

Meeting Minutes

Thursday, March 17, 2011 – 10:30 a.m.
30 West Spring Street, 30th Floor, Conference Room A

Present: Jodie M. Taylor, Chairperson
Gary M. DiCeglio, Commissioner
Kevin R. Abrams, Commissioner

Attendees: Tim Adams, Executive Director
Tom Connor, Director, Hearing Services
Paul Walker, Legal Counsel
Katie Eagan, Legislative Liaison
Kimberly Ferkany, Administrative Assistant
Susan Murnane, Administrative Assistant
Joe Nemec, Administrative Assistant
Debbie Fodey, Administrative Assistant

Mr. Adams called the meeting to order. Mr. Adams called the roll.

Roll Call:	Chairperson Taylor	Present
	Commissioner DiCeglio	Present
	Commissioner Abrams	Present

Old Business:

December 21, 2010 Meeting Minutes: Commissioner DiCeglio moved to approve the minutes of the December 21, 2010 meeting. Commissioner Abrams seconded the motion. Mr. Adams called the roll:

Roll Call Vote:	Chairperson Taylor	Yes
	Commissioner DiCeglio	Yes
	Commissioner Abrams	Yes

New Business:

- (1) Five Year Rule Review: The Commission members and staff discussed Ohio Administrative Code Rules 4121-3-01, 4121-3-15, 4121-3-16, 4121-3-17, 4121-3-18, 4121-3-20, 4121-3-21, 4121-3-22, 4121-3-24, 4121-3-25, 4121-3-27, and 4121-3-30. E-Notification must be provided to the Ohio Business Gateway before filing with the Joint Committee on Agency Rule Review (JCARR), the Commission's public hearing must be held between 31 – 40 days after filing with JCARR, and 30 days notice must be provided for the Commission's public hearing.

Chairperson Taylor moved that after the review required pursuant to Section 119.032 of the Revised Code that the following rules of the Ohio Administrative Code be originally filed for amendment as set forth in "Exhibit A," in accordance with Chapter 119 of the Revised Code: 4121-3-01, 4121-3-15, 4121-3-16, 4121-3-17,

4121-3-20, 4121-3-21, 4121-3-22, 4121-3-24, 4121-3-25, and 4121-3-30. Commissioner DiCeglio seconded the motion. Mr. Adams called the roll:

Roll Call Vote:	Chairperson Taylor	Yes
	Commissioner DiCeglio	Yes
	Commissioner Abrams	Yes

Chairperson Taylor moved that after the review required pursuant to Section 119.032 of the Revised Code that the following rules of the Ohio Administrative Code be originally filed for rescission as set forth in "Exhibit B," in accordance with Chapter 119 of the Revised Code: 4121-3-18 and 4121-3-27. Commissioner Abrams seconded the motion. Mr. Adams called the roll:

Roll Call Vote:	Chairperson Taylor	Yes
	Commissioner DiCeglio	Yes
	Commissioner Abrams	Yes

Chairperson Taylor moved that after the review required pursuant to Section 119.032 of the Revised Code that the proposed new rule 4121-3-18 of the Ohio Administrative Code be originally filed as set forth in "Exhibit C," in accordance with Chapter 119 of the Revised Code. Commissioner DiCeglio seconded the motion. Mr. Adams called the roll:

Roll Call Vote:	Chairperson Taylor	Yes
	Commissioner DiCeglio	Yes
	Commissioner Abrams	Yes

Chairperson Taylor moved that the Commission hold a public hearing on the aforementioned proposed rule actions on April 29, 2011 at 1:00 p.m. in Training Room B, on the 3rd Floor of 30 West Spring Street, Columbus, Ohio. Commissioner Abrams seconded the motion. Mr. Adams called the roll:

Roll Call Vote:	Chairperson Taylor	Yes
	Commissioner DiCeglio	Yes
	Commissioner Abrams	Yes

- (2) Revised Questions to Pose to Commission Physicians who are Examining on Issue of PTD when MMI had been Previously Determined by a Commission Order: The Commission members and staff discussed proposed revisions to the questions posed to Commission physicians who are examining on the issue of permanent total disability when maximum medical improvement has been previously determined by a Commission order. Chairperson Taylor moved to revise the Medical Examination Manual and Medical Examination Referral form as set forth in "Exhibit D" to revise the questions asked when a medical examination is conducted on the issue of permanent total disability and it has been determined by prior Commission order that the injured worker has reached maximum medical improvement. Mr. Abrams called the roll:

Roll Call Vote:	Chairperson Taylor	Yes
	Commissioner DiCeglio	Yes
	Commissioner Abrams	Yes

Commissioner DiCeglio moved to adjourn. Commissioner Abrams seconded the motion.
Mr. Adams called the roll:

Roll Call Vote:	Chairperson Taylor	Yes
	Commissioner DiCeglio	Yes
	Commissioner Abrams	Yes

Respectfully submitted,



Tim Adams
Executive Director