#### AGENDA

#### SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

1333 Main Street, 5<sup>th</sup> Floor Columbia, South Carolina 29201 **December 19, 2022 10:30 a.m.** 

#### Meeting to be held in Hearing Room A

The Commission's Business Meeting will be broadcast live on the Internet via Zoom. Interested parties may access the broadcast at the following link:

https://us02web.zoom.us/j/8249297108?pwd=akcwMkMxSnYzQWFxdEs4V2x6UWtyUT09 Meeting ID: 824 929 7108 Passcode: 073988

This meeting agenda was posted prior to the meeting and proper advance notice was made to all concerned parties in compliance with requirements in the Freedom of Information Act.

1.	CALL TO ORDER	CHAIRMAN BECK
2.	APPROVAL OF AGENDA OF BUSINESS MEETING OF DECEMBER 19, 2022	CHAIRMAN BECK
3.	APPROVAL OF MINUTES OF THE REGULAR BUSINESS MEETING OF NOVEMBER 21, 2022, (Tab 1)	CHAIRMAN BECK
4.	GENERAL ANNOUNCEMENTS	MR. CANNON
5.	APPLICATIONS FOR APPROVAL TO SELF-INSURE (Tab 2)	MS. BROWN
6.	DEPARTMENT DIRECTORS' REPORTS Human Resources (Tab 3) Information Services (Tab 4) Insurance and Medical Services (Tab 5) Claims (Tab 6) Judicial (Tab 7)	MS. WARD MR. PLUSS MR. DUCOTE MS. SPANN MS. BRACY
7.	DEPARTMENT OF VOCATIONAL REHABILITATION Monthly Report (Tab 8)	MR. CANNON
8.	EXECUTIVE DIRECTOR'S REPORT (Tab 9)	MR. CANNON
9.	FINANCIAL REPORT (Tab 10)	MR. CANNON
10.	OLD BUSINESS	CHAIRMAN BECK
11.	APPROVAL OF AVERAGE WEEKLY WAGE - 2023	CHAIRMAN BECK
12.	APPROVAL OF 2023 COMMISSION MEETING CALENDAR	CHAIRMAN BECK
13.	EXECUTIVE SESSION General Counsel has requested an Executive Session to discuss pending litig	CHAIRMAN BECK gation.

14. ADJOURNMENT

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1	Approval of Minutes of Business Meeting of November 21, 2022
2	Self-Insurance
3	Human Resources
4	Information Services
5	Insurance & Medical Services
6	Claims
7	Judicial
8	Vocational Rehabilitation
9	Executive Director's Report
10	Financial Report
11	New Business

#### THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION BUSINESS MEETING November 21, 2022

A Business Meeting of the South Carolina Workers' Compensation Commission was held in Hearing Room A of the Workers' Compensation Commission on Monday, November 21, 2022, at 10:30 a.m. The meeting agenda was posted prior to the meeting and proper advance notice was made to all concerned parties in compliance with requirements in the Freedom of Information Act. The following Commissioners were present:

#### T. SCOTT BECK, CHAIRMAN GENE MCCASKILL, VICE CHAIR MELODY L. JAMES, COMMISSIONER AVERY WILKERSON, COMMISSIONER AISHA TAYLOR, COMMISSIONER CYNTHIA DOOLEY, COMMISSIONER

Present also were Gary Cannon, Executive Director; Keith Roberts, General Counsel, Christy Brown, Self-Insurance Director; Amy Bracy, Judicial Director; Sonji Spann, Claims Director; Kristen Mcree, Staff Attorney; Bridget Ward, Human Resource Director; Kris Pluss, Director of Information Technology and Douglas Mann, IT Consultant, Bonnie Anzelmo, Injured Workers' Advocates, and Creel Court Reporting, Inc.

Chairman Beck called the meeting to order at 10:42 a.m.

#### PUBLIC HEARING - PROPOSED CHANGES TO REGULATION 67-610

Chairman Beck called a Public Hearing to order at 10:43 a.m.

Keith Roberts, General Counsel reviewed the proposed changes to Regulation R67-610. Public Hearing. Mr. Roberts responded to questions from Commissioner Taylor and James. Chairman Beck asked if there was anyone in the audience to speak on the proposed changes. There were no questions from the Public regarding the Regulation change. Commissioner Wilkerson made the motion the proposed changes to Regulation R67-610 be approved. Commissioner James seconded the motion, and the motion was approved.

The Public Hearing ended at 10:50 a.m.

#### **AGENDA**

Commissioner McCaskill moved that the agenda be approved. Commissioner Dooley seconded the motion, and the motion was approved.

#### APPROVAL OD MINUTES – BUSINESS MEETING OF October 17, 2022

Commissioner McCaskill moved that the minutes of the Business Meeting of October 17, 2022, be approved. Commissioner Dooley seconded the motion, and the motion was approved.

#### **GENERAL ANNOUNCEMENTS**

There were no general announcements.

#### **APPLICATIONS FOR APPROVAL TO SELF-INSURE**

Self-insurance applications were presented by Christy Brown, Self-Insurance Director. **Thirteen (13)** prospective members of **Two (2)** funds were presented to the Commission for approval. The applications were:

#### South Carolina Home Builders SIF

Carolina Building Partners LLC James Jones dba Jones Plaster KB Cut LLC Precision Concrete Pumping LLC Remodeling Services Unlimited, Inc. Stewart Seamless Gutters Upstate Recreational Services LLC WB Custom Construction, Inc. Westcreek Home Builders LLC Window Gang Charleston

#### Palmetto Timber Fund

Log Creek Logging, Inc. Log Creek Thinning, Inc. Log Creek Timber Company, Inc

After examination of the applications, it was determined that each complied with the Commission's requirements, and each was recommended for approval.

Commissioner Wilkerson made the motion to approve the applications to self-insure. Commissioner Taylor requested to be recused from the vote. Commissioner James seconded the motion to approve the applications to self-insure, and the motion was approved.

#### **DEPARTMENT DIRECTORS' REPORTS**

Each Department report was submitted in written form and included in the Commission's agenda booklets.

#### Human Resources

Ms. Ward presented the Human Resources report. There were no comments or questions from the Commission.

#### **Information Technology Department**

Mr. Pluss presented the IT report. There were no comments or questions from the Commission.

#### **Insurance and Medical Services Department**

Mr. Ducote submitted his report in written form. Mr. Cannon presented the report. There were no comments or questions from the Commission.

#### **Claims Department**

Ms. Spann presented the Claims report. There were no comments or questions from the Commission.

#### Judicial Department

Ms. Bracy presented her report. There were no questions from the Commission.

#### **VOCATIONAL REHABILITATION**

There was no report received form Vocational Rehabilitation at the time of submission.

#### **EXECUTIVE DIRECTOR'S REPORT**

Mr. Cannon submitted his report in written form. There were no comments or questions from the Commission.

#### ADMINISTRATION – FINANCIAL REPORT

Mr. Cannon submitted his report in written form. There were no questions from the Commission.

#### OLD BUSINESS

There was no old business.

#### **NEW BUSINESS**

There was no new business.

#### **EXECUTIVE SESSION**

Commissioner McCaskill made a motion to move into Executive Session to discuss pending litigation matters. Commissioner Dooley seconded the motion, and the motion was approved. The Commission went into Executive Session at 11:04 a.m.

Commissioner Taylor made the motion to leave Executive Session at 11:27 a.m.; notating that no activity was taken. Commissioner James seconded the motion, and the motion was approved.

#### **ADJOURNMENT**

Commissioner Taylor made the motion to adjourn. Commissioner James seconded the motion, and the motion was approved.

The November 21, 2022, meeting of the South Carolina Workers' Compensation Commission adjourned at 11:29 am.

Reported December 9, 2022 Arnisha Keitt Executive Assistant

#### State of South Carolina

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### Workers' Compensation Commission

- TO: Gary Cannon
- **FROM:** Bridget Ward
- DATE: December 8, 2022

#### SUBJECT: Monthly Human Resources Report for December 2022 Business Meeting

This report summarizes Human Resources' activities from November 1, 2022, through November 30, 2022. At the end of November, the Commission had 48 full-time employees and two part-time employees.

- New Hires: None
- Separations or Retirements: None
- FMLA Leaves: None

HR processed no SCEIS personnel transactions and six SCEIS time/leave transactions in November, and the monthly detailed payroll and time/leave reports were run as scheduled. Any issues that arose were corrected with the collaborative effort of either the SCIES team or the Comptroller General Office.

HR participated in one webinar hosted Department of Administration Training Department.

Eight "All Employee" emails were sent by HR during November, and eight travel reports were processed. HR received and reviewed 863 emails and sent 856 emails.

HR assisted employees with any unresolved issues resulting from PEBA's October open enrollment.

There was one building issue and no parking issues in November. The building issue is presently ongoing, and there were no updates to the parking assignments.

There were three COVID cases in the month of November. The employees returned to work after protocol was followed, contact tracing was done and the appropriate quarantine/isolation period was observed. HR will continue to obtain testing kits from DHEC to provide convenient free testing for all employees.

November posting for positions to be filled: Claims – Insurance Analyst I – AP01. The Posting did not result in any qualified candidates applying. HR will repost the recruitment announcement again in January.

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# Workers' Compensation Commission

To: Gary Cannon, SCWCC Executive Director
From: Kris Pluss, IT Director
Date: December 9, 2022
Subject: IT Department November 2022 Full Commission Report

This report summarizes the activities and accomplishments for projects and initiatives in the IT department during November 2022.

#### I. Systems Operations, Maintenance and Support

#### EDI

WCC IT Staff continues to work with the ISO/Verisk to establish processes and an implementation plan for the EDI claims processing migration. We continue to participate in the IAIABC conference calls for: Jurisdiction Only meetings, EDI Claims Committee and the POC 3.0 taskforce. WCC IT attended two conference calls with ISO/Verisk in November. Phase 1 is scheduled to be completed during the First Quarter of 2023.

#### Progress

WCC IT and Progress Software Engineers were able to work in the Deployment Environment to test several Progress updates. WCC IT Staff intend to schedule those updates in the Production Environment in the beginning of December.

#### Systems Support

The IT team continues to collectively manage all end user support for agency provided workstations, iPhones, iPads and Microsoft Surfaces. WCC IT is working with DTO, Endpoint Support to pilot the deployment of two iPad replacements that will utilize Intune Mobile Device Management.

<u>Security</u> We had no security alerts in September.

#### Reporting

- 85 Service Desk tickets were received by WCC IT during November 2022.
- 54 Tickets were assigned a priority of Low / Medium.
- 24 Tickets were assigned a priority of High.
- 7 Ticket was assigned a priority of Urgent.

#### II. Projects, Enhancements and Development

#### Legacy Modernization

WCC IT met with KeyMark to discuss the eDisplay Document Pop Project. This enhancement will allow external stakeholders that are connected to a claim to view, download and print documents that are attached to a case. A project kick-off meeting with KeyMark and WCC IT has been scheduled for December 15, 2022.

### State of South Carolina



## Workers' Compensation Commission

To:	Mr. Gary Cannon	From:	Wayne Ducote, Jr.	Date:	14-Dec-22
	SCWCC Executive Director		IMS Director		

Subj: Insurance and Medical Services Department November 2022 Full Commission Report

Please find attached information provided to summarize the status and workflow of initiatives currently underway within the Insurance and Medical Services (IMS) Department.

In addition to the statistical data provided, please be advised of the following:

Compliance Division	1. 2.	Reviewing revenue metrics / projections. Working with staff to review workflow processes and additional training opportunities.
	3.	Continuing to explore outreach opportunities with stakeholders.
Coverage Division	1.	Working with staff to review workflow processes and explore opportunities to enhance service provision.
	2.	Lapse in Coverage: 23 new registrants; 0 notifications sent.
Medical Services	1.	Two medical bill pricing reviews were done in the month of November.

While this summary is in no way all-inclusive, it may serve to assist you and our Commissioners in understanding the key initiatives underway in the IMS Department and provide measures by which the Department's effectiveness can be gauged. IMS welcomes any guidance that you and/or our Commissioners can provide concerning our performance and direction.

#### IMS COMPLIANCE DIVISION

# Employer Rule to Show Cause Hearings and Compliance Activity

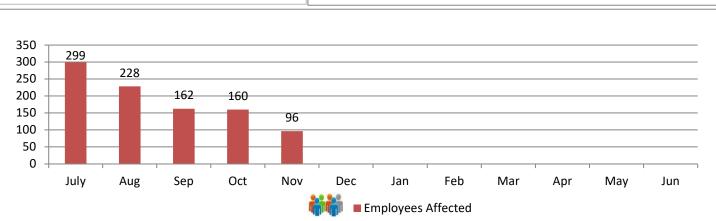
The Compliance Division docketed 0 new RTSC cases and 0 total RTSC cases in the month of November. And, compelled 16 South Carolina employers to come into compliance with the Act. Year to date, 3 new RTSC cases and 11 total RTSC cases have been docketed.

#### **Employers Obtaining Coverage**

Year to date, the Compliance Division has compelled 109 South Carolina employers to come into compliance with the Act. In so doing, approximately 945 previously uninsured workers are now properly covered.

#### Penalties Waived

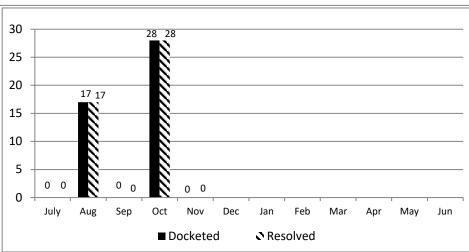
Although the Division has assessed \$1.6 m in fines this fiscal year, \$988 k have been <u>waived</u> or <u>rescinded</u> as employers have either obtained insurance coverage or were found not to be subject to the Act.



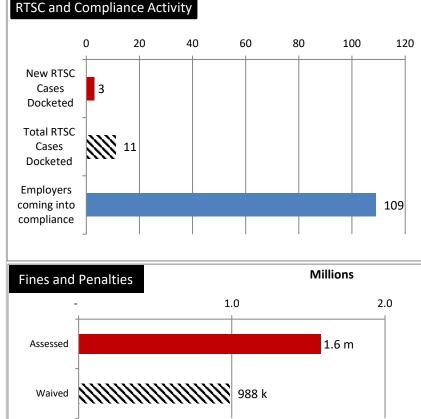
#### **Carrier Rule to Show Cause Hearings**

The Compliance Division manages the Rule to Show Cause process involving the recovery of outstanding carrier fines and penalties . In the month of November 2022, 0 carrier RTSC cases were docketed; 0 cases were resolved for a total of \$0.

Year to date, a total of 45 carrier RTSC cases have been docketed, 45 cases for a total of \$60,689 have been resolved.



#### November 2022



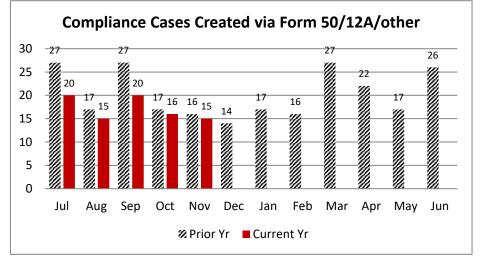
#### IMS COMPLIANCE DIVISION

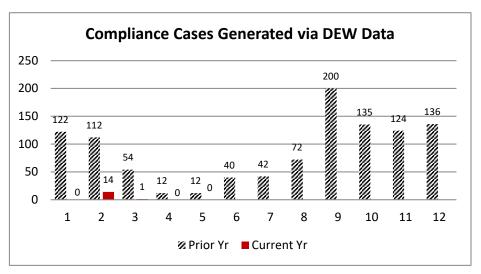
In November 2022, 15 compliance files were created from the combined filings of Form 50's, 12A's, and stakeholder reporting involving uninsured employers.

YTD vs. Prior Year total (243): 35% Nov 2021 to Nov 2022: 94% Current Yr End trend: 85% of 2021-2022 YTD 2022-2023 v. YTD 2021-2022: 83%

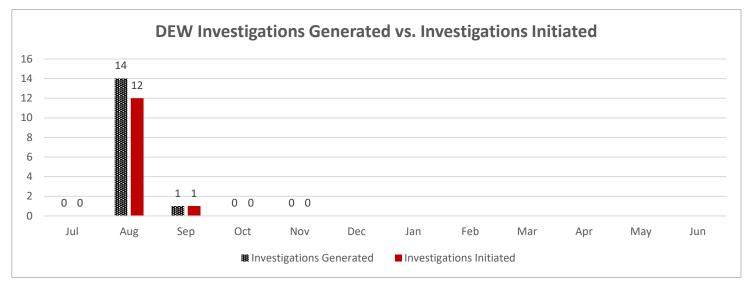
In November 2022, 0 compliance files were generated from the DEW data process.

YTD vs. Prior Year total (1,061): 1% Nov 2021 to Nov 2022: 0% Current Yr End trend: 3% of 2021-2022 YTD 2022-2023 v. YTD 2021-2022: 5%





The DEW Data Pool is determined by the total number of potential, non-compliant employers who report wages to DEW with at least 4 employees and who's FEIN does not match with any coverage records in the Commission's coverage database. The investigations generated is the number of compliance investigations generated from the pool. The investigations initiated is the number of compliance investigations initiated from those that were generated.



November 2022

#### IMS COMPLIANCE DIVISION

#### **Carryover Caseload:**

The Compliance Division closed November 2022 with 194 cases active, compared to an active caseload of 174 at the close of November 2021.

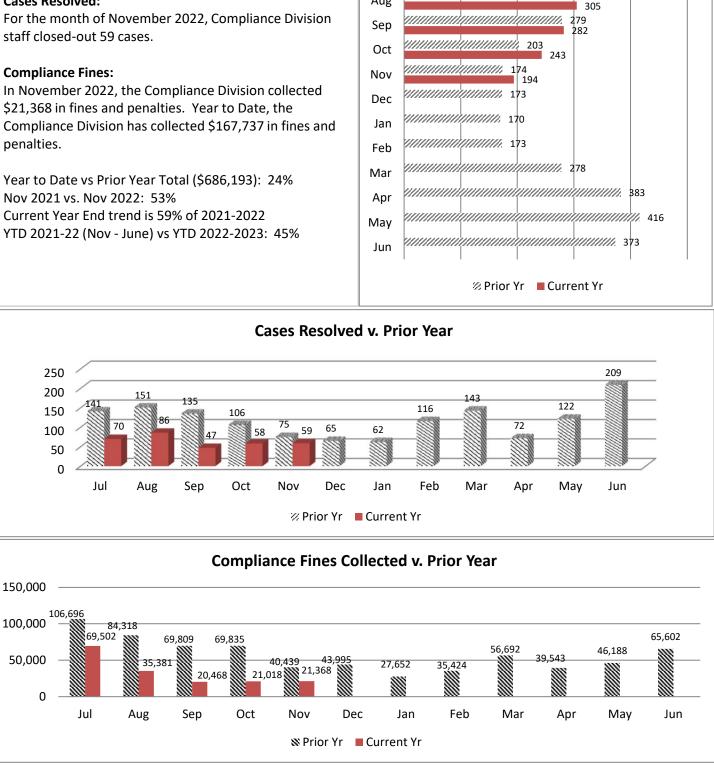
#### **Cases Resolved:**

For the month of November 2022, Compliance Division staff closed-out 59 cases.

#### **Compliance Fines:**

\$21,368 in fines and penalties. Year to Date, the Compliance Division has collected \$167,737 in fines and penalties.

Year to Date vs Prior Year Total (\$686,193): 24% Nov 2021 vs. Nov 2022: 53% Current Year End trend is 59% of 2021-2022 YTD 2021-22 (Nov - June) vs YTD 2022-2023: 45%



0

Jul

Aug

100

November 2022

400

339 321

500

**Caseload Pending v. Prior Year** 

300

200

334

#### IMS COVERAGE DIVISION

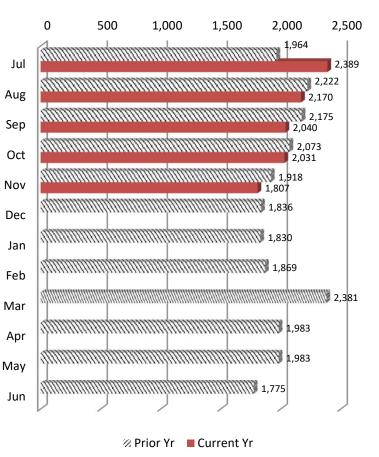
#### WCC Claim Files:

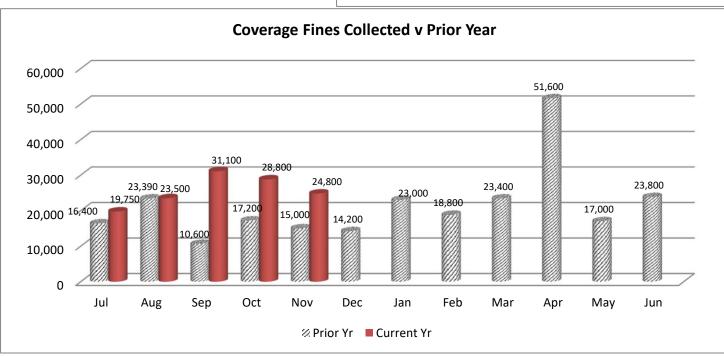
In November 2022, the Coverage Division received a total of 1,807 WCC Claim files. Of these, 1,528 were created through proper carrier filing of a 12A, and 279 were generated as a result of a Form 50 claim filing. Year to Date 10,437 Claim files have been created which is 43% of claim file volume prior year (24,009).

#### **Coverage Fines:**

The Coverage Division collected \$24,800 in fine revenue in November 2022, as compared to \$15,000 in Coverage fines/penalties accrued during November 2021. Year on Year, Coverage fines are at 50% of collections for prior year.

## Claim Files Created vs Prior Year





#### IMS SELF INSURANCE DIVISION

November 2022

During the month of November 2022, the Self Insurance Division:

- \* collected \$48,736 in self-insurance tax.
- \* added 13 new self-insurers.
- \* conducted 4 Self Insurance audits.

**Self Insurance Tax Collections** 

v. Prior Year

2,500,000

2,000,000

1,500,000

1,000,000

500,000

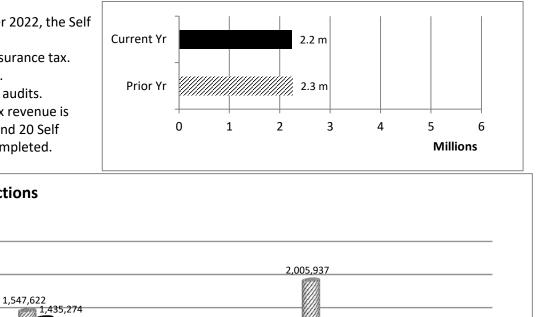
71,702

0

100

Jul

Year to Date, Self Insurance tax revenue is trending at 99% of prior year and 20 Self Insurance audits have been completed.



148,161

Mar

m

Feb

69,680

(min

Jan

■ Current Yr

323,678

Apr

94,676 50,898

(TTO

Jun

(m)

May

#### IMS MEDICAL SERVICES DIVISION

512,950 476,991

Aug

96,723

In November 2022, the Medical Services Division began the month with 12 bills pending review, received an additional 20 bills for review, conducted 17 bill reviews and ended the month with 15 bills pending.

48,73761,765

Dec

179,791

Nov

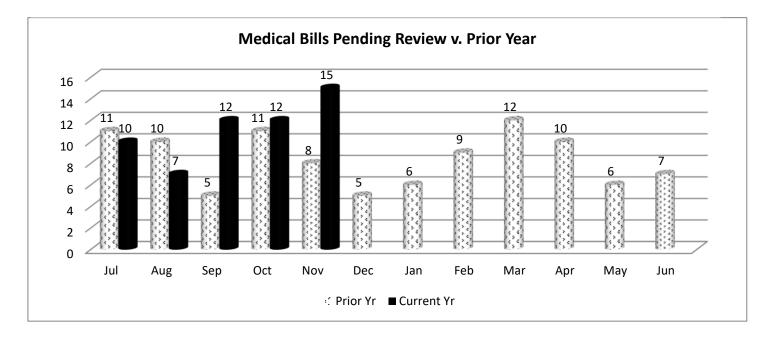
22 Prior Yr

119 676

17/

Oct

Sep



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### Workers' Compensation Commission MEMORANDUM

To: Gary Cannon, Executive Director

From: Sonji Spann, Claims Director

**Date: December 19, 2022** 

#### Re: Claims Department December 2022 Full Commission Report

Attached is the Statistical Report for the Claims Department for the period July 1, 2022 - November 30, 2022, for the Business Meeting on December 19, 2022. Please note the format using row numbers and column letters for ease of use when referencing data.

Claims activities are in Column (a) with the totals for the month of November is in Column F and the total for this period in column (o). Column (q) reflects the percentage change when comparing the totals for same period in the current fiscal at the totals for the same period in last fiscal year. The total Claims Activities, for this period have increase 4% when compared to the same period from last fiscal year.

The number of Total Fines assessed are up 40% compared to the same period last fiscal year and the Total Fines paid 26% higher when compared to the same period last year

I will be happy to answer any questions you or the Commissioners have.

Claims Department Statistcal Report											
FY2022-2023											
July 1, 2022 - November 30, 2022											
Claims Activities	July	August	Sept	Oct	Nov	FY22-23 Total	FY21-22 Total	% Diff from prev year			
(a)	(b)	(c)	(d)	(e)	(f)	(o)	(p)	(q)			
Forms 15-I	1,041	1,220	1,075	1,160	1,000	5,496	5,483	0%			
Forms 15-II/Forms 17	826	989	891	1,017	867	4,590	4,750	-3%			
Forms 16 for PP/Disf	207	222	180	250	163	1,022	1,034	-1%			
Forms 18	5,023	5,227	4,868	4,287	5,543	24,948	21,710	15%			
Forms 20	541	629	587	562	562	2,881	2,859	1%			
Form 50 Claims Only	311	269	284	295	255	1,414	1,424	-1%			
Form 61	602	781	617	715	647	3,362	3,242	4%			
Letters of Rep	195	152	197	189	198	931	1,133	-18%			
Clinchers	701	907	659	931	800	3,998	3,977	1%			
Third Party Settlements	27	30	18	36	19	130	86	51%			
SSA Requests for Info	23	43	25	26	20	137	232	-41%			
Cases Closed	2,056	2 <i>,</i> 389	1,821	2,122	1,983	10,371	10,721	-3%			
Cases Reviewed	3,290	3,089	2,103	2,969	2,695	14,146	13,774	3%			
Total	14,843	15,947	13,325	14,559	14,752	73,426	70,425	4%			
						-					
Total Fines Assessed	505	222	221	282	396	1,626	1,159	40%			
Form 18 Fines	331	220	220	276	354	1,401	1,165	20%			
Total Amt Paid	\$63,200	\$59,450	\$56 <i>,</i> 800	\$45,750	\$47,000	272,200	\$216,100	26%			



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# Workers' Compensation Commission

December 7, 2022

To: Gary Cannon Executive Director

From: Amy A. Bracy Judicial Director

#### RE: Monthly Judicial Report for November 2022

During the month of November, the Judicial Department processed seven hundred ninety-nine (799) requests for hearings (claimant and defense pleadings). Comparing the numbers from the same period last year, claimant pleadings are up 11% and defense pleadings experienced a 10% decrease. The department received ninety-eight (98) Motions, a 5% decrease compared to the same period last year and one hundred thirty (130) clincher conference requests, down 3% compared to last year.

There were forty (40) Single Commissioner Hearings conducted during the past month, eleven (11) pre-hearing conferences held, and seven (7) Full Commission hearings held. A total of four hundred sixty-seven (467) Orders (Single Commissioner Orders, Consent Orders and Administrative Orders) were served at the single Commissioner level, forty (40) of those were Decision and Orders that resulted from hearings that went on the record and one hundred sixteen (116) were Motion Orders that were a result of Motions ruled upon by Commissioners.

There were two hundred twelve (212) Informal Conferences requested during November and one hundred forty-one (141) were conducted.

There were thirty-seven (37) regulatory mediations scheduled and forty-six (46) requested mediations. Totals are up 26% and down 4% in the respective categories for the same period last year. The Judicial Department was notified of sixty-one (61) matters resolved in mediation, with the receipt of Forms 70. This category's total is down 6% compared to the same period last year. This does not include mediations that take place outside of what is reported to the Commission.

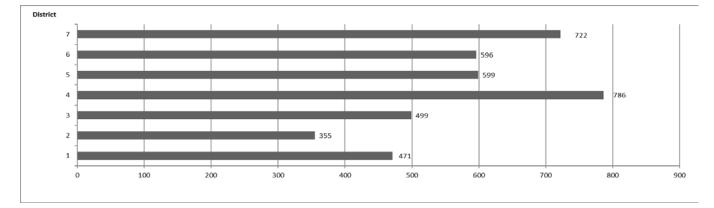
In the month of November, Judicial received four (4) Notice of Intent to Appeal to the Court of Appeals and zero (0) to the Circuit Court.

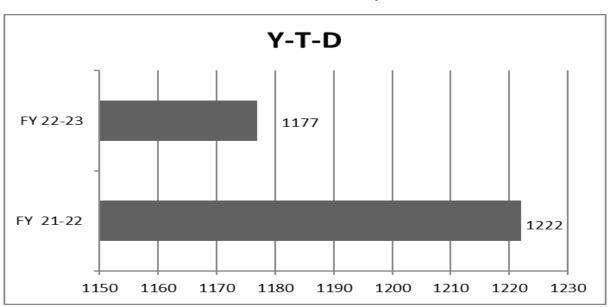
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		Judici	al De	partm	nent S	tatistica	al Repo	rt			
		Stat	Statistics For Fiscal Year 2022-2023								
	July	Aug	Sept	Oct	Nov	Totals YTD 2022-	Totals YTD 2021-	% Diff from prev year	YTD Diff + (-)	FY22-23 Mth Avg	FY21-22 Mth Avg
Claimant Pleadings	612	586	510	590	546	2,844	2554	11%	290	569	511
Defense Response to Pleadings	474	495	439	397	536	2,341	2064	13%	277	468	413
Defense Pleadings	223	301	200	263	253	1,240	1377	-10%	(137)	248	275
Motions	104	130	112	111	98	555	585	-5%	(30)	111	117
Form 30	11	7	9	5	8	40	65	-38%	(25)	8	13
FC Hearings Held	4	8	10	9	7	38	40	-5%	(2)	8	8
FC Orders Served	8	6	11	9	10	44	56	-21%	(12)	9	11
Single Comm. Hearings Held	31	52	57	67	40	247	275	-10%	(28)	49	55
Single Comm. Orders Served	160	182	183	216	167	908	903	1%	5	182	181
Single Comm. Pre-Hearing Conf Held	20	31	6	19	11	87	78	12%	9	17	16
Consent Orders	261	230	318	281	287	1,377	1153	19%	224	275	231
Adminstrative Orders	2	23	15	8	13	61	69	-12%	(8)	12	14
Clincher Conference Requested	122	149	144	125	130	670	693	-3%	(23)	134	139
Informal Conference Requested	222	267	242	234	212	1,177	1222	-4%	(45)	235	244
Informal Conference Conducted	188	212	164	227	141	932	1062	-12%	(130)	186	212
Regulatory Mediations	27	39	29	34	37	166	132	26%	34	33	26
Requested Mediations	47	67	55	53	46	268	280	-4%	(12)	54	56
Ordered Mediations	1	0	0	0	0	1	0	100%	1	0	0
Mediation Resolved	39	60	33	49	61	242	257	-6%	(15)	48	51
Mediation Impasse	8	12	8	11	16	55	74	-26%	(19)	11	15
Mediation Held; Issues Pending	0	0	2	0	0	2	9	0%	(7)	0	2
Claim Settled Prior to Mediation	6	9	10	12	7	44	54	-19%	(10)	9	11
Mediation Not Complete in 60 days	2	6	3	2	1	14	11	27%	3	3	2

	Pleadings Assigned - Three Year Comparison by Month																				
	D	istrict	1	E	District	2	E	District	3	D	listrict	4	E	District	5	Ι	District	6	I	District	7
	Greenville		lle	А	nderso	on	Or	angebu	ırg	Cł	arlest	on	Florence		Spartanburg			Richland			
	22-23	21-22	20-21	22-23	21-22	20-21	22-23	21-22	20-21	22-23	21-22	20-21	22-23	21-22	20-21	22-23	21-22	20-21	22-23	21-22	20-21
Jul	105	112	120	81	87	81	112	72	85	150	166	151	111	109	126	135	122	112	142	156	154
Aug	105	93	88	70	67	73	86	101	105	172	174	142	118	112	125	124	101	95	155	134	133
Sep	93	109	87	68	77	70	98	96	107	144	158	162	121	143	128	104	112	113	135	143	169
Oct	78	89	93	59	73	81	97	103	125	140	152	175	114	110	115	96	95	104	126	130	159
Nov	90	96	92	77	66	88	106	95	100	180	144	176	135	112	96	137	84	104	164	116	134
Dec		104	90		80	68		100	115		156	168		123	132		108	96		131	141
Jan		85	79		54	56		84	96		167	172		129	110		91	88		118	124
Feb		93	84		75	88		87	86		170	133		105	101		108	93		145	118
Mar		108	125		87	93		84	118		186	201		149	132		130	106		166	164
Apr		106	94		75	63		82	100		181	138		120	112		127	106		164	134
May		82	90		69	69		81	85		149	134		130	110		103	98		136	126
Jun		122	95		74	74		100	98		161	164		152	117		111	103		147	134
Totals	471	1199	1137	355	884	904	499	1085	1220	786	1964	1916	599	1494	1404	596	1292	1218	722	1686	1690

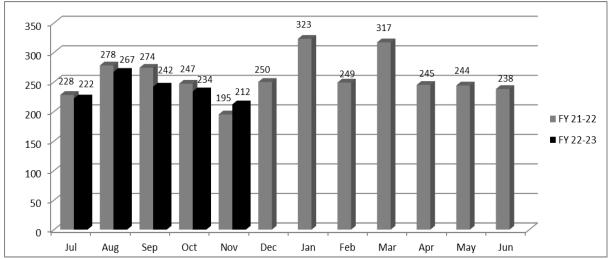
Pleadings Assigned by District Year to Date

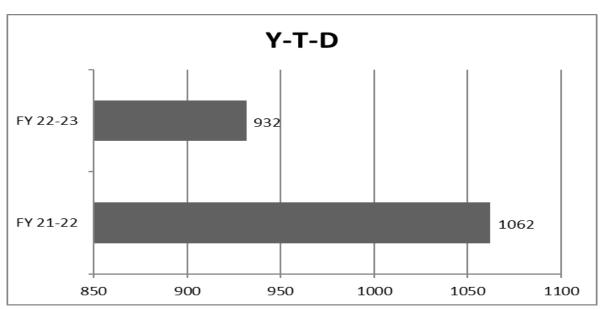




### **Informal Conferences Requested**

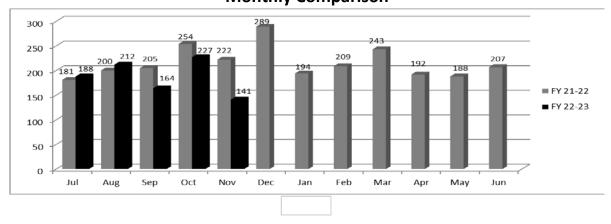
### Informal Conferences Requested Monthly Comparison





Informal Conferences Conducted Year-to-Date

Informal Conferences Conducted Monthly Comparison



No report submitted at the time of publication.

## State of South Carolina



### Workers' Compensation Commission

#### Executive Director's Report December 19, 2022

#### **Meetings/Activities**

During the month of November the Executive Director participated in the following meetings and work related activities: Presented to a Forestry class at Clemson University; presented at the Southern Association of Orthopaedic Executives in Hilton Head Island; attended the IWA Annual Convention in Asheville; attended the Southern Association of Workers' Compensation Administrators All Committee Conference in Colorado Springs; met with staff on different occasions to discuss edits to Form 15 and payments to Sedgewick;

#### **Constituent / Public Information Services**

For the month of November, the Executive Director's and the General Counsel's offices had 139 contacts with stakeholders.

#### **Financial Transactions Activity**

During the month of November, the Director's office processed and approved 10 travel expense reports, 164 invoices, and 32 deposits for DOA to process in the SCIES system.

#### SCWCC Stakeholder Electronic Distribution List

For the month of November, the Office had one (1) addition to the email distribution list and five (5) deletions.

#### **Advisory Notices**

During the month of November, the office posted one (1) notice on the Commission's website and emailed it to the distribution list.

## State of South Carolina

1333 Main Street, 5<sup>th</sup> Floor P.O. Box 1715 Columbia, S.C. 29202-1715



TEL: (803) 737-5700 www.wcc.sc.gov

Workers' Compensation Commission

### MEMORANUM

TO: COMMISSIONERS

FROM: Gary Cannon Executive Director

DATE: December 19, 2022

RE: FINANCIAL REPORT – FY Period ending November 30, 2022

Attached is the Budget vs. Actual Report for the General Fund and Earmarked Fund for the fiscal year period ending November 30,2022. The benchmark for this period is 42%.

#### **Expenditures**

The expenditures for the General Fund are on pages 1-2 of the attached report "Budget vs. Actual Report FY2022. The year-to-day expenditures in the General Fund (10010000) for this period is \$1,161,050 which is 40% of the budget. Page 3 and 4 reflects the balances of funds appropriated by the General Assembly for the IT System Modernization Project.

The Earmarked Fund (38440000) financials begin on page 5 with the total expenditures found on page 10. The total expenditures for this period are \$1,633,481 which is 29% of budget.

#### **Revenues**

The Commission received \$995,581 in Earmarked Fund operating revenues for this period, which is 31% of the amount budgeted for the year.

#### Self-Insurance Tax Funds

To date we have received \$ 843,190 of Self-Insurance Tax funds.

#### South Carolina Workers' Compensation Commission Budget vs. Actual Report FY 2023 As of 11/30/2022 42% of year elapsed

#### Fund 10010000 - GENERAL FUND - Operating Items

#### **Administration**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501015	DIRECTOR	146,418	61,007	42%		85,411
501058	CLASSIFIED POS		11,375			-11,375
501070	OTH PERS SVC	1,500	7,320	488%		-5,820
512001	OTHER OPERATING	216,035				
5050010000	IN ST-MEALS-NON-REP		230			
5050020000	IN ST-LODGING		1,421			
5050041000	HR-IN ST-AUTO MILES		729			
5050060000	IN ST-MISC TR EXP		196			
	Total OTHER OPERATING:	216,035	2,576	1%	0	213,459
Total Admin	istration:	363,953	82,278	23%	0	281,675

#### Claims

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	85,056	35,440	42%		49,616
501070	OTH PERS SVC	1,500	1,500	100%		0
Total Claims	:	86,556	36,940	43%	0	49,616

#### Commissioners

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501026	CHAIRMAN	177,426	73,927	42%		103,499
501033	COMMISSIONER	1,033,541	461,107	45%	0	572,434
501050	TAXABLE SUBS	56,950	27,125	48%		29,825
501058	CLASSIFIED POS	373,421	150,419	40%		223,002
501070	OTH PERS SVC	18,000	20,707	115%		-2,707
Total Comm	issioners:	1,659,338	733,285	44%	0	926,053

#### Fund 10010000 - GENERAL FUND - Operating Items

#### **Insurance & Medical**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	32,306	6,730	21%		25,576
Total Insura	nce & Medical:	32,306	6,730	21%		25,576

#### **Judicial**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
512001	OTHER OPERATING	31,158				
	Total OTHER OPERATING:	31,158				31,158
Total Judicia	al:	31,158				31,158

#### **Employer Contributions**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
513000	EMPLOYER CONTRIB	703,431	301,817	43%		401,614
Total Employ	yer Contributions:	703,431	301,817	43%		401,614
Total GEN	ERAL FUND - Operating Items:	2,876,742	1,161,050	40%	0	1,715,692

#### Fund 10010000 - GENERAL FUND - Special Items

#### **IT System Project**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
561000	Special Item	1,695,084				1,695,084
Total IT Syst	em Project:	1,695,084				1,695,084

Total GENERAL FUND - Special Items: 1,695,084		1,695,084
---	--	-----------

#### Fund 10050023 - GF-NONRECUR APROP-23 - Special Items

#### **IT System Project**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
561000	Special Item	5,000,000				5,000,000
Total IT Syst	tem Project:	5,000,000				5,000,000

Total GF-NONRECUR APROP-23 - Special	5,000,000		5,000,000
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#### Fund 38440000 - EARMARKED FUND

#### Administration

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	791,985	87,004	11%		704,981
501070	OTH PERS SVC	41,000	6,000	15%		35,000
512001	OTHER OPERATING	2,281,948				
5020077100	SERVICES- APP SUP		9,900		35,100	
5020077240	DP SERVICES – STATE		114,190			
5020080000	FREIGHT EXPRESS DELV		8			
5021010003	LEGAL SRV-TRANSCRIPT		548			
5021010004	LEGAL SRV-WITNESS FE		22,344			
5021020000	ATTORNEY FEES		139			
5021450000	MOTOR VEHICLE SVCS		39			
5021479202	CARPET MAINTENANCE		2,000			
5021490000	AUDIT ACCT FINANCE		118			
5021540001	PROF SRV-LANG INTER		70			
5021570000	CONTRACTUAL SERVICES		7			
5024990000	OTH CNT-NON-IT & REA		3,000			
5030010000	OFFICE SUPPLIES		3,455			
5030010004	SUBSCRIPTIONS		3,301		6,377	
5030030000	PRINTED ITEMS		340		593	
5030067101	PRGM LIC - APP SUPP		12,958		27,169	
5030067110	EQUIP&SUPP- DATA NET		50			
5030067170	EQUIP&SUPP- PRINT EU		2,553		1,080	
5030070000	POSTAGE		193			
5031479203	JANITORIAL SUPPLIES		477			
5033030000	PROMOTIONAL SUPPLIES		24			
5033140002	CREDENTIAL SUPPLIES		30			
5040060000	ST RENT-NON ST BLDG				6,087	
5040070000	RENT-ST OWN RL PROP		120			
5040490003	RENT PO BOX		1,646			
5040490009	RENT PARKING		6,625		14,605	
5041010000	DUES & MEMBER FEES		5,234			
5041020000	FEES AND FINES		130			
5041840000	LEASE BLDG PRINCIPAL		202,105		175,425	

#### Fund 38440000 - EARMARKED FUND

5041850000	LEASE BLDG INTEREST		5,206		4,724	
5050010000	IN ST-MEALS-NON-REP		185		124	
5050020000	IN ST-LODGING		1,085			
5050041000	HR-IN ST-AUTO MILES		1,071		199	
5050060000	IN ST-MISC TR EXP		144			
5050510000	OUT ST-MEALS-NON-REP		220			
5050570000	TRNG-OUT-ST REG FEE		3,255			
5051520000	REPORTABLE MEALS		10			
5051540000	LEASED CAR-ST OWNED		15,934			
5140010000	INDM CLAIMS & AWARDS				106,910	
	Total OTHER OPERATING:	2,281,948	418,714	18%	378,394	1,484,840
Total Adminis	stration:	3,114,933	511,718	16%	378,394	2,224,821

#### Inform. services

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS		141,275			-141,275
501070	OTH PERS SVC		4,500			-4,500
5020077100	SERVICES- APP SUP		825		72,117	
5020077220	SERVICES- VOICENET		5,824		20,315	
5021469316	SECURITY ALARM SRVC		2,713			
5030067130	EQUIP&SUPP-EUC		16,345			
5030067170	EQUIP&SUPP- PRINT EU				3,660	
5040057000	CONTINGNT RENT - IT		969			
5050020000	IN ST-LODGING		504			
5050041000	HR-IN ST-AUTO MILES		233			
	Total OTHER OPERATING:		27,413		96,092	-123,505
Total Inform	. services:		173,188		96,092	-269,280

#### Fund 38440000 - EARMARKED FUND

#### Litigation - it proj

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
512001	OTHER OPERATING	35,000				
	Total OTHER OPERATING:	35,000				35,000
Total Litigat	ion - it proj:	35,000				35,000

#### Claims

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	280,850	89,923	32%		190,928
501070	OTH PERS SVC		7,500			-7,500
512001	OTHER OPERATING	19,700				
5050020000	IN ST-LODGING		504			
5050041000	HR-IN ST-AUTO MILES		196			
	Total OTHER OPERATING:	19,700	701	4%	0	18,999
Total Claims	:	300,550	98,123	33%	0	202,427

#### Fund 38440000 - EARMARKED FUND

#### Commissioners

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501050	TAXABLE SUBS	70,000				70,000
512001	OTHER OPERATING	230,700				
5020120000	CELLULAR PHONE SVCS		12,043			
5021010003	LEGAL SRV-TRANSCRIPT		1,480			
5021010005	LEGAL SRV-REPORTER		45,815			
5021410000	EDUC & TRNG-STATE		75			
5030067130	EQUIP&SUPP- EUC		2,808			
5050010000	IN ST-MEALS-NON-REP		1,493			
5050020000	IN ST-LODGING		6,298		-	
5050031000	HR-IN ST-AIR TRANS		197			
5050041000	HR-IN ST-AUTO MILES		13,175			
5050060000	IN ST-MISC TR EXP		663			
5050080000	IN ST-SUBSIST ALLOW		1,600			
5050510000	OUT ST-MEALS-NON-REP		200			
5050520000	OUT ST-LODGING		1,607			
5050531000	HR-OUT ST-AIR TRANS		767			
5050560000	OUT ST-MISC TR EXPEN		350			
	Total OTHER OPERATING:	230,700	88,571	38%	0	142,129
Total Comm	issioners:	300,700	88,571	29%	0	212,129

#### Fund 38440000 - EARMARKED FUND

#### **Insurance & Medical**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	459,463	169,249	37%		290,214
501070	OTH PERS SVC	22,881	10,921	48%		11,960
512001	OTHER OPERATING	54,500				
5020080000	FREIGHT EXPRESS DELV		137			
5021540000	NON-IT OTHER PRO SRV		585			
5024990000	OTH CNT-NON-IT & REA		410			
5030010004	SUBSCRIPTIONS		1,500			
5050010000	IN ST-MEALS-NON-REP		706			
5050020000	IN ST-LODGING		3,723		504	
5050031000	HR-IN ST-AIR TRANS		1,533			
5050041000	HR-IN ST-AUTO MILES		757		198	
5050050000	IN ST-OTHER TRANS		618			
5050060000	IN ST-MISC TR EXP		400			
5050510000	OUT ST-MEALS-NON-REP				130	
5050520000	OUT ST-LODGING				1,743	
5050531000	HR-OUT ST-AIR TRANS				930	
5050541000	HR-OUT ST-AUTO MILES				100	
5050550000	OUT ST-OTHER TRANS				808	
5050560000	OUT ST-MISC TR EXPEN				280	
5050570000	TRNG-OUT-ST REG FEE		45			
5140010000	INDM CLAIMS & AWARDS		3,894			
	Total OTHER OPERATING:	54,500	14,308	26%	4,693	35,499
Total Insura	nce & Medical:	536,844	194,478	36%	4,693	337,673

#### Fund 38440000 - EARMARKED FUND

#### Judicial

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	500,000	203,985	41%		296,015
501070	OTH PERS SVC	75,000	30,796	41%		44,204
512001	OTHER OPERATING	25,000				
5020010000	OFFICE EQUIP SERVICE		1,719			
5021020000	ATTORNEY FEES		-36			
5030070000	POSTAGE		12,000			
5040490008	RENT POSTAGE EQUIP		575			
5050010000	IN ST-MEALS-NON-REP		81			
5050020000	IN ST-LODGING		504			
5050041000	HR-IN ST-AUTO MILES		216			
5050570000	TRNG-OUT-ST REG FEE		56			
	Total OTHER OPERATING:	25,000	15,115	60%	0	9,885
Total Judicia	d:	600,000	249,896	42%	0	350,104

#### **Employer Contributions**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
513000	EMPLOYER CONTRIB	719,818	317,507	44%	0	402,311
Total Emplo	over Contributions:	719,818	317,507	44%	0	402,311
Total EAR	MARKED FUND:	5,607,845	1,633,481	29%	479,179	3,495,185

#### South Carolina Workers' Compensation Commission Commitments FY 2023 As of 11/30/2022

#### Fund 38440000 - EARMARKED FUND

#### Administration

Commitment Item	Commitment Item Description	Vendor	Commitment
5020077100	SERVICES- APP SUP	PROGRESS SOFTWARE CORP	35,100
5030010004	SUBSCRIPTIONS	WEST PUBLISHING CORPORATION	6,377
5030030000	PRINTED ITEMS	SC DEPARTMENT OF CORRECTIONS	593
5030067101	PRGM LIC - APP SUPP	WEST PUBLISHING CORPORATION	27,169
5040060000	ST RENT-NON ST BLDG	GALIUM 1333 MAIN LLC	6,087
5040490009	RENT PARKING	REPUBLIC PARKING SYSTEM INC	14,605
5041840000	LEASE BLDG PRINCIPAL	GALIUM 1333 MAIN LLC	175,425
5041850000	LEASE BLDG INTEREST	GALIUM 1333 MAIN LLC	4,724
5140010000	INDM CLAIMS & AWARDS	SEDGWICK CLAIMS	106,910
Total Administ	ration:		376,991

#### Inform. services

Commitment Item	Commitment Item Description	Vendor	Commitment
5020077100	SERVICES- APP SUP	INSURANCE SERVICES OFFICE INC	62,640
5020077100	SERVICES- APP SUP	PROGRESS SOFTWARE CORP	9,477
5020077220	SERVICES- VOICENET	NWN CORPORATION	20,315
5030067170	EQUIP&SUPP- PRINT EU	US INK AND TONER INC	3,660
Total Inform. s	ervices:		96,092

Total EARMARKED FUND:	474,163
Total EARMARKED FUND:	474,16

## South Carolina Workers' Compensation Commission Earmarked Fund Revenues FY 2023 As of 11/30/2022 42% of year elapsed

Account	Acct No.	Budget	YTD Actual Revenue	% of Budget
WORKERS' COMPENSATION HEARING FEE	4110090000	\$ 1,091,322	\$ 385,145	35%
WORKERS COMP SELF INSURANCE APPLICATION FEE	4160040000	\$ 26,555	\$ 925	3%
WORKERS COMPENSATION FILING VIOLATION PENALTY	4223030000	\$ 1,985,476	\$ 551,007	28%
PARKING FEE	4350040000	\$ 5,900	\$ 2,280	39%
WORKERS COMPENSATION AWARD REVIEW FEE	4350140000	\$ 32,251	\$ 4,950	15%
PHOTOCOPYING FEE	4380050000	\$ 25,300	\$ 20,492	81%
SALE OF LISTINGS & LABELS	4480060000	\$ 4,187	\$ 300	7%
REFUND PRIOR YR EXPENDITURE	4520010000		\$-	
RETURNED CHECKS	4530010000		\$-	
ADJUSTMENT TO AGENCY DEPOSITS	4530020000		\$ (70)	
MISCELLANEOUS REVENUE	4530030000		\$ 30,552	
Total Revenues		\$ 3,170,991	\$ 995,581	31%
Self Insurance Tax		2,500,000	843,190	34%

Total	5,	,670,991 1,838,7	71 32%

# TAB 11

# State of South Carolina

1333 Main Street, 5<sup>th</sup> Floor P.O. Box 1715 Columbia, S.C. 29202-1715



TEL: (803) 737-5700 www.wcc.sc.gov

Workers' Compensation Commission

# MEMORANUM

- TO: COMMISSIONERS
- FROM: Gary Cannon Executive Director
- DATE: December 19, 2022
- **RE:** Average Weekly Wage

Attached is a letter from Daniel Ellzey, Executive Director of the Department of Employment and Workforce certifying the average weekly wage for July 1, 2021 through June 30, 2022 and an Order Establishing the Average Weekly Wage for injured workers effective January 1, 2023 as \$1,035.78.

Request approval.

STATE OF SOUTH CAROLINA

#### BEFORE THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

COUNTY OF RICHLAND

#### In Re: Average Weekly Wage Maximum Compensation Rate Effective January 1, 2023

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)

The South Carolina Department of Employment and Workforce has certified the average weekly wage in South Carolina for the period of July 1, 2021 through June 30, 2022 was \$1,035.78 (One Thousand Thirty Five Dollars and Seventy Eight Cents). South Carolina Code Ann. Section 42-9-10, provides, in pertinent part, that "The injured employee may not be paid more each week than the average weekly wage in this State for the preceding fiscal year." Therefore according to South Carolina Code Sections 42-1-50; 42-9-10; and 42-9-20, et seq. (Law. Co-op 1976), the maximum weekly compensation rate for injuries arising on and after January 1, 2023, shall be \$1,035.78 (One Thousand Thirty Five Dollars and Seventy Eight Cents).

#### AND IT IS SO ORDERED!

T. Scott Beck, Chairman

Gene McCaskill, Vice Chair

Mike Campbell, Commissioner

Melody L. James., Commissioner

Cynthia Dooley, Commissioner

Aisha Taylor, Commissioner

Avery B. Wilkerson, Jr., Commissioner

In Chambers Columbia, South Carolina

Date

P.O. Box 995 1550 Gadsden Street Columbia, SC 29202 dew.sc.gov



Henry McMaster Governor

G. Daniel Ellzey Executive Director

November 15, 2022

Mr. Gary Cannon Office of Executive Director Workers' Compensation Commission 1333 Main Street Columbia, SC 29202-1715

Re: Average Weekly Wage

Dear Mr. Cannon,

This is in reference to your correspondence dated November 9, 2022, in which you requested the average weekly wage.

This letter certifies that the average weekly wage for July 1, 2021 through June 30, 2022 as computed under <u>South Carolina Employment Security Law</u> was \$1035.78.

If you should have any questions or need any further information, please contact

Dr. Bryan Grady, Labor Market Information Department Director, at 737-2658.

Sincerely niel Ellzev

Executive Director

DE/tcm

ES-8

# State of South Carolina

1333 Main Street, 5<sup>th</sup> Floor P.O. Box 1715 Columbia, S.C. 29202-1715



TEL: (803) 737-5700 www.wcc.sc.gov

Workers' Compensation Commission

# MEMORANUM

- TO: COMMISSIONERS
- FROM: Gary Cannon Executive Director
- DATE: December 19, 2022

#### RE: Proposed 2023 Commission Meetings Calendar

Attached are the proposed dates in 2023 for the Full Commission Business Meeting and Appellate hearings. The monthly Commission Business Meetings and Appellate Hearings are normally scheduled on the third Monday and Tuesday of each month. The proposed meeting dates for 2023 have been adjusted following the same schedule for 2022.

Request approval.

## **Commission Meetings Calendar**

#### 2023

			JAI	NUA	ARY					FEB	RU/	٨RY		
	S	М	T	w	Th	F	S	S	М	T	W	Th	F	S
JANUARY	1	2	3	4	5	6	7				1	2	3	4
23-24 Commission Business Meeting and Appellate	8	9	10	11	12	13	14	5	6	7	8	9	10	11
Hearings	15	16	17	18	19	20	21	12	13	14	15	16	17	18
	22	23	24	25	26	27	28	19	20	21	22	23	24	28
	29	30	31					26	27	28				
			M	ARC	СН					A	PRI	L		
MARCH	S	М	T	w	Th	F	S	S	М	T	W	Th	F	S
20–21 Commission Business				1	2	3	4							1
Meeting and Appellate Panel Hearings	5	6	7	8	9	10	11	2	3	4	5	6	7	8
	12	13	14	15	16	17	18	9	10	11	12	13	14	15
	19	20	21	22	23	24	25	16	17	18	19	20	21	22
	26	27	28	29	30	31		23	24	25	26	27	28	29
								30						
			ľ	٨N	(					J	UN	Ε		
	S	М	Т	w	Th	F	S	S	М	T	w	Th	F	S
MAY		1	2	3	4	5	6					1	2	3

7

14 15 16 17

28 29 30

30 31

21 22 23 24 25

31

#### FEBRUARY

13-14 Commission Business Meeting and Appellate Panel Hearings

12 13 14 15 16 17

22 23 24

30

#### APRIL

10 -11 Commission Business Meeting and Appellate Panel Hearings

JUNE

19 – 20 Commission Business Meeting and Appellate Panel Hearings

JULY

17 - 18 Commission Business Meeting and Appellate Panel Hearings

#### SEPTEMBER

18 - 19 Commission Business Meeting and Appellate Panel Hearings

NOVEMBER

20 - 21 Commission Business Meeting, Appellate

Panel Hearings

SEPTEMBER

S	М	Т	W	Th	F	S				
					1	2				
3	4	5	6	7	8	9				
10	11	12	13	14	15	16				
17	18	19	20	21	22	23				
24	25	26	27	28	29	30				

	OCTOBER						
	S	М	T	W	Th	F	S
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#### DECEMBER

18 – 19 Commission Business Meeting and Appellate Panel Hearings

15-16 Commission Business Meeting and Appellate Panel Hearings

JULY						
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28 - 29 Commission Business Meeting and Appellate Panel Hearings

# OCTOBER

16-17 Commission Business Meeting and Appellate Panel Hearings

# AUGUST