

A G E N D A

SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

1333 Main Street, 5th Floor
Columbia, South Carolina 29201
September 16, 2024 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:

Join Zoom Meeting

<https://us02web.zoom.us/j/8249297108?pwd=aKcWmKmxSnYzQWFxdEs4V2x6UWtyUT09&omn=87003956120>

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 SEPTEMBER 16, 2024 | CHAIRMAN BECK |
| 3. APPROVAL OF MINUTES OF THE REGULAR BUSINESS MEETING
AUGUST 26, 2024 (Tab 1) | CHAIRMAN BECK |
| 4. RECOGNITION - EMPLOYEES' BIRTHDAYS, SERVICE AWARDS | CHAIRMAN BECK |
| 5. APPLICATIONS FOR APPROVAL TO SELF-INSURE (Tab 2)
A. Self-Insurance Department Report | MS. BROWN |
| 6. DEPARTMENT DIRECTORS' REPORTS
Administrative Services (Tab 3)
Financial Report (Tab 4)
Information Services (Tab 5)
Insurance and Medical Services (Tab 6)
Claims (Tab 7)
Judicial (Tab 8) | MS.MCREE
MS.MCREE
MR. PLUSS
MR. DUCOTE
MR CANNON
MS. BRACY |
| 7. DEPARTMENT OF VOCATIONAL REHABILITATION
Monthly Report (Tab 9) | MR. CANNON |
| 8. EXECUTIVE DIRECTOR'S REPORT (Tab 10) | MR. CANNON |
| 9. OLD BUSINESS

A. Ad Hoc Committee Report | CHAIRMAN BECK

Peter P. Leventis, IV, Esq. |
| 10. NEW BUSINESS | CHAIRMAN BECK |
| 11. EXECUTIVE SESSION | CHAIRMAN BECK |
| 12. ADJOURNMENT | CHAIRMAN BECK |

Table of Contents

1	Approval of Minutes of Business Meeting of August 26, 2024
2	Self-Insurance
3	Administrative Services
4	Financial Report
5	Information Services
6	Insurance & Medical Services
7	Claims
8	Judicial
9	Vocational Rehabilitation
10	Executive Director's Report
11	Old Business
12	New Business

TAB 1

THE
SOUTH CAROLINA WORKERS'
COMPENSATION COMMISSION
BUSINESS MEETING MINUTES
August 26, 2024

A Business Meeting of the South Carolina Workers' Compensation Commission was held in Hearing Room A of the Workers' Compensation Commission on Monday, August 26, 2024, 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
AVERY WILKERSON, COMMISSIONER
CYNTHIA DOOLEY, COMMISSIONER
R. MICHEAL CAMPBELL, II, COMMISSIONER
MELODY JAMES, COMMISSIONER
AISHA TAYLKOR, COMMISSIONER

Present also were Keith Roberts, General Counsel; Christy Brown, Self-Insurance Director; Amy Bracy, Judicial Director; Kristen Mcrec, Administrative Services Director; Jeannette Gray, HR Assistant; Sonji Spann, Claims Director; Kris Pluss, IT Director; Chris Crump, IT Consultant; Francina Johnson, IT Consultant; Jordan Mays, Staff Attorney and Eric Baxley, Staff Attorney. A representative from IWA and Stacy Cunningham from DIC, and Jared Elrod participated by Zoom.

Chairman Beck called the meeting to order at 10:33 a.m.

AGENDA

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

APPROVAL OF MINUTES – BUSINESS MEETING OF JULY 15, 2024

Commissioner McCaskill moved that the minutes of the Business Meeting of July 15, 2024 be approved. Commissioner Dooley seconded the motion, and the motion was approved.

GENERAL ANNOUNCEMENTS

No general announcements.

Recognition of Agency employees Birthdays for the month of August 2024.

SELF-INSURANCE

Ms. Brown presented her report in written form. There were no questions from the Commission.

Self-insurance applications were presented by Christy Brown, Self-Insurance Director. **Twenty-one (21)** prospective members of **Four (4)** funds was presented to the Commission for approval. The applications were:

Palmetto Timber Fund

Arrow Straight LLC
B&J Trucking & Hauling
Grizzly Logging LLC
Harmon Pulpwood Inc

South Carolina Automobile Dealers Association SIF

EGA Easley Inc dba Escude Chevrolet of Easley
EGA Greer Inc dba Escude Nissan of Greer

South Carolina Home Builders SIF

C2M Lighting LLC
DL-MAC LLC
Hanson Home Services LLC
HC Enterprises LLC
Hidden Valley Hauling LLC
Lafay Custom Homes LLC
Live Oak Development & Construction LLC
MHA Construction
Oppy's Construction LLC
Pro-Seeding and Environmental Services LLC
Spade Siding LLC
Strand Builders Maintenance and Repair LLC
Zourzoukis Homes LLC

South Carolina School Board Insurance Trust

Barnwell County School District
McCormick County Schools

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 Campbell 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.

ADMINISTRATIVE SERVICES

Ms. Mcree presented the Human Resources and the Financial Report in written form. There were no comments or questions from the Commission.

INFORMATION SERVICES

Mr. Pluss presented the IT report in written form. Mr. Pluss introduced Francina Johnson as our new IT Consultant. There were no comments or questions from the Commission.

INSURANCE AND MEDICAL SERVICES

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

CLAIMS

Ms. Spann presented her report in written form. There were no comments or questions from the Commission.

JUDICIAL

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

VOCABATIONAL REHABILITATION

Mr. Cannon presented the Vocational Rehabilitation report. There were no questions from the Commission.

EXECUTIVE DIRECTOR'S REPORT

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

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

EXECUTIVE SESSION

There was no executive session.

ADJOURNMENT

Commissioner Wilkerson made the motion to adjourn. Commissioner Campbell seconded the motion, and the motion was approved.

The August 26, 2024 meeting of the South Carolina Workers' Compensation Commission adjourned at 10:58 a.m.

Reported September 9, 2024.
Arnisha Keitt
Executive Assistant

TAB 2

TAB 3

State of South Carolina



1333 Main St, Suite 500
P.O. Box 1715
Columbia, S.C. 29202-1715

Tel: (803) 737-5700
Fax: (803) 737-1258
www.wcc.sc.gov

Workers' Compensation Commission

To: Gary Cannon, SCWCC Executive Director
From: Kristen McRee, Director of Administrative Services
Date: September 16, 2024
Subject: Administrative Department August 2024 Full Commission Report

This report summarizes the Human Resources, Procurement, and Finance, Budget, and Privacy initiatives during August 2024.

I. Human Resources

Hiring Recruitment & Retention

During the month of August, one employee was promoted internally to fill the program coordinator I vacancy in the Insurance and Medical Services Department created by a staff reassignment that occurred in July. Another staff member was reassigned to fill the vacant administrative assistant position in the Insurance and Medical Services Department upon the incumbent's promotion. The requisite approvals were obtained, and the files updated accordingly in both SCEIS and in hardcopy. The department congratulates these employees on their transitions and looks forward to their continued growth and service with the Commission.

Onboarding procedures for the new employee in the IT Department, including keying the requisite SCEIS transactions, completing benefits enrollment, and providing benefits trainings, have been completed.

Two recruitment requisitions were opened in August. The Commission is currently recruiting for a program assistant in the Self-Insurance Department and a program assistant in the Judicial Department. Both requisitions and job postings were prepared and posted in NeoGov and published to staff. Both postings will close at the beginning of September.

In addition to recruitment activities, the Department Director reviewed the revised new human resources regulations that will be effective on September 1, 2024 and worked with the Department of State Human Resources to update the Employee Performance Management System Policy (EPMS) in anticipation of the new SuccessFactors EPMS software. Both the policy and an all-staff training will be held in September in preparation for the October 1, 2024 universal annual review date. Because of the transition to the new system, the universal review deadline has been extended to November 1, 2024.

Administrative Services also participated in a Learning Consortium meeting regarding the use of Artificial Intelligence (AI) in learning, a meeting with Vocational Rehabilitation, an EEO Report training, CAME workshop planning meetings, and virtually attended the House Legislative Oversight Committee discussion of the SCWCC Study.

II. Procurement

Administrative Services prepared the final draft of the statement of work and completed the required procurement forms. The package was sent to State Procurement in early June. The office met with State Procurement in August to discuss the solicitation and the initial draft. The Commission has received a revised draft of the solicitation and is reviewing it along with comments for proposed changes.

The office continues to participate in other procurements such as the ordering of new furniture (lobby chairs, Commissioner's chairs, desks, and related items) and continues to participate in the procurement for legal case management software.

III. Finance & Budget

Administrative Services continues to monitor the coding of invoices and timely process invoices for payment and returned checks. It is investigating a recent increase in returned checks due to "poor image quality" and will work to resolve the matter.

The office continues to participate in meetings with the Department of Administration to discuss the Commission's budget and is assisting the Executive Director with the preparation of the Commission's annual budget request for FY25.

TAB 4

State of South Carolina

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



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

Workers' Compensation Commission

MEMORANDUM

TO: COMMISSIONERS

FROM: Kristen McRee, Director Administrative Services

DATE: September 16, 2024

RE: FINANCIAL REPORT – FY Period ending August 31, 2024

Attached is the Budget vs. Actual Report for the General Fund and Earmarked Fund for the fiscal year period ending August 31, 2024. The benchmark for this period is 17%.

Expenditures – General Fund – Annual Budget \$5,939,713

The total expenditure for the General Fund year-to-date is \$589,386 or 10% of the annual budget as shown on Page 2. Page 3 and 4 reflects the balances of funds appropriated by the General Assembly for the IT System Modernization Project. The balance for the IT System Project on page three has decreased 3.7% to \$1,631,478 from its original balance of \$1,695,084 as a result of expenses related to the IT Legacy System upgrades. The balance of the non-recurring appropriation funds for the IT System Project remains stable at \$5,000,000.

Expenditures – Earmarked Fund – Annual Budget \$5,607,845

The Earmarked Fund (38440000) total expenditures year-to-date are \$707,765 which is 13% of budget as shown on Page 7.

Revenues – Earmarked Annual Budget \$2,787,979

The Commission posted \$505,571 in Earmarked Fund operating revenues year-to-date, which is 18% of the annual budget.

Self-Insurance Tax Funds

The Commission is no longer authorized to retain the self-insurance tax funds collected. All funds are remitted to the general fund. The amount collected in the period ending August 31, 2024 is \$217,621.

South Carolina Workers' Compensation Commission
Budget v. Actual Report
FY 2025 As of 8/31/2024
17% of year elapsed

Fund 10010000 - GENERAL FUND - Operating Items

Administration		FY 2025					FY 2024	
Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance	YTD Expenditures	% Used
501015	DIRECTOR	\$ 153,737	\$ 32,749	21%		\$ 120,988	\$ 25,623	17%
501058	CLASSIFIED POS	\$ 55,125		0%		\$ 55,125		
512001	OTHER OPERATING	\$ 2,879,757						
	Total OTHER OPERATING:	\$ 2,879,757				\$ 2,879,757		
Total Administration:		\$ 3,088,619	\$ 32,749	1%		\$ 3,055,870	\$ 25,623	1%

Inform. services		FY 2025					FY 2024	
Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance	YTD Expenditures	% Used
503000	SUPPLY AND MATERIAL				3,168			
	Total OTHER OPERATING:				\$ 3,168	\$ (3,168)		
Total Inform. services:					\$ 3,168	\$ (3,168)		

Claims		FY 2025					FY 2024	
Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance	YTD Expenditures	% Used
501058	CLASSIFIED POS	\$ 100,483	\$ 19,024	19%		\$ 81,459	\$ 14,885	15%
Total Claims:		\$ 100,483	\$ 19,024	19%		\$ 81,459	\$ 14,885	15%

Commissioners		FY 2025					FY 2024	
Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance	YTD Expenditures	% Used
501026	CHAIRMAN	\$ 186,296	\$ 39,685	21%		\$ 146,611	\$ 31,049	17%
501033	COMMISSIONER	\$ 1,085,209	\$ 231,171	21%		\$ 854,038	\$ 180,868	17%
501050	TAXABLE SUBS	\$ 89,866	\$ 12,801	14%		\$ 77,065	\$ 12,153	14%
501058	CLASSIFIED POS	\$ 393,632	\$ 76,874	20%		\$ 316,758	\$ 64,618	16%
Total Commissioners:		1,755,003	360,531	21%	584	1,393,888	288,689	16%

Insurance & Medical		FY 2025					FY 2024	
Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance	YTD Expenditures	% Used
501058	CLASSIFIED POS	\$ 39,528	\$ 7,526	19%		\$ 32,002	\$ 6,250	16%
Total Insurance & Medical:		\$ 39,528	\$ 7,526	19%		\$ 32,002	\$ 6,250	16%

Judicial		FY 2025					FY 2024	
Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance	YTD Expenditures	% Used
501058	CLASSIFIED POS	\$ 31,539		0%		\$ 31,539		
512001	OTHER OPERATING	\$ 10,000						
503000	SUPPLY AND MATERIAL		\$ 4,000					
	Total OTHER OPERATING:	\$ 10,000	\$ 4,000	40%	\$ -	\$ 6,000		
Total Judicial:		\$ 41,539	\$ 4,000	10%	\$ -	\$ 37,539		

Employer Contributions		FY 2025					FY 2024	
Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance	YTD Expenditures	% Used
513000	EMPLOYER CONTRIB	\$ 914,541	\$ 165,555	18%		\$ 748,986	\$ 132,743	15%
Total Employer Contributions:		\$ 914,541	\$ 165,555	18%		\$ 748,986	\$ 132,743	15%
Total GENERAL FUND - Operating Items:		\$ 5,939,713	\$ 589,386	10%	\$ 3,752	\$ 5,346,575	\$ 468,189	8%

Fund 1001000 - GENERAL FUND - Special Items								
IT System Project		FY 2025					FY 2024	
Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance	YTD Expenditures	% Used
561000	Special Item	\$ 1,631,520		0%	\$ 42	\$ 1,631,478		
Total IT System Project:		\$ 1,631,520			\$ 42	\$ 1,631,478		
Total GENERAL FUND - Special Items:		\$ 1,631,520			\$ 42	\$ 1,631,478		

Fund 10050023 - GF-NONRECUR APROP-23 - Special Items								
IT System Project		FY 2025					FY 2024	
Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance	YTD Expenditures	% Used
561000	Special Item	\$ 5,000,000		0%		\$ 5,000,000		
Total IT System Project:		\$ 5,000,000				\$ 5,000,000		
Total GF-NONRECUR APROP-23 - Special Items:		\$ 5,000,000				\$ 5,000,000		

Fund 38440000 - EARMARKED FUND

Administration		FY 2025					FY 2024	
Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance	YTD Expenditures	% Used
501058	CLASSIFIED POS	\$ 696,889	\$ 65,651	9%		\$ 631,238	\$ 36,602	5%
512001	OTHER OPERATING	\$ 2,205,907						
502000	CONTRACTUAL SVC		\$ 4,796		12,505		\$ 71,988	
503000	SUPPLY AND MATERIAL		\$ 5,057		\$ 40,628		\$ 9,515	
504000	FIXED CHGS AND CONT		\$ 47,508		\$ 513,878		\$ 109,403	
505000	TRAVEL		\$ 5,289		\$ 5,628		\$ 2,748	
	Total OTHER OPERATING:	\$ 2,205,907	\$ 62,650	3%	\$ 572,654	\$ 1,570,603	\$ 193,654	9%
Total Administration:		\$ 2,902,796	\$ 128,301	4%	\$ 572,654	\$ 2,201,842	\$ 230,256	8%

Inform. services		FY 2025					FY 2024	
Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance	YTD Expenditures	% Used
501058	CLASSIFIED POS		\$ 71,749			\$ (71,749)	\$ 60,897	
502000	CONTRACTUAL SVC		\$ 2,713		\$ 104,490		\$ 25,000	
503000	SUPPLY AND MATERIAL		\$ 3,319		\$ 5,816			
504000	FIXED CHGS AND CONT						\$ 407	
505000	TRAVEL		\$ 2,005					
	Total OTHER OPERATING:		\$ 8,037		\$ 110,306	\$ (118,343)	\$ 25,407	
Total Inform. services:			\$ 79,786		\$ 110,306	\$ (190,092)	\$ 86,304	

Claims		FY 2025					FY 2024	
Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance	YTD Expenditures	% Used
501058	CLASSIFIED POS	\$ 262,204	\$ 48,323	18%		\$ 213,881	\$ 36,825	7%
512001	OTHER OPERATING	\$ 24,744						
	Total OTHER OPERATING:	\$ 24,744				\$ 24,744		
Total Claims:		\$ 286,948	\$ 48,323	17%		\$ 238,625	\$ 18,412	6%

Commissioners		FY 2025					FY 2024	
Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance	YTD Expenditures	% Used
501058	CLASSIFIED POS	\$ 50,000	\$ 10,417	21%		\$ 39,583		
512001	OTHER OPERATING	\$ 229,092						
502000	CONTRACTUAL SVC		\$ 12,213		\$ 7,870		\$ 19,162	
505000	TRAVEL		\$ 10,853		\$ 6,911		\$ 586	
	Total OTHER OPERATING:	\$ 229,092	\$ 23,066	6%	\$ 14,781	\$ 191,245	\$ 7,958	12%
Total Commissioners:		\$ 279,092	\$ 33,483	12%	\$ 14,781	\$ 230,828	\$ 27,706	10%

Insurance & Medical		FY 2025					FY 2024	
Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance	YTD Expenditures	% Used
501058	CLASSIFIED POS	\$ 553,278	\$ 100,536	18%		\$ 452,742	\$ 80,332	15%
501070	OTH PERS SVC						\$ 4,631	
512001	OTHER OPERATING	\$ 40,000						
502000	CONTRACTUAL SVC		\$ 75				\$ 1,615	
503000	SUPPLY AND MATERIAL		\$ 1,500		\$ 1,500		\$ 1,500	
505000	TRAVEL		\$ 2,294		\$ 2,258		\$ 4,171	
514000	BENEFITS AND CLAIMS		\$ 173		\$ 19,760		\$ 3,125	
	Total OTHER OPERATING:	\$ 40,000	\$ 4,042	10%	\$ 23,518	\$ 12,440	\$ 10,411	26%
Total Insurance & Medical:		\$ 593,278	\$ 104,578	18%	\$ 23,518	\$ 465,182	\$ 95,374	16%

Judicial		FY 2025					FY 2024	
Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance	YTD Expenditures	% Used
501058	CLASSIFIED POS	\$ 513,733	\$ 102,397	20%		\$ 411,336	\$ 86,889	17%
501070	OTH PERS SVC	\$ 62,681	\$ 8,167	13%		\$ 54,514	\$ 6,570	10%
512001	OTHER OPERATING	\$ 45,000						
502000	CONTRACTUAL SVC		\$ 3,116		\$ 2,520			
503000	SUPPLY AND MATERIAL						\$ 4,000	
505000	TRAVEL						\$ 1,203	
	Total OTHER OPERATING:	\$ 45,000	\$ 3,116	7%	\$ 2,520	\$ 39,364	\$ 5,203	12%
Total Judicial:		\$ 621,414	\$ 113,680	18%	\$ 2,520	\$ 505,214	\$ 98,662	16%

Employer Contributions		FY 2025					FY 2024	
Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance	YTD Expenditures	% Used
513000	EMPLOYER CONTRIB	\$ 924,317	\$ 199,614	22%	\$ 228	\$ 724,475	\$ 152,326	16%
	Total Employer Contributions:	\$ 924,317	\$ 199,614	22%	\$ 228	\$ 724,475	\$ 152,326	16%
Total EARMARKED FUND:		\$ 5,607,845	\$ 707,765	13%	\$ 724,007	\$ 4,176,073	\$ 727,979	13%

South Carolina Workers' Compensation Commission
Earmarked Fund Revenues
FY 2025 As of 8/31/2024
 17% of year elapsed

Account	Acct No.	FY 2025			FY 2024	
		Budget	YTD Actual Revenue	% of Budget	YTD Actual Revenue	% of Budget
WORKERS COMPENSATION SELF INSURANCE TAX	4080100000					
WORKERS' COMPENSATION HEARING FEE	4110090000	\$ 1,091,322	\$ 178,069	16%	\$ 155,925	14%
WORKERS COMP SELF INSURANCE APPLICATION FEE	4160040000	\$ 7,350			\$ -	0%
WORKERS COMPENSATION FILING VIOLATION PENALTY	4223030000	\$ 1,637,210	\$ 318,661	19%	\$ 193,952	12%
PARKING FEE	4350040000	\$ 5,785	\$ 1,165	20%	\$ 950	16%
WORKERS COMPENSATION AWARD REVIEW FEE	4350140000	\$ 14,686	\$ 3,020	21%	\$ 1,800	12%
TRAINING CONFERENCE REGISTRATION FEE	4380020000	\$ 3,120	\$ 1,105	35%	\$ -	0%
PHOTOCOPYING FEE	4380050000	\$ 23,761	\$ 2,266	10%	\$ 7,995	34%
SALE OF SERVICES	4480020000	\$ 3,120	\$ 910	29%	\$ -	0%
SALE OF LISTINGS & LABELS	4480060000	\$ 1,625	\$ 375	23%	\$ 50	3%
ADJUSTMENT TO AGENCY DEPOSITS	4530020000				\$ -	
Total Revenues		\$ 2,787,979	\$ 505,571	18%	\$ 360,672	13%
Self Insurance Tax			\$ 217,621		\$ 324,010	
Total		\$ 2,787,979	\$ 723,192	26%	\$ 723,192	25%

TAB 5

State of South Carolina

1333 Main St, Suite 500
P.O. Box 1715
Columbia, S.C. 29202-1715



Tel: (803) 737-5700
Fax: (803) 737-1258
www.wcc.sc.gov

Workers' Compensation Commission

To: Gary Cannon, SCWCC Executive Director
From: Kris Pluss, IT Director
Date: September 09, 2024
Subject: IT Department August 2024 Full Commission Report

This report summarizes the activities and accomplishments for projects and initiatives in the IT Department during August 2024.

I. Systems Operations, Maintenance and Support

EDI

Verisk and WCC IT continue to test Verisk's EDI 3.0 Reporting System (aka wCapture) in parallel with Progress for FROI and SROI file processing. Next steps include sending Verisk an updated copy of Maintenance Files, History Files and Cancelled in Favor Of files – these are files that have been processed since the initial data was loaded into the wCapture system.

Reporting

121 Service Desk tickets were received by WCC IT during August 2024.
105 Tickets were assigned a priority of Low.
11 Tickets were assigned a priority of Medium.
5 Ticket was assigned a priority of High.
0 Tickets were assigned a priority of Urgent.

II. Projects, Enhancements and Development

SCVRD:

WCC IT facilitated a virtual meeting with representatives from SC Voc Rehab to discuss ways to improve contacting potential clients. WCC IT will begin by removing cases from search results that are out of scope for Voc Rehab Staff.

SC.Gov – eFile/ePay:

3,585 unique electronic submissions were processed in August 2024

- 1,015 eFile/ePay online transactions with a fee/fine for a net amount of \$93,881 were submitted in August 2024.
- Filing Fees: \$47,190
- Fines: \$44,825
- Other: \$1,866 (File Copy Requests and Appeals)
- Total Unique Filings without an Online Payment: 2,570

TAB 6



Workers' Compensation Commission

MEMORANDUM

Date: September 12, 2024

To: Gary Cannon
Executive Director

From: Wayne Ducote
Insurance & Medical Services Director

RE: Monthly Insurance & Medical Services Report for August 2024

Please find attached the statistical report for the Insurance and Medical Services Department for the month of August 2024.

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

The Compliance Division promoted Cara Mazzell from our coverage analyst position to our compliance officer position. Additionally, the Coverage Division hired Elizabeth Toohey from the Self-Insurance Department to replace Cara Mazzell as our new coverage analyst.

The GEAR PILOT PROGRAM that the Commission was approved to utilize by the SC Department of Revenue back in the Spring to collect outstanding debt owed by corporate entities, yielded its first return, and collected \$10,222 from one of our non-compliant employers.

The Coverage Division had 39 new registrants for notification of lapse in coverage within our coverage notification system. No lapse in coverage notifications were sent.

The Medical Services Division resolved eleven formal medical bill disputes and completed one medical bill pricing reviewer recertification.

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

Department of Insurance & Medical Services									
South Carolina Workers' Compensation Commission									
August 2024 Monthly Report									
	July	August	September	October	November	December	Total FY24-25	Total FY23-24	% Chg FY25
COMPLIANCE									
Total Cases Active at Beginning of Period	275	248					523	329	59%
Total Cases Initiated	199	134					333	327	2%
Total Cases Closed	226	160					386	275	40%
Total Cases Active at End of Period	248	222					470	381	23%
Cases from F50/12A/other	22	21					43	33	30%
Cases from DEW	168	90					258	280	-8%
Cases from Carriers	23	11					34	9	278%
Total Fines Assessed	\$ 79,250	\$ 72,201					\$ 151,451	\$ 1,150,939	-87%
- DEW / Coverage / Miscellaneous	\$ 76,500	\$ 69,176					\$ 145,676	\$ 933,299	-84%
- Underlying claim / uninsured employer	\$ 2,750	\$ 3,025					\$ 5,775	\$ 217,640	-97%
Total Fines Collected	\$ 66,125	\$ 71,200					\$ 137,325	\$ 132,052	4%
- DEW / Coverage / Miscellaneous	\$ 60,275	\$ 69,550					\$ 129,825	\$ 127,342	2%
- Underlying claim / uninsured employer	\$ 5,850	\$ 1,650					\$ 7,500	\$ 4,710	59%
Fines Waived/Rescinded/Uncollectable	\$ 10,660	\$ 22,741					\$ 33,401	\$ 846,609	-96%
- Waived	\$ 6,160	\$ 22,740					\$ 28,900	\$ 713,769	-96%
- Rescinded	\$ 4,500	\$1					\$ 4,501	\$ 132,840	-97%
- Uncollectable	\$0.00	\$0					\$ -	\$ -	-
Employer RTSC Cases Docketed	0	1					1	3	-67%
Employers Compelled Into Compliance	37	44					81	50	62%
Previous Uninsured Employees Now Covered	322	261					583	358	63%
Carrier RTSC Cases Docketed	16	23					39	18	117%
Carrier RTSC Cases Resolved	16	23					39	18	117%
Carrier RTSC Fines Resolved	\$ 10,800	\$ 4,600					\$15,400.00	\$14,000	10%
COVERAGE & ACCIDENT RPTG									
Employers Withdrawing From the Act	1	3					4	9	-56%
Coverage Fines Assessed	\$ 30,250	\$ 30,650					\$ 60,900	\$ 44,600	37%
Coverage Fines Collected	\$ 16,700	\$ 19,800					\$ 36,500	\$ 44,650	-18%
Coverage Fines Waived	\$ 4,600	\$ 5,000					\$ 9,600	\$ 4,900	96%
Number of 12As Filed EDI	1,766	1,895					3,661	3,618	1%
Number of 12As Filed Manually	310	221					531	626	-15%
Total Number of WCC Files Created	2,076	2,116					4,192	4,244	-1%
Number of Fatalities Filed on 12As	14	9					23	22	5%
MEDICAL SERVICES									
Bills Pending at Beginning of Period	6	6					12	23	-48%
Bills Received	7	11					18	16	13%
Bills to be Reviewed	13	17					30	39	-23%
Bills Reviewed this Month	7	11					18	25	-28%
Bills Pending at End of Period	6	6					12	14	-14%

TAB 7

State of South Carolina

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



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

Workers' Compensation Commission

MEMORANDUM

To: Gary Cannon, Executive Director

From: Sonji Spann, Claims Director

Date: September 16, 2024

Re: Claims Department August 2024 Full Commission Report

Attached is the Statistical Report for the Claims Department for the period July 1, 2024-August 31, 2024, for the Business Meeting on September 16, 2024.

Claims activities are in Column (a) with the totals for the period ending August 2024 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 5% when compared to the same period from last fiscal year.

The number of cases Reviewed shows a 40% increase; cases Closed increased 5% the Fines Assessed reflects a 35% decrease; and the Total Fines Paid were 8% less than the amount paid during the same period last year.

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

Claims Department Statistical Report
FY2024-2025
Aug-24

Claims Activities	July	August	Sept	Oct	Nov	Dec	FY24-25 YTD Total	FY23-24 YTD Total	% Diff from prev year
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(o)	(p)	(q)
Forms 15-I	1,101	1,172					2,273	2,101	8%
Forms 15-II/Forms 17	735	804					1,539	1,412	9%
Forms 16 for PP/Disf	45	62					107	82	30%
Forms 18	5,279	4,863					10,142	10,009	1%
Forms 20	471	506					977	1,138	-14%
Form 50 Claims Only							-	576	
Form 61	640	774					1,414	1,384	2%
Letters of Rep								301	
Clinchers	628	743					1,371	1,280	7%
Third Party Settlements	7	38					45	38	18%
SSA Requests for Info	33	20					53	83	-36%
Cases Closed	2,147	2,139					4,286	4,197	2%
Cases Reviewed	3,175	3,000					6,175	4,426	40%
Total	14,261	14,121	-	-	-	-	28,382	27,027	5%
							-		
Total Fines Assessed	\$ 190	\$ 256					\$ 446	\$ 685	-35%
Form 18 Fines	\$ 149	\$ 239					\$ 388	\$ 644	-40%
Total Amt Paid	\$ 28,000	\$ 33,600					\$ 61,600	\$ 66,800	-8%

TAB 8

State of South Carolina

1333 Main Street
P.O. Box 1715
Columbia, S.C. 29202-1715



Tel: (803) 737-5700
Fax: (803) 737-1234
www.wcc.sc.gov

Workers' Compensation Commission

September 6, 2024

To: Gary Cannon
Executive Director

From: Amy A. Bracy
Judicial Director

RE: Monthly Judicial Report for August 2024

During the month of August, the Judicial Department processed two hundred thirty (230) claim only 50s, and eight hundred twenty-nine (829) requests for hearings (claimant and defense pleadings). Comparing the numbers from the same period last year, claimant hearing requests increased 1% and defense hearing requests increased 5%. The department received one hundred thirty-nine (139) Motions, a 59% increase compared to the same period last year and one hundred fifty (150) clincher conference requests, a 12% increase compared to the same time last year.

There were forty-six (46) Single Commissioner Hearings conducted during the past month, ten (10) pre-hearing conferences held, and six (6) Full Commission hearings held. A total of four hundred fifty-eight (458) Orders (Single Commissioner Orders, Consent Orders and Administrative Orders) were served at the single Commissioner level, thirty-two (32) of those were Decision and Orders that resulted from hearings that went on the record and one hundred twenty-seven (127) were Motion Orders that were a result of Motions ruled upon by Commissioners.

There were two hundred thirty-six (236) Informal Conferences requested during August and two hundred eight (208) were conducted.

There were thirty-four (34) regulatory mediations scheduled and sixty-nine (69) requested mediations. Totals are up 14% and 8% in the respective categories for the same period last year. The Judicial Department was notified of eighty-three (83) matters resolved in mediation, with the receipt of Forms 70. This category's total is up 31% compared to this period last year. This does not include mediations that take place outside of what is reported to the Commission.

In the month of August, Judicial received zero (0) Notices of Intent to Appeal to the Court of Appeals and two (2) to the Circuit Court.

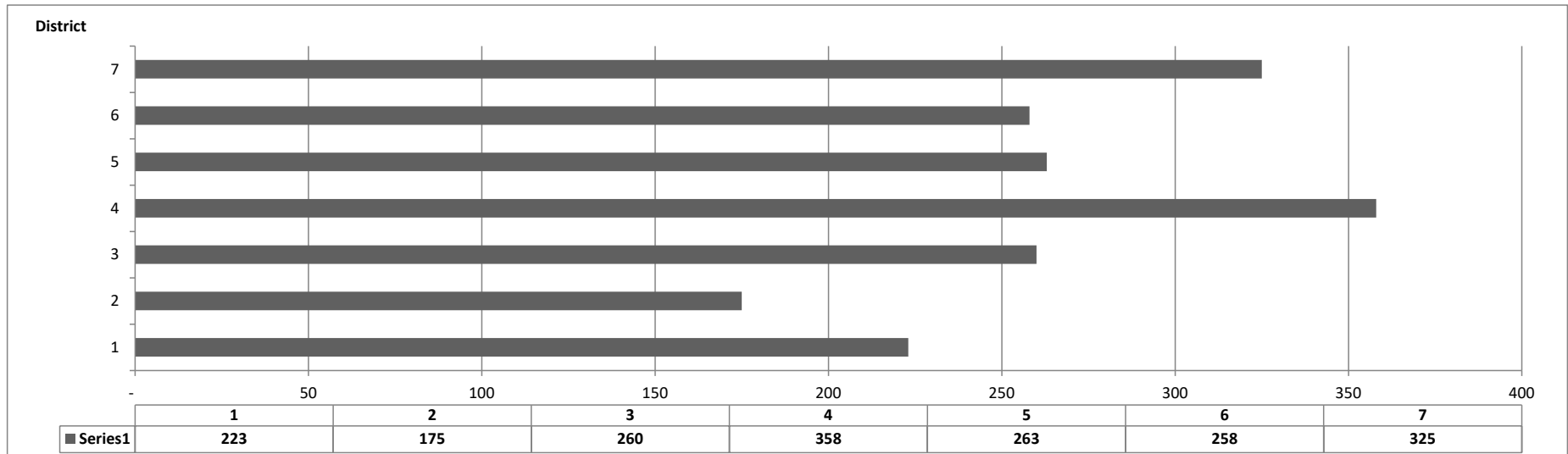
**Judicial Department Statistical Report
Statistics For Fiscal Year 2024-2025**

	July	Aug	Sept	Oct	Nov	Totals YTD 2024-2025	Totals YTD 2023-2024	% Diff from prev year
Claimant Pleadings	672	553				1,225	1,218	1%
Defense Response to Pleadings	574	507				1,081	988	9%
Defense Pleadings	300	276				576	550	5%
Form 50 - Claim Only	354	230				584	576	1%
Letters of Representation	25	11				36	-	100%
Motions	148	139				287	180	59%
Form 30	6	15				21	15	40%
FC Hearings Held	7	6				13	11	18%
FC Orders Served	14	6				20	15	33%
Single Comm. Hearings Held	59	46				105	112	-6%
Single Comm. Orders Served	211	172				383	331	16%
Single Comm. Pre-Hearing Conf Held	18	10				28	19	47%
Consent Orders	308	279				587	525	12%
Adminstrative Orders	17	7				24	13	85%
Clincher Conference Requested	152	150				302	269	12%
Informal Conference Requested	175	236				411	452	-9%
Informal Conference Conducted	149	208				357	395	-10%
Regulatory Mediations	49	34				83	73	14%
Requested Mediations	85	69				154	143	8%
Ordered Mediations	0	0				0	3	-100%
Mediation Resolved	61	83				144	110	31%
Mediation Impasse	16	17				33	39	-15%
Mediation Held; Issues Pending	0	1				1	6	-83%
Claim Settled Prior to Mediation	17	22				39	15	260%
Mediation Not Complete in 60 days	1	3				4	0	100%

Pleadings Assigned - Three Year Comparison by Month

	District 1 Greenville			District 2 Anderson			District 3 Orangeburg			District 4 Charleston			District 5 Florence			District 6 Spartanburg			District 7 Richland		
	24-25	23-24	22-23	24-25	23-24	22-23	24-25	23-24	22-23	24-25	23-24	22-23	24-25	23-24	22-23	24-25	23-24	22-23	24-25	23-24	22-23
Jul	130	93	105	101	64	81	125	80	112	172	150	150	152	106	111	123	100	135	146	131	142
Aug	93	112	105	74	85	70	135	115	86	186	189	172	111	145	118	135	118	124	179	150	155
Sep		110	93		83	68		113	98		234	144		160	121		111	104		148	135
Oct		96	78		68	59		107	97		181	140		149	114		114	96		142	126
Nov		106	90		79	77		111	106		190	180		139	135		113	137		173	164
Dec		105	91		80	74		99	108		142	166		99	136		93	113		107	117
Jan		102	74		73	74		79	90		174	172		117	126		114	97		147	130
Feb		114	78		69	69		94	90		170	144		128	102		117	88		132	122
Mar		104	96		82	69		119	124		172	174		152	133		117	139		166	158
Apr		112	82		58	82		102	78		173	158		114	138		116	113		140	146
May		133	70		94	64		115	92		206	156		153	126		123	114		142	148
Jun		101	118		65	76		88	118		147	235		157	131		95	119		133	185
Totals	223	1,288	1,080	175	900	863	260	1,222	1,199	358	2,128	1,991	263	1,619	1,491	258	1,331	1,379	325	1,711	1,728

Pleadings Assigned by District Year to Date



TAB 9



Referral Date

7/1/2024

8/27/2024

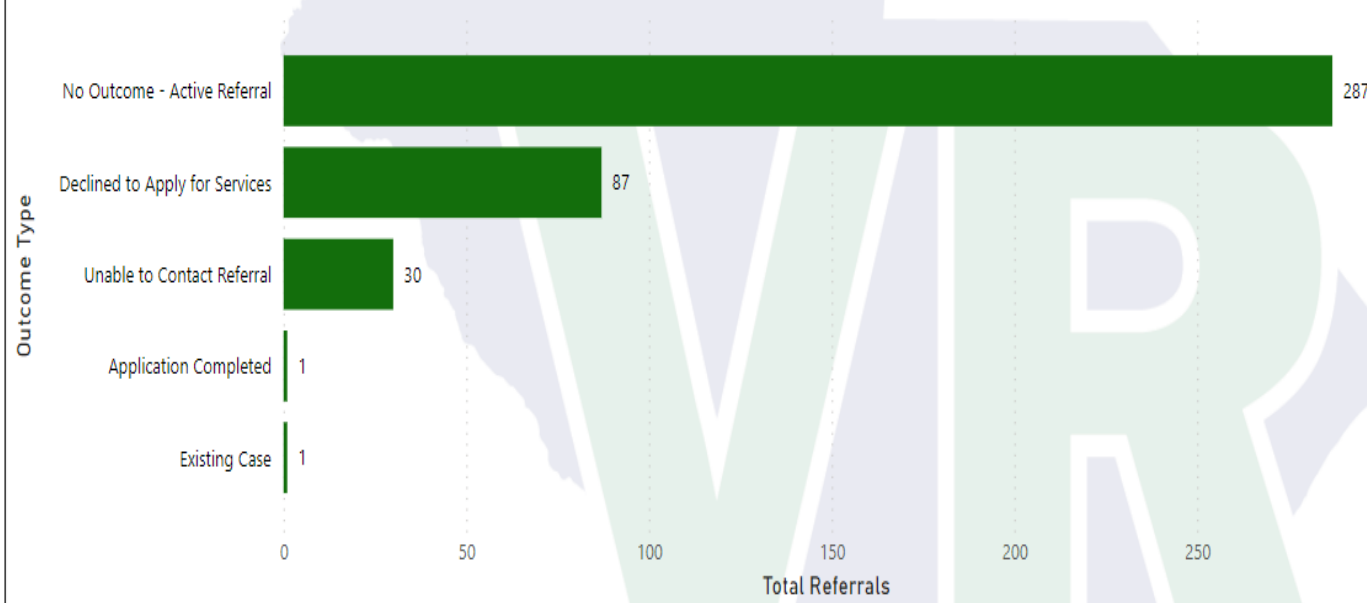
Area Office

All

Referring Organization

SC Workers Compensation

Total Referrals by Outcome Type



50.00%

Referrals with VR Cases Reaching Eligibility

50.00%

Referrals with VR Cases Reaching IPE

0.00%

Rehab Rate for Referral VR Cases with an IPE Developed

Referral Summary

Outcome Type	Total Referrals
Application Completed	1
Declined to Apply for Services	87
Existing Case	1
No Outcome - Active Referral	287
Unable to Contact Referral	30
Total	406

Current CMS Status of Referrals Who Applied or Had Existing SCVRD Cases

Current CMS Status	Description	Total Referrals	% of Referrals with VR Cases
2	Applicant	1	50.00%
12	IPE	1	50.00%
Total		2	100.00%

TAB 10

State of South Carolina



Workers' Compensation Commission

Executive Director's Report

September 16, 2024

Meetings and Other Activities

The Executive Director participated in the following meetings and events during the month of August: Three meetings of the Litigation Team; eight meetings with individual staff and including one group meeting to plan for the CAME seminar; conference call with Arizona Workers' Compensation staff to discuss medical fee schedule; presentation to SC Bar Workers' Compensation Essentials seminar; conference call with SCWCEA Director regarding a presentation at the SCWCEA Annual Meeting; attended the House Legislative Oversight Committee meeting for final approval of the report about our agency; meeting with staff and representatives of Sedgwick to discuss business processes; and a meeting with a stakeholder to discuss office needs.

Constituent /Public Information Services

For the month of August, the Executive Director's and the General Counsel's offices had 171 contacts with stakeholders.

Financial Transactions Activity

During the month of August, the Director's office processed and approved thirteen (13) travel expense reports, seventy-six (76) invoices, forty (40) deposits for DOA to process in the SCEIS system and two (2) Purchase Orders.

SCWCC Stakeholder Electronic Distribution List

For the month of August, the Office had seven (7) additions to the distribution list.

Advisory Notices

During the month of August, the office posted two (2) notices on the Commission's website and emailed it to the distribution list.

TAB 11

State of South Carolina



Workers' Compensation Commission
Memorandum

TO: Commissioners
FROM: Gary M Cannon
DATE: Sept. 12, 2024
RE: Ad Hoc Committee Report

Attached is the report from the Ad Hoc Committee reviewing regulations R67-1805 and R67-1809. For reference I have included a copy of the memo to the committee members and a list of committee members.

Mr. Leventis will attend the Business Meeting to present the report and answer any questions.

**Report of the SCWCC Ad Hoc Committee on
Workers' Compensation Mediation Requirements
August 13, 2024**

Background

At the Commission's Business Meeting on January 22, 2024, the Commission approved creating an Ad Hoc Committee to review Regulations 67-1805 and Regulation 67-1809 and report their findings and recommendations. A copy of the regulations is attached.

Chairman Scott Beck appointed Peter Leventis, Esq. as Chair of the Committee and invited stakeholders from various sectors of the workers' compensation system to serve. Invitees included claimant's attorneys, insurance defense attorneys, insurance carrier representatives, and mediators as well as executive, legal and administrative staff of the South Carolina Workers Compensation Commission. Attached is the list of committee members who agreed to serve.

The Committee met via Zoom on April 9, 2024, and May 22, 2024, with an excess of a quorum to discuss and vote on proposed changes. The Committee discussed the pros and cons of amending mediation regulations S.C. Regs. 67-1805 and 67-1809. The discussion of S.C. Code of Regs. 67-1805 was primarily regarding whether to strengthen or loosen the requirements for in person or other attendance of certain insurance company or defendant representatives at mediations. At both meetings the consensus of the committee was no substantive problem existed with parties in a mediation contacting a representative of the insurance carrier in order to finalize the mediation.

The discussion of S.C. Code of Regs. 67-1809 was primarily regarding whether to add required language and information to certain mediation agreements to make them compliant with the specificity of normal settlement agreements, should the parties wish for the mediation agreement submitted to be binding on the parties upon submission to the SCWCC. The Committee voted unanimously to make no changes to Reg. 67-1809.

Recommendations

1. **Proposed Recommendation: By a unanimous vote of the quorum present,** this Committee does not recommend amending mediation regulations S.C. Code of Regs. 67-1805 or 67-1809.

To: Ad Hoc Committee – R67-1805 & R67-1809

From: Gary M Cannon, Executive Director

Date: April 6, 2024

Re: First Meeting April 9, 2024 10:00 AM (EST)

The two issues to be discussed are R67-1805 and R67-1809. R67-1809 requires each party to the mediation to provide a representative to attend the mediation in person or via telephone. An increase in the number of absences of parties from the mediations have been reported to the Commission, which may delay the outcome of the mediation.

Below is a copy R67-1805:

67-1805. Parties Represented.

In addition to their attorney being present, each party shall provide a representative, who shall attend the mediation in person or via telephone. The representative shall have authority to enter into negotiations, in good faith, to resolve the issues in dispute. If the representative attends via telephone, they shall be available by telephone for the duration of the mediation. Reasonable notice shall be provided to the opposing party concerning attendance via telephone, prior to the mediation. This regulation does not prevent a claimant from proceeding pro se.

HISTORY: Added by State Register Volume 37, Issue No. 6, eff June 28, 2013.

R67-1809 Forms Required

As a result of a recent decision by the SC Court of Appeals, Ex Parte Horne, 473 SC 218 (Ct. App. 2022) the Commission needs to amend Regulation R67-1809 to require a mediation agreement submitted to the Commission must conform to the requirements of R67-803(A).

67-1809. ~~Forms Required~~ Documentation Submitted Upon Completion.

(A) A Form 70 shall be filed by the mediator with the Judicial Department at the conclusion of the mediation. A Form 70 shall not become a part of the Commission's file, and will solely be used for tracking purposes. The Commission shall not process a Form 19 or further request for hearing until a Form 70 has been filed with the Commission.

(B) A mediation agreement submitted to the Commission for filing must conform to the requirements of 67-803A.

HISTORY: Added by State Register Volume 37, Issue No. 6, eff June 28, 2013. Amended by SCSR42-2 Doc. No. 4735, eff February 23, 2018.

SCWCC Ad Hoc Committee		
Representatives attending Mediations R67-1805		
2/23/2024		
Member	Title	Organization
Peter Leventis, Chair	Attorney	Smith, Born, Leventis, Taylor & Vega
Rusty Goudeock	Attorney, defense	MGC Law
Derrick Williams	Attorney, claimant	Williams and Roche
Lana Sims	Mediator	Lana Sims Mediation
Tina E. Brown	Claims Assistant Manager	Sedgwick
Ann Noonan	Attorney	WJCB
Kim Holston	Sr Claims Representative	KeyRisk
Terry Carswel	Director Workers Compensation	Travelers
Bargara Cullum	Director of Regional Claims	Eastern Alliance Insurance
April E. McNeal	Claims Manager	Accident Fund
Meredyth Harden	Senior Claims Manager	State Accident Fund
Bill Simmons	Regional Operations Manager	Liberty Mutual
Eddie Fickling	Attorney	Speed Seta Lawfirm
Stephen Peacock	Asst VP	Safety National
Staff		
Gary M Cannon	Executive Director	Workers' Compensation Commission
Keith Roberts	General Counsel	Workers' Compensation Commission
Jordan Mayes	Staff Attorney	Workers' Compensation Commission
Amy Bracy	Judicial Director	Workers' Compensation Commission
Arnisha Keitt	Executive Assistant	Workers' Compensation Commission