



Approved: June 20, 2023

Workers' Compensation Program Committee Meeting

Monterey Marriott
350 Calle Principal
Monterey, CA 93940

May 8, 2023

MEMBERS PRESENT

Chair: David Drake, Rincon del Diablo Municipal Water District
Vice-Chair: Fred Bockmiller, Mesa Water District
Robert Kunde, Wheeler Ridge-Maricopa Water Storage District
Stacey Lollar, Calaveras County Water District
Lenet Pacheco, Valley County Water District
Szu Pei Lu-Yang, Rowland Water District
Scott Quady, Calleguas Municipal Water District
David Wheaton, Citrus Heights Water District

MEMBERS ABSENT

None.

STAFF PRESENT

See Attendance Sheet.

OTHERS IN ATTENDANCE

See Attendance Sheet.

WELCOME

Chair Drake welcomed everyone.

CALL TO ORDER AND ANNOUNCEMENT OF QUORUM

Chair Drake called the meeting to order at 8:30 a.m. He announced there was a quorum.

ANNOUNCEMENT RECORDING OF MINUTES

Chair Drake announced that the meeting would be recorded to assist in preparation of minutes. Recordings are only kept 30 days following the meeting, as mandated by the California Brown Act.

PUBLIC COMMENT

Chair Drake noted that, as the agenda stated, members of the public would be allowed to address the Workers' Compensation Program Committee on any agenda item prior to

the Committee's decision on that item. Comments on any issues on the agenda, or not on the agenda, were also welcomed. No comments were brought forward.

INTRODUCTIONS

Chair Drake asked the Committee Members and JPIA staff to introduce themselves.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

Chair Drake asked for any additions to, or deletions from, the agenda. Staff had none.

CONSENT AGENDA

Approval of the minutes

Chair Drake called for approval of the June 30, 2022 minutes.

M/S/C (Pacheco/Quady) (Bockmiller-Yes; Drake-Yes; Kunde-Yes; Lollar-Yes; Lu-Yang-Yes; Pacheco-Yes; Quady-Yes; Wheaton-Yes): That the Workers' Compensation Program Committee approve the minutes of the June 30, 2022 as presented.

Meeting attended on behalf of the JPIA

None reported.

ADMINISTRATION

Introduce New Workers' Compensation Claims Manager

Mr. Greenfield stated that Melody Tucker retired from the JPIA on May 5, 2023. The JPIA is pleased to introduce Erin Bowles as the new Workers' Compensation Claims Manager. She has over 27 years of experience and a proven track record of success in handling workers' compensation claims.

PROGRAM UPDATE

Review of Workers' Compensation Claims Data

Mr. Greenfield and Ms. Bowles presented the claims history for the JPIA Workers' Compensation Program which has been very favorable for the past several years. Claim frequency in the current year is slightly down which may be partly attributed to the drought decreasing productivity. Several graphs were shown which represented the recent program history. Many claims start as a sprain/strain and months later, after little improvement, diagnostics are performed which then show a more significant injury. Year after year, claims history shows that length of service is more closely correlated to frequency of injury than age, with newer employees getting injured more frequently than employees with longer tenures. Total COVID claims reported between March 1, 2020, and April 4, 2023, is 46. Twenty-five were denied as not work related. The total incurred was \$61,290 for these claims with an average incurred of \$1,332.

Over the last several years, the JPIA's training and risk management efforts have emphasized workplace safety and management. These efforts have been attributed to the outstanding results for this pooled program.

The Committee requested that an e-mod report, graphs showing severity information, and a significant claims report be added to the agenda and presentation for the next Committee meeting.

Risk Management Update

Ms. Flint provided an update on risk management emphasis areas supporting the Workers' Compensation Program as well as ongoing activities to support the pool's claims reduction and risk management efforts. She highlighted the Return-to-Work program, Commitment to Excellence Ergonomics/Falls program, and the new Sprains Strains Reduction Project, among others.

Membership Report

Ms. Cruz reported that in the 2022-23 coverage year, Rainbow Municipal Water District and North Coast County Water District joined the Workers' Compensation Program. Currently, there are 204 program members and 7,986 employees covered. For the 2023-24 coverage year, six agencies have expressed interest in joining the program.

NEW BUSINESS

Review of Biennial Claims Audit

Mr. Greenfield stated that every two years, the JPIA retains an independent auditor to review the claim files of the Workers' Compensation Program. The latest audits, completed in the fall of 2022, received a well-deserved, excellent evaluation. The JPIA received an audit score of 98.1% and there were no noted overall weaknesses in the claims handling. The audit found no recommendations needed for this program.

Review of New Laws/Pending Legislation Update

Mr. Greenfield presented two bills currently in the California Legislature that may have an impact on JPIA members and the pooled program. Introduced on February 16, 2023, AB 1213 proposes to exclude any Temporary Disability (TD) payments made during a dispute regarding medical treatment that is ultimately overturned by the Independent Medical Review (IMR) process. SB 697 was introduced on February 16, 2023 and requires a study on what would be required and accomplished by linking medical care reimbursement for Workers' Compensation to the "Value of Care" provided. Workers' Compensation medical care is now paid on a fee-for-service basis utilizing the State of California approved fee schedule. "Value of Care" would pay providers based on the outcomes of the care provided "against the cost" of delivering the outcomes. This bill proposes the study focus on the "Accountable Care Organization" model which would establish quality metrics to evaluate outcomes. Neither of the two bills have been signed into law.

Cal/OSHA Update

Ms. Flint, Risk Control Manager, provided an update on Cal/OSHA's Advisory meetings that may impact Workers' Compensation Program members.

The Cal/OSHA Advisory Committee's mission is to promote and improve occupational health and safety conditions and public safety in California. Ms. Flint reported on Cal/OSHA's proposed changes to the COVID-19 prevention plan, employer required First Aid Kits, Indoor Heat Illness Prevention, and Workplace Violence Prevention requirements.

The JPIA's Risk Control Department provides on-site or virtual risk assessments, consultative services, loss reviews, and training services to JPIA members participating in our Workers' Compensation (WC) Program. The JPIA Risk Control staff focuses its efforts on assisting WC Program members with the continuous improvement of their safety and risk control programs while following Cal/OSHA standards.

CEO Update

Mr. Sells provided an update on the stability of the Workers' Compensation membership. Having an in-house claims staff provides active communication between departments and results in continuous superior service to our members.

MISCELLANEOUS

Availability for Upcoming Meeting(s)

The next scheduled Workers' Compensation Program Committee meeting is on June 20, 2023.

The Workers' Compensation Program Committee meeting adjourned at 9:35 a.m.

ATTENDEES & JPIA STAFF IN ATTENDANCE – MAY 8, 2023

<u>District / Organization</u>	<u>First Name</u>	<u>Last Name</u>	<u>Position</u>
ACWA JPIA	Laura	Baryak	Administrative Assistant II
ACWA JPIA	Adrienne	Beatty	Assistant Executive Officer
ACWA JPIA	Erin	Bowles	Workers' Comp. Manager
ACWA JPIA	Chimene	Camacho	Executive Assistant (Recording Secretary)
ACWA JPIA	Sarah	Crawford	Training Manager
ACWA JPIA	David	deBernardi	Director of Finance
ACWA JPIA	Robin	Flint	Risk Control Manager
ACWA JPIA	Robert	Greenfield	General Counsel
ACWA JPIA	Molly	Quirk	Communications/Outreach Specialist
ACWA JPIA	Jillian	Sciancalepore	Workers' Comp. AA II
ACWA JPIA	Andy	Sells	Chief Executive Officer
ACWA JPIA	Tony	Waterford	HR Manager
ACWA JPIA	Sandra	Smith	Employee Benefits Manager
ACWA JPIA	Dan	Steele	Finance Manager
ACWA	Dave	Eggerton	Executive Director
ACWA	Tiffany	Giammona	Director of Member Outreach
Chino Basin Watermaster	Bob	Kuhn	JPIA Director
Clear Creek Community Services District	Paul	Kelley	General Manager
Madera Irrigation District	Carl	Janzen	Director
Rowland Water District	Tom	Coleman	General Manager
San Gabriel Basin Water Quality Authority	Bob	Kuhn	JPIA Director
Santa Margarita Water District	Saundra	Jacobs	Director
Tulare Irrigation District	Kathi	Artis	Controller
Valley Center Municipal Water District	Jim	Pugh	Alternate Director
West Valley Water District	Greg	Young	President