



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

March 11, 2025

A business meeting of the Maine Workers' Compensation Board of Directors was conducted remotely via Teams and in person at the Board's Augusta Central Office at 442 Civic Center Drive, Suite 100, Augusta, on Tuesday, March 11, 2025.

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

CALL TO ORDER

Executive Director Rohde called the meeting to order at 10:03 a.m. with over 40 people participating in person and via Teams. Executive Director Rohde reviewed the hybrid meeting format, remote participation procedures, and welcomed participants. Board members and staff introduced themselves for the recording.

I. APPROVAL OF MINUTES

1. Draft Minutes of the February 11, 2025 business meeting of the Board of Directors

Director Burroughs MOVED TO ACCEPT THE MINUTES OF THE FEBRUARY 11, 2025, BOARD MEETING AS WRITTEN; Director Picard SECONDED. **MOTION PASSED 7-0.**

II. SUBCOMMITTEE REPORTS

1. Budget Subcommittee

Director Gendreau reported that a financial order for the 4th quarter of the fiscal year will be required to offset changes in the personal services line of the budget.

Bryan Ouellette, the newly appointed Deputy Director of Business Services, said the landlord and the Workers' Compensation Board are finalizing terms for the new Caribou regional office lease and renovations are underway. The Board hopes to move into the new location this July.

2. Framework Subcommittee

Directors Gaudette and Burroughs reported that the subcommittee's recent meeting with Adam Goode from the AFL-CIO addressed some of the same issues that were taken up

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Approved April 8, 2025 VOTE 6-0

when the subcommittee met with employer representatives last month. Two examples of this were the need for training and the ongoing stigma around “being on workers’ comp.”

III. EXECUTIVE DIRECTOR REPORT

1. Personnel

Executive Director Rohde introduced the new Deputy Director of Business Services, Bryan Ouellette and the new mediator in Caribou, Charlotte Carrier.

2. Meeting Schedule

The Board is scheduled to hold the May meeting in Caribou. This will be in the current office location. The directors discussed moving the May meeting to a later date for the purpose of meeting after the office is relocated.

Director Burroughs MOVED TO SWITCH THE MAY AND AUGUST MEETING DATES SO THAT THE BOARD WILL MEET AT THE BANGOR REGIONAL OFFICE THIS MAY AND AT THE NEW CARIBOU OFFICE IN AUGUST; Director Gaudette SECONDED. **MOTION PASSED 7-0.**

3. Forms

Deputy Directors Lindsay Lizzotte and Kimberlee McCarson met with representatives of InforME, a private sector resource that supports State of Maine websites. The deputy directors are exploring ways to digitize forms and simplify the Board’s form filing process. They are seeking information that might lead to the creation of an online portal through which employers and claims adjusters can more easily submit complete and accurate forms. Options may be available but will come at a cost. More information and recommendations will be provided as research continues.

4. PTSD Report

The PTSD report covering E-911 operators and corrections officers is due on April 1, 2025. The Board requested data from Beatrice Turner and Anne Willette. Directors Green and Gaudette are working with Executive Director Rohde to finalize the report.

5. Training

Training for claims adjusters is being set up. The likely date for this session will be June 5, 2025. The training will likely take 6 hours.

6. Confirmation Hearings

Confirmation hearings for Directors Green and Gendreau are scheduled for 10:00 o’clock on March 12, 2025, before the Labor Committee. Both are up reappointment.

IV. GENERAL COUNSEL REPORT

1. Advocate Division

The Advocate Division has experienced another round of turnovers. Both the Senior Staff Attorney and the Deputy Senior Staff Attorney have resigned. Margaret Bratten's last day was March 7th and Shawn Walsh's last day will be March 28th. Both have accepted positions with other State agencies. In addition to filling these positions, changes are being considered. They include case reassignments to balance caseload disparities among advocates and additional advocate training. Director Gaudette requested exit interview information. This will be shared with the personnel subcommittee once it is available. The Personnel Subcommittee will need to meet to discuss filling the senior staff attorney position.

2. Personnel

Interviews of applicants for vacancies in the Office of Audit have been completed. The vacancies should be filled soon. The Claims department is now trying to fill 2 vacancies.

V. OLD BUSINESS

1. Form Revisions

Executive Director Rohde reviewed changes to Box 21 of the WCB-8 Form, which is captioned Certificate of Discontinuance or Reduction of Compensation Pursuant To 39-A M.R.S.A. 205(9)(B)(1).

Director Gaudette MOVED TO ACCEPT THE REVISIONS TO FORM WCB-8.
Director Burroughs SECONDED. **MOTION PASSED 7-0.**

The WCB-11 Statement of Compensation Paid form was also discussed. A suggestion was made to provide an alternative version with instructions to offer guidance for filling in the form. Both versions would be effective April 1, 2025.

Director Gaudette MOVED TO ACCEPT THE REVISIONS TO THE WCB-11 FORM AS UPDATED AND PROVIDING FOR AN ALTERNATIVE VERSION WITH GUIDANCE. Director Burroughs SECONDED. **MOTION PASSED 7-0.**

The forms will be WCB-11A (no explanations on the form) and WCB-11B (instructions on the form). Payors will be able to choose the form they wish to use.

2. Legislation Updates

As previously discussed, LD 82 was approved by the Labor Committee. The Committee amended the bill to include an emergency preamble. This would allow the bill to go into effect immediately if it becomes law.

LD 210 An Act Making Unified Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2025, June 30, 2026, and June 30, 2027, was heard by the Appropriations and Financial Affairs Committee on February 10th. The Board has 4 initiatives and one language change. The initiatives include additional funds for Information Technology (vote from AFA was 5-4), Central Services increases (vote 6-3), increases in rent (vote 6-3), Board expenses (vote 7-2), and language (vote 5-3). All were voted in and will be scheduled for a work session before the AFA Committee.

LD 490 – An Act to Provide for a 5-year Automatic Repeal of Agency Rules – does not directly fall under Title 39-A. But it impacts the Board as an agency of the State of Maine. The bill has not yet been scheduled for a work session. LD 965 has been printed and is a similar concept. Both would be disruptive for the Board’s medical fee schedule.

LD 572 is a concept draft and a placeholder for possible amendments to Title 39-A in case a bill is proposed. Per the Joint Rules, language should be provided at least 48 hours before a public hearing.

LD 784 An Act to Require Health Insurance Coverage for Specialized Risk Screening for First Responders was LD 444 in the previous session. It would require an insurer to pay for certain health screenings for first responders. The Board is following this bill as an “of interest” bill. The Bureau of Insurance has said it would be a mandate on health insurers, which is a separate process through BOI. Self-insurers would not be mandated.

VI. NEW BUSINESS

There was no new business.

VII. ADJOURNMENT

Director Picard MOVED TO ADJOURN. Director DeWolfe SECONDED. **MOTION PASSED 5-2.** (*Directors Green and Burroughs opposed.*)

The meeting formally adjourned at 10:33 a.m.