

NORTH DAKOTA LEGISLATIVE MANAGEMENT

Minutes of the

WORKERS' COMPENSATION REVIEW COMMITTEE

Wednesday, August 3, 2016
Lewis and Clark Room, State Capitol
Bismarck, North Dakota

Senator Nicole Poolman, Chairman, called the meeting to order at 1:00 p.m.

Members present: Senators Nicole Poolman, George Sinner; Representatives Bill Amerman, Dan Ruby

Members absent: Senator Ralph Kilzer; Representative George Keiser

Others present: See [Appendix A](#)

It was moved by Representative Ruby, seconded by Representative Amerman, and carried on a voice vote that the minutes of the June 22, 2016, meeting be approved as distributed.

VOCATIONAL REHABILITATION PILOT PROGRAM REPORT

Chairman Poolman called on Ms. Robin Halvorson, Return to Work Services Director, Workforce Safety and Insurance, to provide the annual report on Workforce Safety and Insurance (WSI) pilot programs to assess alternative methods of providing rehabilitation services, as provided for under North Dakota Century Code Section 65-05.1-06.3. She provided written material ([Appendix B](#)) summarizing a recent program survey of the collaborative vocational support pilot program.

Ms. Halvorson said as a result of the survey, WSI is modifying the program to provide financial counseling services instead of financial planning services. Additionally, she said, WSI is evaluating how it might make referrals to the program more timely. She said WSI is planning to continue the pilot program through June 2017.

In response to a question from Representative Amerman, Ms. Halvorson said WSI pays \$600 to The Village Family Service Center to provide each client four financial counseling sessions. If the client wants more than four sessions, she said, the client is financially responsible for those additional sessions.

Senator Sinner said he is concerned the report was not made available to the committee members in advance of the meeting so that committee members could prepare questions.

Chairman Poolman said a future meeting in Bismarck can include the opportunity for committee members to ask Ms. Halvorson additional questions regarding the pilot program report.

Representative Ruby said he appreciates the written material accompanying the report and is supportive of WSI's goal of evaluating and improving the pilot program.

Chairman Poolman said the collaborative vocational support pilot program appears to be a valuable program in that it considers the whole person, by addressing mental health and financial health.

SAFETY GRANT REPORT

Chairman Poolman called on Mr. Nick Jolliffe, Director of Loss Control, Workforce Safety and Insurance, to provide the biennial report of compiled data relating to WSI's safety grant programs issued under Chapter 65-03, as provided for under Section 65-03-05. He provided written material ([Appendix C](#)) summarizing the safety training and education program (STEP), ergonomic initiative program (ERGO), ERGO grant program, learning management system (LMS), and the federal Occupational Safety and Health Administration (OSHA) Outreach 10-hour Online Training programs.

In response to a question from Senator Sinner, Mr. Jolliffe said approximately \$8.4 million of unobligated funds remain of the \$55 million originally appropriated for the safety grant programs in 2005. He said the original \$55 million came from WSI's fund surplus identified in 2005.

Mr. Jolliffe said under STEP, the North Dakota Safety Council is one of the 19 associations that receives financial assistance, which it uses to help fund its annual meeting to bring in speakers and programs to address safety, health, and wellness.

Mr. Jolliffe said under the ERGO grant program, which offers one-time grants, the amount of the grant varies from \$5,000 to \$50,000, based on the employer's premium level.

Mr. Jolliffe said under LMS, customers can access 352 online training modules, which range in length from 15 to 60 minutes.

In response to a question from Senator Sinner, Mr. Jolliffe said there are approximately 24,000 employers in the state and 417,000 employees.

Senator Sinner said if LMS has 39,715 users enrolled, there is room for improvement.

Mr. Jolliffe said although LMS participants cover a large percentage of WSI's book of business, WSI surveys indicate there is a lack of awareness by employers. He said WSI is taking steps to improve awareness.

In response to a question from Senator Sinner, Mr. Jolliffe said although WSI's Loss Control Department does not force employers to participate in safety programs, if it becomes aware of an unsafe work environment, it will make a report to OSHA and OSHA will deal with compliance. Additionally, he said, the Loss Control Department monitors trends and will dispatch a safety consultant to help an employer that appears to be experiencing a problem.

In response to a question from Chairman Poolman, Mr. Jolliffe said under LMS, employer participation ranges from small to large employers. However, he said, some employers may have their own in-house safety programs. If an employer's in-house safety program meets WSI's criteria, he said, it may qualify the employer for a 5 percent premium discount.

No further business appearing, Chairman Poolman adjourned the meeting at 1:45 p.m.

Jennifer S. N. Clark
Counsel

ATTACH:3