



**STATE OF MAINE  
WORKERS' COMPENSATION BOARD  
Board of Directors' Business Meeting**

**December 10, 2024**

A business meeting of the Maine Workers' Compensation Board of Directors was conducted remotely via Zoom on Tuesday, December 10, 2024.

**BOARD MEMBERS PRESENT:** John Rohde (*Executive Director/Chair*), Paul Gendreau, Glenn Burroughs, Ron Green, Serina DeWolfe, and Lynne Gaudette (*Directors*), and Richard Hewes (*General Counsel*) attended via Zoom.

## **CALL TO ORDER**

Executive Director Rohde called the meeting to order at 10:06 a.m. with 48 people participating via Zoom. Executive Director Rohde reviewed the remote meeting format and welcomed everyone. Board members and staff introduced themselves for the recording.

## **I. APPROVAL OF MINUTES**

### **1. Draft Minutes of the November 12, 2024, Board of Director's Business Meeting**

Director Green MOVED TO ACCEPT THE MINUTES OF THE NOVEMBER 12, 2024, BOARD MEETING AS WRITTEN; Director Burroughs SECONDED. **MOTION PASSED 6-0.**

## **II. SUBCOMMITTEE REPORTS**

### **1. Personnel Subcommittee**

Director DeWolfe presented motions regarding Administrative Law Judge positions.

Director DeWolfe MOVED TO APPOINT DONALD MURPHY TO THE POSITION OF ADMINISTRATIVE LAW JUDGE FOR AN INITIAL TERM THAT WILL BEGIN JANUARY 6, 2025, AND END DECEMBER 31, 2027, WITH THE RESTRICTION THAT HE WILL NOT HEAR OR DECIDE ANY CASE IN WHICH A PARTY IS REPRESENTED BY JAMES MACADAM, ESQUIRE, UNTIL AFTER DECEMBER 31, 2026 OR BY NATHAN JURY, ESQUIRE, UNTIL AFTER MAY 31, 2025. THIS RESTRICTION INCLUDES HEARING LEVEL AND APPELLATE CASES; Director Burroughs SECONDED. **MOTION PASSED 6-0.**

Director DeWolfe MOVED TO APPOINT CARA BIDDINGS TO THE POSITION OF ADMINISTRATIVE LAW JUDGE FOR AN INITIAL TERM THAT WILL BEGIN JANUARY 20, 2025, AND END DECEMBER 31, 2027, WITH THE RESTRICTION THAT SHE WILL NOT HEAR OR DECIDE ANY CASE IN WHICH A PARTY IS

REPRESENTED BY ROBINSON, KRIGER & MCCALLUM UNTIL AFTER DECEMBER 31, 2027. THIS RESTRICTION INCLUDES HEARING LEVEL AND APPELLATE CASES; Director Gaudette SECONDED. **MOTION PASSED 6-0.**

Director DeWolfe MOVED TO APPOINT ADMINISTRATIVE LAW JUDGE KATHERINE ROOKS FOR A SECOND TERM THAT WILL BEGIN JANUARY 1, 2025, AND EXPIRE DECEMBER 31, 2031; Director Green SECONDED. **MOTION PASSED 6-0.**

Executive Director Rohde thanked Directors DeWolfe and Picard for their hard work and continued efforts to fill the current vacancies. Interviews for the Caribou Mediator position and the Deputy Director of Business Services position will be conducted in January.

**2. Framework Subcommittee**

Four of the Board's forms have been revised and provided to insurers for feedback. The forms discussion continued under Old Business.

**3. IME Subcommittee**

Director Burroughs noted the Subcommittee is meeting with an IME Doctor tomorrow for an annual review. A second Doctor was scheduled for annual review meeting but had to cancel due to a conflict. That meeting will be rescheduled. Additionally, the IME Subcommittee recently received section 312 applications from two doctors. The IME Subcommittee will interview those doctors in 2025.

### **III. EXECUTIVE DIRECTOR REPORT**

**1. General Updates**

Executive Director Rohde reminded everyone that next week is Administrative Week. Norma Bagley from the Claims Management Unit is retiring at the end of this year. She has been with the Board since 1988. The cloture date for the first regular session of the incoming 132<sup>nd</sup> Legislature is January 10, 2025.

### **IV. GENERAL COUNSEL REPORT**

**1. Advocate Division**

Karen Bilodeau has been retained and is assisting the Advocate Division with its backlog of cases.

**2. Extension of Benefits Petition**

A Motion to Compel Additional Discovery has been filed by the employer in the matter of *Clark v. TWC Administration*. The hearing scheduled for today has been postponed due to the inclement weather. The employer's motion will be held after the January Board meeting on 01/14/2025 at 11:00 a.m. A hearing notice will be sent out to the parties with this new information.

## V. OLD BUSINESS

### 1. Form Revisions

As noted earlier, the Framework Subcommittee has been working on revising five of the Board forms. The 21-Day Certificate is under review but is not as far along as the other forms.

Director Gaudette shared the feedback she received from insurers and self-insurers and thanked Deputy Directors Lindsay Lizzotte and Kimberlee McCarson for their work on the forms. Discussion about the individual forms included:

- Wage Statement WCB-2 – added a new box to make it easier to identify the method used for calculating wage.
- Memorandum of Payment WCB-3 – minor changes to clarify data. Added “fixed” and “varying” options to Net Check Amount box.
- Modification WCB-4M –dollar amounts added for modification reasons, added “fixed” and “varying” to check amount boxes, added payment type, sequenced reasons into alphabetical order.
- Discontinuance WCB-4D – Period of Incapacity changed to “through date” instead of “return to work,” added lump sum settlement option.

Other small changes were made to the forms that were not discussed. The Board suggested that the effective date for the newly modified forms should be April 1, 2025, which will coincide with the beginning of the second quarter of next year. The forms still require formatting but will be made available before the effective date to allow for claims adjusters to make system changes.

Director Gaudette MOVED TO ADOPT THE CHANGES TO FORMS WCB-2, WCB-3, WCB4M, AND WCB-4D, AS DISCUSSED AND TO BE IMPLEMENTED AS OF APRIL 1, 2025; Director Burroughs SECONDED. **MOTION PASSED 6-0.**

The 21-Day Certificate of Discontinuance Form (WCB-8) and the Statement of Compensation Paid (WCB-11) are still being discussed. Director Gaudette noted that changes to the Statement of Compensation Paid form may require rulemaking.

## VI. NEW BUSINESS

No New Business

## VII. ADJOURNMENT

Director DeWolfe MOVED TO ADJOURN; Director Gendreau SECONDED. **MOTION PASSED 4-2.** (*Directors Green and Burroughs opposed.*)

The meeting formally adjourned at 10:36 a.m.