

Minutes State Safety & Return to Work Group Meeting



Meeting Date : 05/25/2023

Room : TEAMS

3 Pages

Time 1 :00 pm

Meeting Attendees

Rob Virts	Mandilynn Edlin	Traci Merzlak
Amy Jenks	Tylynn England	Jeff Plum
Tawni Jo Aguirre	Lesley Farry	Jake Sandau
Jennifer Alger	Kirby Fugle	Nathan Showalter
Jessica Arnold	Patty Hoover	Suzanne Snow
Juliet Balsam	Amy Horne	Stormy Tuffield
Ted Bidon	Dan Johnson	Justin Ulmen
Terri Christianson	Errolyn Lantz	Mark Wlazlak
Shannin Danko	Genevieve Lighthiser	Holly Wolfe
John Daugherty	Keri Maes	
Aaron Douglas	Sophie Magnuson	
Valerie Dunlap	Sarah McClain	

Meeting Notes

WCMB – Introductions


- Rob is the new Workers Compensation Management Bureau (WCMB) Program Manager replacing Lance Zanto.
- Tawni Jo Aguirre Workers Compensation Management Bureau (WCMB) Workers Compensation and Safety Specialist

Jake Sandau – DLI Focus Areas

- DLI Emphasis Areas –
 - Ensuring a quality 300 log. Inspectors will be looking at the specifics for certain injuries noted on the log – i.e., was an investigation completed and what were the outcomes of that investigation.
 - Compressed Air Used for Cleaning. When compressed air is used for cleaning it must be reduced below 30 PSI. Note: compressed air can only be used for cleaning objects, never people. Below is the standard we'll cite and a photo of the nozzle tip that should be used. These nozzles have additional holes that prevent the air from being concentrated into one stream. There are several different types that can be used and can be purchased online or at hardware/safety supply stores.

[29 CFR 1910.242\(b\): Compressed Air Used for Cleaning](#)




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- Inspections – each inspector has been assigned a county that they will service. When scheduling inspections, they will consider the type of work being done, when was the last inspection, etc. High hazard areas will be done more frequently.

Rob Virts – Policy Renewal Meetings/E-Mod discussion/MSF streamline efforts/MSF Stewardship and claim review meeting frequency/MSF quarterly free trainings/Legislative Follow-up/MSF loss run reports access/Monthly indemnity report efforts/Onsite survey.

- Policy Renewal Meetings – the 13 agencies that have requested a renewal meeting have been scheduled and will start middle of June. If you would like to request a renewal meeting, contact Rob or Tawni.
- E-Mod Discussion – The legislature issued a pay increase which resulted in an estimated \$40 million dollar increase in payroll. Rates however decreased by 4.6%. E-Mod is down 4.87%
- MSF Streamline Efforts – Rob and Tawni have been working with MSF to streamline processes. Going forward each agency is assigned one lead claims examiner as their point of contact.
- MSF Stewardship & Claim Review Meeting – the frequency of these meetings is determined by how often your agency is submitting claims.
- MSF Free Training – MSF offers free training, to sign up go to <https://www.safemt.com/> under the “Initiative” tab go to “Safety Workshops”. Here you will find the quarterly training topics, dates and times offered to register.
- Legislative Follow-up –
 - **HB 178** - Clarifies that injuries which occur off the clock and as the result of social or recreational activity on the employer’s premises are not compensable. The bill defines social or recreational activity is one that includes exercise, pleasure, relaxation, or voluntary optional preparation related to the employment. (Signed into Law, effective 3/24/23)
 - **HB 427** - National Guard Workers Compensation and Military Affairs compensation coverage. An act revising military affairs laws; providing that members of the National Guard and Air National Guard are entitled to workers’ compensation while on state duty; providing that the Department of Military Affairs must cover the difference between workers’ compensations benefits and the injured member’s federal compensation rate. (Signed by Governor)
 - **HB 506** - An act that would generally revise workers’ compensation laws through freedom of competition and allow the Department of Administration to elect a workers’ compensation plan. (Tabled)
 - **HB 590** - Require health care employers to report acts of violence against health care workers to Dept. of Justice. Does not apply to DPHHS or healthcare facility operated by/benefit of DPHHS. (Transmitted to Governor) (work comp reference amended out of bill)
 - **HB 836** - Revise Insurance Laws re: Regulatory Waivers Allow MT Insurance Commissioner to provide additional, limited experimentation within a controlled, time-limited environment to test new ideas that do not fit within the regulatory scheme. MSF reports it is interested in return-to-work and safety applications in workers’ compensation. ** The insurance code to be modified by this Bills does not apply to work comp self-insurers. (Transmitted to Governor)
 - **HB 923** - An act that would have allowed weekly compensation benefits for an injury producing temporary/partial disability payments at 100% of the wages received at the time of the injury. (Tabled)

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- **SB 310** - An act revising occupational disease laws for firefighting activities; added cervical, lung and testicular cancers to the bill as they were previously omitted (signed by Gov)
- **SB 369** - Provide coverage under worker's compensation for employees experiencing serious adverse events after receiving employer-mandated vaccines (Tabled in House)
- **SB 556** - Montana Workers' Compensation Modernization Act - dissolution of MSF (Tabled)
- MSF Loss Run Reports – this report provides a detailed list of all injuries that were submitted for your department for last 5 fiscal years. Each agency can access this report through the MSF website. If you need to get access or have questions on the reports, please contact Rob or Tawni.
- Monthly Indemnity Report Efforts - for anyone that received any sort of indemnity payment in the previous months, Tawni will be reviewing and following up with those agencies to see if anything can be done to get employee back to work.
- Onsite Survey – a 6 question survey will be going out next week about the use of Onsite. Please take the time to complete this survey, even if you are indicating you have never used it.
- Total Claims Reported – Rob went over a year over year comparison.

Meeting Wrap-Up

- Send suggestions for future meeting topics to Rob.
- Next Safety meeting will be October 19, 2023 – this will be an in-person meeting at the Montana State Fund Boardroom.

Upcoming Meeting

Date/Time

June 2023 – Policy Renewal Meetings – Individual Agency Meetings

October 19, 2023 – SSG meeting – 1:00pm – 2:30pm – State Fund Boardroom (This meeting will only be offered in-person.)

January 25, 2024 – SSG meeting – 1:00pm – 2:30pm – Virtual