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## **WORKERS' COMPENSATION REVIEW COMMITTEE**

Tuesday, February 18, 2020  
Harvest Room, State Capitol  
Bismarck, North Dakota

Representative Dan Ruby, Chairman, called the meeting to order at 10:00 a.m.

**Members present:** Representatives Dan Ruby, Mary Adams, George Keiser; Senators JoNell A. Bakke, Dave Oehlke

**Member absent:** Senator Randy Burckhard

**Others present:** Representative Terry B. Jones, New Town  
See [Appendix A](#) for additional persons present.

**It was moved by Representative Adams, seconded by Senator Bakke, and carried on a voice vote that the minutes of the November 19, 2019, meeting be approved as distributed.**

### **REPORTS**

#### **Case Processing Standards and Policies**

Chairman Ruby called on Mr. Timothy J. Dawson, Director, Office of Administrative Hearings, for testimony ([Appendix B](#)) regarding the results under the case processing standards and policies.

Chairman Ruby called on Ms. Jodi Bjornson, General Counsel, Workforce Safety and Insurance, for testimony ([Appendix C](#)) regarding the report submitted by the Office of Administrative Hearings (OAH).

In response to a question from Chairman Ruby, Ms. Bjornson said the statistics regarding the decisions issued by OAH align with Workforce Safety and Insurance's (WSI) expectations.

In response to a question from Senator Bakke, Ms. Bjornson said the reason for the steady decline in the number of average days taken to receive a decision from OAH is due to Mr. Dawson implementing a new timeline for issuing decisions, hiring new administrative law judges and additional staff, and putting a new written criteria for performance into effect. She said the administrative changes made by Mr. Dawson have been very positive and effective in expediting the case processing.

#### **Pilot Programs**

Chairman Ruby called on Ms. Bjornson and Mr. Timothy Wahlin, Chief of Injury Services, Workforce Safety and Insurance, for testimony ([Appendix D](#)) regarding the status of current and completed pilot programs.

In response to a question from Senator Bakke, Ms. Bjornson said during a time period in 2019, 40 of 100 cases that went to and ended at WSI's dispute resolution office involved a medical dispute. She said the high volume of cases involving claims with conflicting medical information was the basis for the implementation of the alternative dispute resolution pilot program.

In response to a question from Chairman Ruby, Ms. Bjornson said the working group meets every 3 weeks and is composed of internal staff from claims, legal, and the dispute resolution office (DRO).

In response to a question from Senator Oehlke, Ms. Bjornson said WSI pays the costs associated with any review performed by a neutral third-party doctor of orthopedic medicine.

In response to a question from Representative Keiser, Ms. Bjornson said the neutral third-party medical evaluator reviews only the issue, area, or injury that is the basis for the medical dispute. She said two physicians already have voiced interest in being a neutral third-party medical evaluator for purposes of being a tiebreaker in resolving medical disputes.

In response to a question from Chairman Ruby, Mr. Wahlin said the written screening system for the enhanced injury care program pilot project is a short and voluntary questionnaire. He said injured workers have been very receptive to participating in the screening.

In response to a question from Representative Adams, Mr. Wahlin said the questionnaire is given to all injured workers at their first visit of their treatment protocol but the questionnaire is not reviewed until their second visit because of the high number of single-visit injured workers.

### **ATTORNEY REPRESENTATION IN THE CLAIMS PROCESS**

Chairman Ruby called on Mr. Stephen D. Little, Attorney, Little Law Office, for testimony ([Appendix E](#)) regarding attorney representation of injured workers in the WSI claims and appeals process.

Mr. Little said he has represented injured workers since 1985. He said when attorney's fees for injured worker cases became contingent in 1995, attorneys were paid only if they won the appeal against WSI. He said attorney's fees are capped by hourly rate, percentage, and total amount. He said in 1985 there were a couple dozen attorneys in the state practicing workers' compensation claims but now there are only two attorneys practicing this area of law and both attorneys are in their 60s. He said unless something changes regarding attorney's fees being contingent and capped, injured workers will not have any available attorney representation in the near future. He said there are not any attorneys in their 20s, 30s, or 40s who are making workers' compensation part of their North Dakota practice.

In response to a question from Senator Bakke, Mr. Little said the current rate is \$170 an hour contingent for the injured worker's attorney, while WSI's attorneys receive \$170 an hour noncontingent.

In response to a question from Representative Keiser, Mr. Little said attorneys get paid a noncontingent consultation fee of up to \$500 for reviewing the certificate of completion issued by DRO. He said increasing the noncontingent consultation fee statutorily would attract additional attorneys to workers' compensation practice.

In response to a question from Chairman Ruby, Mr. Little said the noncontingent consultation fee should be increased from \$500 to \$2,000.

### **CLAIM REVIEW**

The committee scheduled three workers' compensation claim reviews brought to the committee by injured workers for the purpose of determining whether changes should be made to the statutes relating to workers' compensation as provided for under North Dakota Century Code Section 54-35-22. For each of the claim reviews, the committee received a summary by Ms. Patsy Peyerl, Constituency Services, Workforce Safety and Insurance, of the injured employee's claim; a presentation by the injured employee of the claim and issues; and a response by a representative of WSI.

#### **John Vincent**

##### **Claim Summary**

Chairman Ruby called on Ms. Peyerl to provide a summary of Mr. John Vincent's workers' compensation claim. She said:

- Workforce Safety and Insurance accepted Mr. Vincent's claim on May 5, 2014, for a bilateral shoulder injury that occurred on March 11, 2014, as he was removing up to five 60-pound boxes from a shelf overhead. Workforce Safety and Insurance paid the associated medical and disability benefits.
- Mr. Vincent had left shoulder surgery on July 1, 2014. Workforce Safety and Insurance paid temporary total disability benefits from July 1, 2014, through January 13, 2015. Mr. Vincent returned to work on January 14, 2015, with no restrictions. At the time of this first disability payment, Mr. Vincent was 63 years of age.
- Mr. Vincent contacted WSI in June 2018 to request a reapplication for disability benefits for a right shoulder surgery that occurred on May 30, 2018. Mr. Vincent filed a reapplication for disability with WSI on June 21, 2018.
- During the reapplication process, Mr. Vincent indicated on June 22, 2018, to WSI that he currently was not receiving Social Security disability, Social Security retirement, or unemployment benefits. He indicated he applied for Social Security disability, but had not received confirmation as to what his benefit would be at that time.

- Workforce Safety and Insurance issued a notice of decision accepting the reapplication for disability benefits on June 26, 2018.
- On July 30, 2018, Mr. Vincent was notified by WSI that because his Social Security retirement date was January 2018, he would not be eligible for disability, and the temporary total disability was paid in error. Workforce Safety and Insurance received notification from the Social Security Administration on July 5, 2018, that Mr. Vincent's official month of entitlement was January 2018.
- Workforce Safety and Insurance issued a notice on August 1, 2018, that WSI would end disability as of August 22, 2018, and the entire period of disability paid from May 30, 2018, through August 22, 2018, was issued in error. Mr. Vincent was considered retired under Section 65-05-09.3(2).
- Mr. Vincent appealed this notice to WSI on August 24, 2018. Workforce Safety and Insurance issued an administrative order on August 30, 2018.
- Mr. Vincent stated he continued to work full time until his surgery on May 30, 2018. Mr. Vincent said he inquired with WSI on his entitlement to Social Security and how that would affect his temporary total disability benefits. Mr. Vincent stated if he had known he would not be eligible to receive disability from WSI, he would not have accepted Social Security.
- Mr. Vincent requested assistance from DRO on September 21, 2018. On September 28, 2018, DRO issued a certificate of completion with no change in decision.
- Mr. Vincent requested a hearing on November 5, 2018. On November 15, 2018, Mr. Vincent withdrew his hearing request.
- Workforce Safety and Insurance proceeded to address the overpayment of \$14,182.86. Workforce Safety and Insurance entered a stipulation with Mr. Vincent on December 26, 2018, indicating the overpayment would be reduced to \$10,000.00, and the overpayment would need to be repaid in full by December 31, 2019. Mr. Vincent signed the stipulation on December 12, 2018.
- Mr. Vincent rendered full and complete payment to WSI of \$10,000.00 on December 26, 2019.

### Mr. Vincent's Testimony

Chairman Ruby called on Mr. Vincent to review his claim and discuss the issues related to his claim ([Appendix F](#)).

Representative Jones said there are loopholes in the WSI claims process. He said he and Representative Keiser worked together during the last legislative session to close some of the main loopholes. He said depending on when an individual's birthday is and when the individual applies for workers' compensation benefits, there is a loophole wherein the individual may not receive benefits. He said Mr. Vincent fell into that loophole. He said he met with WSI and went through Mr. Vincent's paperwork and the paperwork established several reasons wherein receipt of benefits to Mr. Vincent would be justified. He said he was disappointed with WSI and shocked that WSI would not approve benefits for Mr. Vincent when favorable treatment and benefits could be justified based on Mr. Vincent's claim. He said he hopes the Workers' Compensation Review Committee can help Mr. Vincent and prevent what happened to Mr. Vincent from happening to anyone else.

Chairman Ruby said the Workers' Compensation Review Committee is not authorized to make any formal decisions on any workers' compensation claims and cannot change an existing decision made by WSI.

### Workforce Safety and Insurance Response

Chairman Ruby called on Mr. Wahlin to respond to the issues raised by Mr. Vincent. Mr. Wahlin said Section 65-05-09.3 provides the retirement presumption may or may not coincide with actual retirement. He said the retirement presumption was enacted in 1995 and established a presumed retirement age. He said an individual older than the presumed retirement age is unable to collect disability benefits. He said accepting Social Security retirement unless accepted before full attainment of Social Security retirement is irrelevant.

In response to a question from Chairman Ruby, Mr. Wahlin said Section 65-05-09.3 would be relevant in a case in which an individual has full retirement at age 65 but starts to receive retirement benefits at age 62. He said if the medical evidence indicated Mr. Vincent's injury was a new injury, it would have been processed as a new injury. He said if an individual continues to work beyond the presumed retirement age and suffers a new injury, the individual is entitled to disability benefits not to exceed 3 years. He said if Mr. Vincent's injury had been a new injury, Mr. Vincent would have been entitled to up to 3 years of disability benefits. He said House Bill No. 1188 (2019) provides an injured worker who has received disability benefits that have been discontinued before retirement is eligible to receive disability benefits after retirement if the injured worker meets the reapplication criteria. He said with the enactment of House Bill No. 1188, a claim similar to Mr. Vincent's claim now is covered.

In response to a question from Senator Bakke, Mr. Wahlin said House Bill No. 1188 did not repeal the presumed retirement age provision. He said the presumed retirement age no longer applies to reapplications postretirement.

In response to a question from Representative Adams, Mr. Wahlin said if a worker is injured before the presumed retirement age, the disability benefits end at the presumed retirement age. He said if an injured worker is injured postretirement age, the worker will continue to receive benefits for that injury for up to 3 years on the wage replacement component but will receive medical benefits for the life of the injury.

In response to a question from Chairman Ruby, Mr. Wahlin said additional benefits payable are paid when an injured worker is receiving benefits but then is no longer eligible due to the worker's retirement age. He said in Mr. Vincent's case, his retirement age came and went without receiving any benefits from WSI and additional benefits payable was not applicable.

In response to a question from Representative Keiser, Mr. Wahlin said the only time acceptance of Social Security is relevant in assessing disability benefits is if Social Security is accepted before the presumed retirement age.

### Julio Nunez

#### Claim Summary

Chairman Ruby called on Ms. Peyerl to provide a summary of Mr. Julio Nunez's workers' compensation claim. She said:

- Workforce Safety and Insurance accepted Mr. Nunez's claim for a left eye injury on May 21, 2014, while he was working as a laborer for Glass Concrete Construction. Mr. Nunez sustained a left eye injury as he was hammering a metal wedge into a pin, when the pin shot out from the hammering and struck his left eye. Workforce Safety and Insurance accepted the claim on September 4, 2014, and paid the associated medical benefits on the claim.
- Mr. Nunez contacted WSI on May 11, 2017, to inquire about a permanent partial impairment award.
- Workforce Safety and Insurance completed a review on Mr. Nunez's claim to determine if he was at maximum medical improvement. The medical review determined Mr. Nunez reached maximum medical improvement on June 17, 2017.
- Mr. Nunez completed a two-part permanent partial award evaluation on April 23, 2018, with Dr. Stephen Ferguson and Dr. Douglas Martin. Mr. Nunez was found to have a 6 percent whole person impairment as a result of the work injury.
- Workforce Safety and Insurance received the permanent partial impairment report and based on the findings, issued a notice of decision on June 15, 2018 denying the permanent partial impairment.
- Mr. Nunez appealed this notice to WSI. Workforce Safety and Insurance issued an administrative order on July 19, 2018, denying permanent partial impairment benefits, as his 6 percent whole person impairment did not meet the threshold required for a monetary award.
- Mr. Nunez contacted DRO on August 31, 2018. Mr. Nunez was informed by DRO that his request for assistance was not timely. Mr. Nunez had 30 days from the date of the order issuance on July 19, 2018, to contact DRO.
- Before the end of the 30-day appeal on the order denying the permanent partial impairment, WSI contacted Mr. Nunez to explain the order and the process for appeals. This phone call occurred on July 23, 2018.
- Mr. Nunez was informed by DRO in a letter dated October 25, 2018, that his request was not timely and provided additional information on this untimely request. Mr. Nunez's letter was not received at WSI until after business hours on August 28, 2018, with an official received date of August 29, 2018.
- It was Mr. Nunez's claim that he sent his appeal timely to WSI, as supported by the date of August 7, 2018, as written on his appeal letter; and that he did not receive the order due to an address change.
- Before issuing the order and after the order issued, WSI did not receive a formal notification from Mr. Nunez of an address change until October 23, 2018.

In response to a question from Chairman Ruby, Ms. Peyerl said the claim was filed on July 3, 2014, which was 2 months after the date of injury and the medical notes were received by WSI on August 25, 2014. She said both the claim form and the medical notes must be received before WSI can render a decision on a claim.

### Mr. Nunez's Testimony

Chairman Ruby called on Mr. Nunez to review his claim and discuss the issues related to his claim. Mr. Nunez said he does not understand how on March 1, 2018, WSI informed him they reversed the notice of decision denying permanent partial impairment evaluations with a promise of a possibility of reaching the 14 percent whole person threshold for a monetary impairment award and months later reverse the opinion of him possibly reaching the 14 percent whole person threshold. He said there also was confusion regarding the letter WSI sent him because he had a change in residential address in August 2018. He said WSI wrote him a letter stating he was denied because his appeal was not timely since WSI did not receive his letter, so he emailed the previously mailed letter to WSI which was dated August 7, 2018. He said based on his experience with WSI, the impression is WSI works hand-in-hand with the employer against the injured worker instead of collectively helping the injured worker.

In response to a question from Senator Bakke, Mr. Nunez said when he started his employment, he always wore his safety gear, including his safety goggles. He said some workers wore their safety goggles, while other workers chose not to wear them. He said his employer did not provide safety goggles or conduct any safety meeting indicating safety goggles were required to be worn while pulling up panels.

### Workforce Safety and Insurance Response

Chairman Ruby called on Mr. Wahlin to respond to the issues raised by Mr. Nunez. Mr. Wahlin said Section 65-05-12.2 pertains to permanent partial impairment benefits. He said WSI pays three things--wage-loss benefits; medical benefits, including pharmacy; and permanent partial impairment benefits. He said the permanent partial impairment benefit is based upon the *Guides to the Evaluation of Permanent Impairment*, American Medical Association, 6<sup>th</sup> Edition. He said the guide illustrates the human body as a chart and breaks the body into percentages, quantifies the loss of use of every part of the human body, and factors it into a total percent loss. He said the payment is derived from permanent partial impairment, which is a stand-alone payment, and has nothing to do with wage-loss or medical benefits. He said permanent partial impairment is an attempt to compensate for the loss of use for a person. He said the rating system in North Dakota starts with awards beginning at 14 percent. He said in Mr. Nunez's case, the medical specialist who evaluated Mr. Nunez's left eye impairment rated him at 6 percent whole person impairment. He said WSI neither regulates nor controls employers. He said WSI does not regulate safety equipment but does encourage the use of safety equipment and provides safety incentives to employers.

In response to a question from Chairman Ruby, Mr. Wahlin said if there is a significant worsening of a claim, a claim can be rerated for permanent partial impairment benefits.

In response to a question from Senator Bakke, Mr. Wahlin said Mr. Nunez would need a significant worsening of his injury for him to be re-evaluated. He said the re-evaluation can be triggered by a physician informing WSI of Mr. Nunez's injury worsening.

In response to a question from Representative Keiser, Mr. Wahlin said the continuing jurisdiction statute authorizes WSI to extend the 30-day allotted time frame in which injured workers and employers have to notify WSI of an intent to appeal or request reconsideration of a decision.

## LuQmaan Nasrullah

### Claim Summary

Chairman Ruby called on Ms. Peyerl to provide a summary of Mr. LuQmaan Nasrullah's workers' compensation claim. She said:

- Workforce Safety and Insurance accepted Mr. Nasrullah's claim for frostbite to the fingers on December 4, 2013. The injury occurred after working in extreme cold conditions while working as a flowback operator for his employer. The documented weather on the date in question was -8 degrees Fahrenheit. Initially, only medical benefits were paid on the claim.
- Workforce Safety and Insurance was notified by Mr. Nasrullah that since his work injury on December 4, 2013, he had been losing wages due to his restrictions. Workforce Safety and Insurance was notified of the loss of earnings on October 27, 2014, almost 11 months post-injury. The claim was filed only for medical benefits initially.
- Workforce Safety and Insurance began paying disability benefits on December 5, 2013. Workforce Safety and Insurance began paying alternating periods of temporary total disability and temporary partial disability benefits from that point on the claim. There were periods in which the employer could accommodate his restrictions, and then periods where the employer could not offer work. This resulted in either temporary total disability or temporary partial disability being paid by WSI.

- Vocational rehabilitation services were assigned to the claim to identify return-to-work options for Mr. Nasrullah. Mr. Nasrullah had a functional capacity assessment on January 24, 2017. The results of the functional capacity assessment placed Mr. Nasrullah in the light physical demand category. His preinjury job was not a match for the functional capacity assessment findings.
- On June 29, 2017, WSI issued a notice of vocational case management report with temporary partial disability benefits under a retained earnings capacity. Mr. Nasrullah was presumed to be capable of earning the greater of the state's hourly minimum wage times the hours of release or the wages payable within the appropriate labor market. His earnings capacity was \$290 per week.
- Mr. Nasrullah was to begin receiving temporary partial disability benefits on this retained earnings capacity as of August 29, 2017. Mr. Nasrullah's projected end date for temporary partial disability was January 30, 2021. Mr. Nasrullah would be required to perform a good-faith work search as a condition of receiving temporary partial disability benefits.
- Mr. Nasrullah appealed the vocational notice and WSI issued an order awarding temporary partial benefits on September 1, 2017.
- Mr. Nasrullah requested the assistance of DRO on September 11, 2017. On September 27, 2017, DRO issued a certificate of completion with no change in decision. Mr. Nasrullah requested an administrative hearing on October 9, 2017.
- The administrative law judge hearing occurred on June 26, 2018. On July 27, 2018, the administrative law judge determined WSI's September 1, 2017, order awarding temporary partial disability benefits was affirmed.
- Mr. Nasrullah filed a petition for reconsideration to the administrative law judge on August 23, 2018, asking for reconsideration and a rehearing. The administrative law judge on September 20, 2018, issued a denial on the petition for reconsideration and rehearing. The decision became final.
- At the time of the hearing request for the order awarding temporary partial disability benefits, Mr. Nasrullah's file was being reviewed for maximum medical improvement in addition to consideration of a permanent partial impairment evaluation.
- Mr. Nasrullah attained maximum medical improvement as of January 24, 2017. Due to his work injuries, Mr. Nasrullah could reach the 14 percent threshold for an impairment award and could be offered the opportunity to undergo a permanent partial impairment evaluation.
- A permanent partial impairment evaluation occurred on November 20, 2017. Workforce Safety and Insurance issued a notice of decision denying a permanent partial impairment on January 19, 2018. Mr. Nasrullah appealed the permanent partial impairment denial on January 23, 2018.
- WSI issued an administrative order on February 13, 2018, denying the permanent partial impairment as his whole body impairment rating of 0 percent did not reach the monetary threshold of 14 percent whole body.
- Mr. Nasrullah requested the assistance of DRO on February 20, 2018. On March 5, 2018, DRO issued a certificate of completion with no change in decision. Workforce Safety and Insurance did not receive any further appeals or a request for hearing, and the decision became final.
- Additional issues were identified during the review of Mr. Nasrullah's claim which were not the focus of his application to the Workers' Compensation Review Committee.

In 2016, a prior order discontinuing benefits for opioid therapy was issued and ultimately reversed at the administrative law judge level in December 2017. Mr. Nasrullah prevailed in his appeal.

Workforce Safety and Insurance issued an administrative order on November 5, 2019, denying chronic opioid therapy. This decision became final after a DRO review with no change in the order. Opiates remain denied on his claim.

On September 24, 2018, WSI issued an order for repayment of temporary total disability benefits from June 21, 2016, through April 4, 2017, as Mr. Nasrullah received Social Security disability benefits during that time frame. The overpayment resulted from his Social Security disability offset from his WSI temporary total disability benefits. His Social Security disability offset began on July 1, 2016. Mr. Nasrullah appealed the order for repayment. The order became final with no further appeals after a DRO review, and the overpayment balance was paid in full to WSI.

WSI also discussed entering a stipulated settlement with Mr. Nasrullah, where a lump sum payment to Mr. Nasrullah would occur, in exchange to a complete closeout of future disability and vocational benefits on his claim. The lump sum payment would consider the remainder of his 5 years of temporary permanent disability. These discussions began with WSI in October 2018. The settlement did not

proceed due to concerns about the lump sum payment being offset by the Social Security Administration, which is outside the authority of WSI.

### **Mr. Nasrullah's Testimony**

Chairman Ruby called on Mr. Nasrullah to review his claim and discuss the issues related to his claim. Mr. Nasrullah said when it comes to his benefits, he has been set up to fail because of his injury. He said his hands are too severely injured and deformed for him to seek employment in good faith. He said prospective employers view him as a potential liability instead of an asset. He said the injury to his hands has made him unable to write so he has to pay individuals to fill out job applications for him. He said he was a loyal employee and his greatest mistake was trusting WSI to treat him fairly. He said his frostbite developed into complex regional pain syndrome that now renders it impossible for him to get more than 2 hours of sleep at night. He said he does not understand how WSI reasonably can expect him to effectively seek employment.

In response to a question from Chairman Ruby, Mr. Nasrullah said his benefits were decreased by \$290 because WSI determined he had the potential to earn \$290 by working. He said he receives \$722 biweekly from WSI, which he will receive until his benefits end in January 2021.

### **Workforce Safety and Insurance Response**

Chairman Ruby called on Mr. Wahlin to respond to the issues raised by Mr. Nasrullah. Mr. Wahlin said Mr. Nasrullah was evaluated and the medical specialist rated him at 0 percent whole person impairment. He said the rating system in North Dakota starts with awards beginning at 14 percent. He said Section 65-05.1-01 pertains to rehabilitation services and it is the goal of vocational rehabilitation to return the injured worker to substantial gainful employment with a minimum of retraining as soon as possible after an injury occurs. He said Mr. Nasrullah was not interested in retraining and the functional capacity examination performed determined \$290 a week was the expected wage to which Mr. Nasrullah could return, so the remaining difference of \$722 is the amount of temporary partial disability benefits. He said under statute, temporary partial disability benefits may not exceed 5 years.

In response to a question from Chairman Ruby, Mr. Wahlin said Section 65-05-39 addresses chronic opioid therapy coverage and monitoring and provides chronic opioid therapy is opioid treatment extending beyond 90 days from initiation which is for the treatment of pain resulting from a nonmalignant, compensable condition or therapies for another nonterminal compensable condition. He said Section 65-05-39(3) provides WSI may request an injured employee on chronic opioid therapy to undergo random drug testing for the presence of prescribed and illicit substances and failure of the test or of timely compliance with the request may result in termination of chronic opioid therapy coverage. He said when Mr. Nasrullah was drug tested, the results indicated the presence of nonprescribed substances.

### **Committee Discussion**

Representative Keiser said he encourages a bill draft extending the 30-day time frame allotted for injured workers and employers to notify WSI of an intent to appeal or request reconsideration of a decision regarding a claim filed. He said extending the response time frame by 15 or 30 days under limited circumstances, such as a material change in health or change in residential address, would be a positive change for injured workers and would not be a detriment to WSI.

Chairman Ruby requested WSI and the Legislative Council staff present a bill draft at the committee's next meeting regarding the allotted time frame in which injured workers and employers have to notify WSI of an intent to appeal or request reconsideration of a decision, extending the response time frame from 30 to 45 days.

No further business appearing, Chairman Ruby adjourned the meeting at 3:30 p.m.

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Christopher S. Joseph  
Counsel

ATTACH:6