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

October 13, 2026

A business meeting of the Maine Workers' Compensation Board of Directors was conducted remotely via Teams and in person at the Board's Portland Regional Office at 56 Northport Drive, Suite 201, Portland, on Tuesday, October 13, 2026.

BOARD MEMBERS PRESENT: John Rohde *(Executive Director/Chair)*, Glenn Burroughs, Ronnie Green, Penny Picard, Lynne Gaudette, and Kristie Jandreau *(Directors),* and Richard Hewes *(General Counsel)* attended in person.

CALL TO ORDER

Executive Director Rohde called the meeting to order at 10:01 a.m. with 34 people participating in person and via Teams. He introduced newly appointed Director Kristie Jandreau and Board members introduced themselves for the recording.

I. APPROVAL OF MINUTES

1. **Draft Minutes of the August 11, 2026 and August 26, 2026 Business Meetings of the Board of Directors**

   Director Green MOVED TO ACCEPT THE MINUTES OF THE AUGUST 11, 2026 and AUGUST 26, 2026 BOARD MEETINGS AS WRITTEN; Director Picard SECONDED. **MOTION PASSED 5-0-1.** *(Director Jandreau abstained).*

II. SUBCOMMITTEE REPORTS

1. **Budget Subcommittee**
   Executive Director Rohde is waiting to receive financial information from the Bureau of Budget. Once that is received by the Board, the budget subcommittee will meet and finalize projected budgets for fiscal years 2028 and 2029.

2. **Personnel Subcommittee**
   The Personnel Subcommittee meeting schedule for today has to be postponed to a time when Director DeWolfe can attend. She is serving on jury duty today and cannot attend the meeting.

3. **IME Subcommittee**
   Director Gaudette reported that the IME subcommittee has been advised by Bernie Bean, administrator of the Board's §312 IME Program, that Frank Graff, M. D., has retired

from the practice of medicine. He closed his office on June 30, 2026 and Mr. Bean is unable to contact the doctor.

Director Gaudette MOVED TO REMOVE FRANK GRAFF, M. D., FROM THE BOARD'S SECTION 312 LIST OF APPROVED MEDICAL EXAMINERS; Director Picard SECONDED. **MOTION PASSED 4-1-1.** *(Director Burroughs objected and Director Jandreau abstained).*

The Workers' Compensation Board received an application from David Meuse for reappointment as a board-approved vocational rehabilitation provider under Workers' Compensation Board Rule Ch. 6 § 1. Mr. Meuse is currently a board-approved vocational rehabilitation provider. He works as a rehabilitation counselor for D. Meuse Associates, LLC., in South Portland. He has a master's degree in rehabilitation counseling and is a certified rehabilitation counselor. Mr. Meuse has worked in this field for over twenty-five years. Currently, Mr. Meuse is the only approved vocational rehabilitation provider.

Director Burroughs MOVED TO APPROVE THE APPLICATION OF DAVID MEUSE TO BE REAPPOINTED TO THE LIST OF BOARD-APPROVED VOCATIONAL REHABILITATION PROVIDERS FOR A TWO-YEAR TERM BEGINNING OCTOBER 13, 2026; Director Gaudette SECONDED.
MOTION PASSED 5-0-1. *(Director Jandreau abstained).*

Executive Director Rohde and Deputy Director Kimberlee McCarson are working on the comprehensive review of the Medical Fee Schedule (MFS). The comprehensive review is done every three years. Executive Director Rohde noted that it may be time to consider hiring a consultant to perform a review as it has become difficult to compare workers' compensation payments to private payors due to contracts and other factors that result in the MFS rate not being paid. The review should be completed by the November meeting.

III. EXECUTIVE DIRECTOR REPORT

1. Legislation

The Board is authorized by 39-A MRSA §152 (11) to recommend legislation through December 1st of this year.

2. Proposed Rule Changes

The public hearing for proposed rule changes was held on Friday, October 9, 2026. Written comments are due by 5:00 PM on Monday, October 19, 2026. Comments received will be summarized and brought before the Board for review. The Board will then decide what action to take. Director Gaudette asked for clarification of what constitutes a "substantially different" change in a rule that is ultimately adopted if that rule differs from the proposed rule. Generally, there is no case law to refer to, but if a change is "substantially different" the Board would need to provide an additional opportunity to provide comments.

3. **CompCon**
The Maine Bar Association's annual CompCon convention was held last week and was well attended. Director Gaudette mentioned she had received good feedback on the Comp 101 training. Deputy Director Katie Trost welcomes feedback on CompCon, as well as last month's Team Day for WCB staff.

4. **Central Office**
The Augusta Central Office is still in the process of having its carpeting replaced. Staff members are working from the Audit and Regional Office spaces or remotely.

IV. GENERAL COUNSEL REPORT

1. **Advocate Division Staffing**
General Counsel Richard Hewes reported that Michele Kenney and Michael Osterby have been working hard to eliminate staffing vacancies in the advocate division. Their hard work is paying off.

V. OLD BUSINESS

1. **Rulemaking Update**
Executive Director Rohde covered the rulemaking update in his report.

VI. NEW BUSINESS

1. **2025 Draft Annual Compliance Report and the 1st Quarter Compliance Report for 2026**
Carrie Pomeroy presented the reports and noted that in general, insurers continue to meet the benchmark for filing notices of controversy. It is the only filing benchmark that was met in the first quarter of 2026. Insurers have shown improvement, but they still are not meeting the filing benchmarks. A couple of entities have been referred to the Audit Division for review of claims practices. Typically, in-state insurers tend to do better with compliance than out of state insurers. She also noted that the reports being sent out by the Claims Unit are very helpful and seem to improve the process. For the 1st Quarter, First Reports of Injury are at 81%, which is close to the benchmark for those filings. Section 205(3) penalties are coming down. Trends appear to be improving.

Director Green MOVED TO ACCEPT THE 2025 ANNUAL COMPLIANCE REPORT AS WRITTEN; Director Gaudette SECONDED. **MOTION PASSED 5-0-1.** *(Director Jandreau abstained).*

Director Green MOVED TO ACCEPT THE 1st Quarter 2026 COMPLIANCE REPORT AS WRITTEN; Director Burroughs SECONDED. **MOTION PASSED 5-0-1.** *(Director Jandreau abstained).*

VII. ADJOURNMENT

Director Picard MOVED TO ADJOURN. Director Green SECONDED. **MOTION PASSED 4-1-1.** *(Director Burroughs objected and Director Jandreau abstained).*

The meeting formally adjourned at 10:35 a.m.