

Workers' Compensation Advisory Council (WCAC)  
Meeting Minutes  
December 2, 2014, Conference Call

**Members Present:** Chairman Matt Michels, Marcia Hultman, Jeff Haase, Connie Halverson, Thomas Huegel, Carol Hinderaker, Guy Bender, Randy Stainbrook, Kory Rawstern

**Others Present:** James Marsh, Amber Mulder, Morgan Ness, Shawn Lyons, Patsy Mehlhaff, Larry Deiter, Deb Mortenson, Jennifer Andrisen Selzler, Laurie Benson, Larry Klaahsen, Linnae Spiering, Chris Specht, Mark Anderson, Cindy Gallagher, Mike Shaw, Laura Hensley, Dick Tieszen, Myrna Gilland

Chairman Michels called the meeting to order, and roll call was taken by Morgan Ness. A quorum was present.

Randy Stainbrook MOVED to approve the September 10, 2014, meeting minutes. Jeff Haase SECONDED. **MOTION CARRIED.**

James Marsh shared the draft legislation for subcontractor affidavit proposed by Representative Spence Hawley. The draft is based on scaled-down version of what is currently in place in Montana and Kansas. The affidavit would exempt independent contractors from carrying workers' compensation insurance. General and subcontractors would sign the affidavit stating they fall within the guide lines. Then the affidavit is notarized and filed with the Division of Insurance. A copy of the current draft discussed can be viewed at [http://dlr.sd.gov/workerscomp/advisorycouncil/wcacagenda120214\\_independent\\_contractor.pdf](http://dlr.sd.gov/workerscomp/advisorycouncil/wcacagenda120214_independent_contractor.pdf).

Jeff Haase MOVED to support the draft legislation. Thomas Huegel SECONDED. The Council voted 8 – 0 – 0. **MOTION CARRIED.**

Marsh shared the NCCI September 2014 Medical Data Report. It is noted at the next WCAC meeting a representative from NCCI will be present to further discuss the report.

With the addition of the Council supporting the independent contractor affidavit; Carol Hinderaker MOVED to approve the 2014 annual report draft. Guy Bender SECONDED. **MOTION CARRIED.**

Thomas Huegel MOVED to adjourn the meeting. Randy Stainbrook SECONDED. **MOTION CARRIED.**

Meeting adjourned at 11:29 a.m.