
**WORKERS' COMPENSATION ADVISORY COUNCIL
MINUTES ~ ~ MARCH 4, 2005 MEETING [10:00 A.M.]
HOUSE HEARING ROOM #29
LEGISLATIVE PLAZA
NASHVILLE, TENNESSEE**

The meeting was called to order at 10:15 a.m. by the chair, Mr. Dale Sims, State Treasurer. A quorum of voting members was present. Therefore, it was not necessary to conduct the meeting electronically.

***CHAIR:** Dale Sims, State Treasurer - Present

***VOTING MEMBERS:**

Employee Representatives

Jack A. Gatlin - Present

Jerry Lee - Present

Othal Smith, Jr. - Absent

Employer Representatives

Neil Nevins - Present

Bob Pitts - Present

Steven Turner - Absent

***NONVOTING MEMBERS:**

Kitty Boyte [TDLA representative] - Present

Claiborne (Chip) Christian, M.D. [health care providers representative] - Absent

Jackie Dixon [TBA representative] - Present

Tony Farmer [TTLA representative] - Present

Bob Kirk [local governments representative] - Absent

Jerry Mayo [insurance companies representative] - Absent

David Stout [health care providers representative] - Absent

***EX OFFICIO MEMBERS**

Senator Joe Haynes - Absent

Representative Jere Hargrove - Absent

Commissioner Paula Flowers - Present

Commissioner Jim Neeley - Present

The following lists the topics discussed at the meeting and indicates the actions taken or recommended to be taken:

1. DEPARTMENT OF COMMERCE AND INSURANCE - DISCUSSION OF LOSS COSTS FILING (Effective Date: July 1, 2005)

Commissioner Paula Flowers and staff of the Department of Commerce and Insurance presented a proposed modification to the NCCI prospective loss costs filing (effective on July 1,

2005) to the Council for review pursuant to *TCA* 50-6-402(b). The proposed modification related to one specific class code: #5537 (heating, ventilation, air-conditioning and refrigeration systems - installation, service and repair & drivers). The Commissioner requested the Advisory Council to approve a three year transition program for implementation of the new classification methodology for #5537.

>**ACTION:** The voting members of the Workers' Compensation Advisory Council present at the meeting unanimously voted to modify their recommendation regarding the NCCI prospective loss costs filing (effective July 1, 2005) as contained in the letter sent to Commissioner Flowers dated February 24, 2005. The voting members unanimously recommended the NCCI's proposed overall increase of 3.9% from the loss costs that became effective on September 1, 2004, and the individual loss costs for each classification as included in the NCCI's filing, be approved effective July 1, 2005, except for classification #5537. With regard to classification #5537, the voting members unanimously recommended the adoption of the three year transition plan proposed by the department.

2. REVIEW OF WORKERS' COMPENSATION LEGISLATION

The members of the Advisory Council reviewed a portion of the workers' compensation bills that had been referred to the Advisory Council by the Chair of the Senate Commerce, Labor and Agriculture Committee.

>**ACTION:** The members of the Advisory Council reviewed the following bills and determined the comments that would be transmitted to the Committee at the conclusion of review of all bills referred for review and comment:

SB#	SPONSOR	HB#	SPONSOR
462	Williams	1550	West
486	Bryson	477	Odom
776	Burchett	713	Hargrove
801	Burchett	1354	Ferguson
1448	Jackson	1177	Buck
1614	Norris	485	Overbey

The members of the Advisory Council briefly discussed the following bills and determined it would be best to defer further consideration of the bills until the next meeting scheduled for March 18, 2005.

SB#	SPONSOR	HB#	SPONSOR
550	Black	1885	Lynn
662	Fowler	521	Sharp
850	Harper	144	Turner, M.
852	Harper	136	Turner, M.
998	Haynes	1529	McMillan
1130	Cooper	762	Odom
1449	Jackson	1176	Buck
1631	Norris	756	Clem

The members were reminded the next meeting would be Friday, March 18, 2005 at 10:00 a.m. in House Hearing Room #29, Legislative Plaza.

The meeting of the Advisory Council adjourned at 1:15 p.m.