

Meeting Minutes
WORKERS' COMPENSATION ADVISORY COUNCIL
Microsoft Teams Meeting
October 20, 2022, 10:00 a.m. CDT

Members Present: Chairman Scott Stern, Brooke Bohnenkamp, Secretary Marcia Hultman, Kate Lukkes

Members via Teams: Kory Rawstern, Randy Stainbrook

Members Absent: Guy Bender, Jason Dodson, Russ Hohn, Jesse Smith

Others Present: Doug Abraham, Gina Chapman, Tony Dorschner, Deb Mortenson, Amber Mulder, Dan Nelson, Sarah Petrik, Darcy Sorenson

Others Present via Teams: Jessica Filler, Clayton Grube, Laura Hensley, Kristi Holm, Diane Johnson, Patsy Mehlhaff, Holly Nagel, Representative Sue Peterson, Jason Pieper, David Reiss, Kristi Sandal, Susan Schulte, Jennifer Andrisen Selezler, Micki Slykhuis, Justin G. Smith, Shawn Stricker, Dick Tieszen, Matthew Weigel, Brad Wilson

Chairman Scott Stern called the meeting to order at 10:00 a.m. CDT. Roll call was taken by Darcy Sorenson. A quorum was present.

Brooke Bohnenkamp moved to approve the minutes of the July 14, 2022, meeting. Kory Rawstern seconded. **MOTION PASSED** by 5-0 roll call vote (4 absent).

Chairman Stern opened the floor for public comments.

Jason Pieper read a letter submitted by his attorney Nancy Turback Berry regarding the proposal to reform South Dakota law to prevent nurse case managers from communicating with injured workers' medical providers.

Chairman Stern opened the floor to proponents of Mr. Pieper's proposal. Proponents included: Representative Sue Peterson.

Chairman Stern opened the floor to opponents of Mr. Pieper's proposal. Opponents included: Doug Abraham representing American Property Casualty Insurance, Deb Mortensen representing the Association of General Contractors, and Justin Smith representing Woods Fuller Law Firm.

Chairman Stern allowed rebuttal which was given by Mr. Pieper. Chairman Stern then opened the meeting to committee questions, followed by committee discussion and/or action.

Kory Rawstern moved to advance the proposal to the legislature to be vetted and reviewed by the full legislative body without any recommendation from the Council. Randy Stainbrook seconded the motion. **MOTION PASSED** by a 5-0 roll call vote (4 absent).

Susan Schulte, National Council on Compensation Insurance (NCCI) Department of Labor Relations Executive, presented the 2022 Medical Data Report for South Dakota. Ms. Schulte

reviewed payments made for various items and compared South Dakota with the region and nation. Ms. Schulte stated a new interactive medical data dashboard can be found at NCCI.com.

The 2022 Workers' Compensation Advisory Council draft report was presented by DLR Labor and Management Division Director Amber Mulder for review and discussion. Randy Stainbrook moved to approve. Brooke Bohnenkamp seconded the motion. **MOTION PASSED** by a 5-0 roll call vote (4 absent).

The next meeting will be in July with a date to be determined.

Kate Lukkes moved to adjourn. Brooke Bohnenkamp seconded the motion. **MOTION PASSED.**

Chairman Stern adjourned the meeting at 11:24 a.m.

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