGHES: Hearing no discussion or
3 further discussion, I'd move to adopt the minutes of
4 the special meeting held July 14, 2022. Do I have a
5 second?

6 COMMISSIONER GILLMOR: Commissioner Karen
7 Gillmor. I second.

8 CHAIRMAN HUGHES: This is Jim Hughes,
9 Chairman. It has been properly moved and seconded. I
10 also want to thank Dr. Karen Gillmor for her second.

11 Will the Executive Director, Mr. Tim Adams,
12 please call the roll.

13 MR. ADAMS: This is Tim Adams, Executive
14 Director of the Ohio Industrial Commission. As I call
15 your name, please restate your name and state your
16 vote.

17 Commissioner Karen Gillmor.

18 COMMISSIONER GILLMOR: Commissioner
19 Karen Gillmor, yes.

20 MR. ADAMS: Commissioner Dan Massey.

21 COMMISSIONER MASSEY: Commissioner Dan
22 Massey, yes.

23 MR. ADAMS: Chairman Jim Hughes.

24 CHAIRMAN HUGHES: Chairman Jim Hughes, yes.

25 This is Chairman Jim Hughes. The motion has

1 carried. The minutes will be approved.

2 Next is a consideration of the 2023
3 five year rules review. The recommendation regarding
4 the rules (inaudible) with our legal department and our
5 state board.

6 I'll now ask Amanda Brown, Assistant Legal
7 Counsel, to provide a summary and review of the
8 proposed recommendation of the rules currently
9 scheduled for review. Ms. Brown.

10 MS. BROWN: Amanda Brown, Assistant Legal
11 Counsel.

12 Thank you Chairman Hughes, Commissioner
13 Dr. Gillmor, Commissioner Massey.

14 We have five year -- five rules scheduled for
15 2023 five year rules review. They're 4121-1-01;
16 4121-1-02; 4121-1-03; 4121-3-01 and 4121-17-07.

17 Specifically 4121-1-01, notice procedure for
18 the adoption, amendment, or rescission of the rules,
19 specifically the amendments being proposed are
20 Subsections (A) (4) and Subsection (B). The proposed
21 amendments clarify the intention to provide the public
22 with access to rule proposals via Internet.

23 4121-1-02, notice of public meeting. The
24 proposed amendments reflect grammatical changes and
25 provide the ability and request to receive notice via

1 electronic email.

2 4121-1-03, non-adjudicatory meetings of the
3 Industrial Commission, reflects clarification of the
4 Industrial Commission's discretion to conduct regular
5 meetings, as well as update the process for the keeping
6 of minutes utilizing current technological systems.

7 4121-3-01, office locations, office hours,
8 and the scope of rules. The amendments being proposed
9 are to be consistent with the updated emergency files
10 contained in the Industrial Commission teleworking
11 policy.

12 And lastly we have 4121-17-07, filing of
13 rules. These are being proposed as no change. This
14 rule permits hearing officer's discretion to determine
15 that fee bills for treatments not authorized in advance
16 may be paid retroactively.

17 Also, I would note for clarification purposes
18 that all of these rules were submitted to the
19 stakeholders in advance and we have not received any
20 sort of negative feedback in regards to these proposed
21 amendments.

22 CHAIRMAN HUGHES: This is Jim Hughes,
23 Chairman. Thank you, Ms. Brown, for your analysis of
24 that.

25 The Board is now open to review and

1 discussion of Ohio Administrative Code Rules 4121-1-01;
 2 4121-1-02; 4121-1-03; 4121-3-01 and 4121-17-07.

3 Is there any discussion on these rules or any
 4 questions of Ms. Brown?

5 (No response.)

6 CHAIRMAN HUGHES: Hearing no further
 7 discussion, I move to file Ohio Administrative Code
 8 Rules 4121-1-01; 4121-1-02; 4121-1-03; 4121-3-01 with
 9 proposed amendments filed, with Ohio Administrative
 10 Code 4121-17-07 as no change. Do I have a second to
 11 the said motion?

12 COMMISSIONER MASSEY: This is Commissioner
 13 Dan Massey. I second.

14 CHAIRMAN HUGHES: This is Jim Hughes,
 15 Chairman. Thank you, Mr. Massey, for that. Is there
 16 any further discussion on this at all?

17 (No response.)

18 CHAIRMAN HUGHES: Hearing none, I'll ask
 19 Executive Director Tim Adams to please call the roll.

20 MR. ADAMS: This is Tim Adams, Executive
 21 Director of the Ohio Industrial Commission. As I call
 22 your name, please restate your name and state your
 23 vote.

24 Commissioner Karen Gillmor.

25 COMMISSIONER GILLMOR: Commissioner

1 Karen Gillmor, yes.

2 MR. ADAMS: Commissioner Dan Massey.

3 COMMISSIONER MASSEY: Commissioner Dan
4 Massey, yes.

5 MR. ADAMS: Chairman Jim Hughes.

6 CHAIRMAN HUGHES: Chairman Jim Hughes, yes.

7 Said motion does have the necessary votes to
8 move and passes.

9 We've now considered all the items for our
10 special agenda -- for the special meeting. I move to
11 adjourn. Do I have a second to said motion?

12 COMMISSIONER GILLMOR: This is Commissioner
13 Karen Gillmor. I second.

14 CHAIRMAN HUGHES: This is Jim Hughes,
15 Chairman. Thank you, Dr. Gillmor, for the second.

16 Would Executive Director Tim Adams please
17 call the roll.

18 MR. ADAMS: This is Tim Adams, Executive
19 Director of the Ohio Industrial Commission. As I call
20 your name, please restate your name and state your
21 vote.

22 Commissioner Karen Gillmor.

23 COMMISSIONER GILLMOR: Commissioner
24 Karen Gillmor, yes.

25 MR. ADAMS: Commissioner Dan Massey.

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COMMISSIONER MASSEY: Commissioner Dan
Massey, yes.

MR. ADAMS: Chairman Jim Hughes.

CHAIRMAN HUGHES: Chairman Jim Hughes, yes.
The motion does carry.

At this point in time the meeting will be
adjourned. Thank you.

(Thereupon, the proceedings were adjourned.)

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CERTIFICATE

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I do hereby certify that the foregoing is a true and correct transcript of the audio proceedings in this matter.


Diane L. Schad, Court Reporter

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