

SB

322

(FILE 9)

\* ORIGINAL  
 \* SENT: 02/12/88 TIME: 16:20  
 \* FROM: LIOCDV  
 \* SUBJECT: S+H L&C; WORK'S COMP; FS; 2-12-88  
 \* PRINT DATE: 02/12/88 TIME: 16:20  
 \*

\*\*\*\*\*

\*\*\* FINAL TELECONFERENCE STATISTICS \*\*\*

DATE: FEBRUARY 12, 1988  
 SITE: ANCHORAGE  
 SPONSOR: SENATE AND HOUSE LABOR AND COMMERCE  
 SUBJECT: WORKER'S COMPENSATION  
 LOCAL MODERATOR: DAVID

\*\*\*\*\*

TESTIFIED:

NAME REPRESENTING	ADDRESS	PHONE #
SENATOR KELLY	3111 C STREET ANCH	99503
SENATOR HEHLING	"	"
REPRESENTATIVE DONLEY	"	"
REPRESENTATIVE COLLINS	"	"
REPRESENTATIVE FURNACE	"	"
REPRESENTATIVE ELLIS	"	"
GEORGE ERICKSON	741 SESAME ST ANCH	561-1725
FARL W DAVIS	815 W INT APT ANCH	562-2414
DON SASSER	PO BOX 670055 CHUG	99587 688-2814
MIKE MCMURREY	251 SO LAKE ST PASA., CA 91011	(818) 5771144
BRUNO KAPPEL	4500 MARYBELL ANCH	99516 345-7288
GIGI LINBLOM	700 ARLENE ANCH	278-3341
ERIKA MAHANEY	PO BOX 671495 CHUG	99567 337-8269
RODNEY FULTS	6311 DEBARR RD ANCH	333-2576
LARRY BOSWELL	1890 E 58TH AV ANCH	99507 561-0722
G. RAINWATER	NO ADDRESS OF PHONE # GIVEN	
JERRY BRINKLIN	4106 NORTHWOOD ANCH	248-0266
RICK LAGARDE	4300 ARCTIC #2 ANCH	561-8785
STEVE REHNG	8230 PIONEER ANCH	337-4698
JAMES CHAPMAN	7000 DICKERSON ANCH	337-3984
DENNIS JOHNSON	3501 DENALI#102 ANCH	99503 563-5014
MARK MULVANEY--NCCI	7235 E HAMPTON DENV, COL	98121 (503) 228-4173
GARY R MASOG	6114 E 22ND AVE ANCH	99509 338-1300
JOHN LEWIS	BOX 330550 MIAMI, FLA	(305)-443-8111
BONNIE NELSON	HC 78 BOX 2708 CHUG	688-3017
MICHAEL THOMAS	550 W 7TH AVE WASI	277-6693
LARRY NICHOLZ	HC 32 BOX 6651 WASI	376-3671
CHARLES MCKEE	538 E 12TH AVE ANCH	272-0697
JAMES CASTLELY	2240 SENTRY ANCH	344-2061
PAUL ROLLER	3601 C STREET ANCH	99503 562-3626

## OBSERVED:

NAME REPRESENTING

ADDRESS

PHONE #

NAME REPRESENTING	ADDRESS	PHONE #
RONALD JORDON	3444 #A SEPPALA ANCH	248-5444
RALPH MINGO	PO BOX 102092 ANCH	99510 333-2311
KEN MILLARD	815 W INT APT RD ANCH	99502 562-2414
PAUL EVANS	2200 GAMBELL#347 ANCH	783-3474
BILLY E JONES	1414 W 26TH AVE ANCH	277-1186
MIKE MEISWONGER	PO BOX 774807 E.RIV	99577 694-2546
FRANCES EKHOLOT	3546 LATOUCHE ANCH	563-3145
LYNN PHILLIPS	3339 SEPPALA ANCH	243-4417
PAT REEVES	3140 CHESAPEAKE ANCH	562-4669
JAN HANSEN	3301 EAGLE #302 ANCH	264-2424
JACQUELINE MCCLINTOCK	1111 8TH AVE JUN	99811 465-2790
STEPHEN FIELDS	4524 LINDEN DR ANCH	243-4951
DICK CATTANICH	8101 OLD SEWARD ANCH	349-6666
ROBERT ANDERS	3310 W 78TH AVE ANCH	243-4951
KEVIN DOUGHERTY	2501 COMMERCIAL ANCH	276-1640
CALVIN I TAYOR	PO BOX 90881 ANCH	243-1208
BECK STONE	14610 ELMORE ANCH	522-1003
D. RETNWALD	ANCHORAGE TIMES ANCH	99501 263-9181
BARBARA LINDON	2121 4TH AVE SEA, WA	80231
	(206) 729-5262	
STAN SPARKS	ONE SW COLUMBIA, PORT, ORE	98121
	(503) 228-4173	
CYNDI MCADAMS	3605 ARCTIC BLVD ANCH	
JED WHITTAKER	618 1/2 E 14TH AVE ANCH	
CA LANDERS	SR 192A MYRTLE DR ANCH	99577 694-0520
BILL MILLER	4706 HARDING DR ANCH	248-3030
CARL STMS	1341 KRSTEN ANCH	344-2853
IRENE F. BALES	4859 WESLEYAN ANCH	333-5454
KEITH LEAFDALE	PO BOX 101668 ANCH	561-0335
MICHAEL R STOLLE	14020 JARVI DR ANCH	753-2596
HAI INGALLS	6000 A STREET ANCH	562-2312
BRUCE SMITH	15231 SNOWFLAKE ANCH	345-4075
BOB NESTEL	EASY STREET E.RIV	99577
CHUCK LANGDON	SENATOR KELLY'S STAFF	

\*\*\*\*\*

TESTIFIED: \_\_\_\_\_30\_\_\_\_\_

OBSERVED: \_\_\_\_\_32\_\_\_\_\_

TOTAL: \_\_\_\_\_62\_\_\_\_\_

START TIME: \_\_\_9:00AM\_\_\_

END TIME: \_\_\_4:00PM\_\_\_

DATE: FEBRUARY 12, 1988  
SPONSOR: JOINT HOUSE AND SENATE LABOR AND COMMERCE COMMITTEE  
SUBJECT: WORKERS' COMPENSATION  
SITE: KODIAK L.I.O.  
MODERATOR: LORNA STEELMAN

FINAL STATS

\*\*\*\*\*  
TO TESTIFY

\*\*\*\*\*  
TO OBSERVE

NAME/REPRESENTING ADDRESS PHONE #

1. DYCK ROHRER, PO BX 2219 KODIAK 99615, 486-5835

TESTIFIED: 0  
UNABLE: 0  
OBSERVED: 1  
TOTAL: 1

START TIME: 3:17 PM  
END TIME: 4:04 PM

\*\*\*\*\*  
\* FROM: LIOCOLD \*\*  
\* SUBJECT: JT.H&S LC;FS;WORK.COMP.2-12 \*  
\* PRINT DATE: 02/12/88 TIME: 16:12 \*  
\* \*  
\*\*\*\*\*

DATE: FEBRUARY 12, 1988 9 A.M. AND 2 P.M.  
SITE: DILLINGHAM, LIO  
SPONSOR: JT, H AND S LABOR AND COMMERCE  
SUBJECT: WORKERS COMPENSATION  
MODERATOR: ANNA MAY SORESEN

FINAL STATS

OBSERVED:  
NAME-REPRESENTING ADDRESS PHONE#  
1. DALIAS NELSON, D.C., BOX 741, DILLINGHAM, AK. 99576 842-2300

TESTIFIED: 0  
UNABLE: 0  
OBSERVED: 1  
TOTAL: 1

START-END TIME: DILLINGHAM DIALED IN AT 9:55 A.M., UNTIL  
11 A.M.  
DID NOT DIAL-IN FOR THE AFTERNOON AS  
PART. WAS UNABLE TO ATTEND

\*\*\*\*\*

\* DELIVER TO: LJOCSHN

\*

\*

\* ORIGINAL

\* SENT: 02/12/88 TIME: 16:14

\* FROM: LJOCSHN

\* SUBJECT: JT L&C;FS;WK COMP;2-12-88

\* PRINT DATE: 02/12/88 TIME: 16:14

\*

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NOME HAS NO PARTICIPANTS FOR THE T/C ON WORKMAN'S COMPENSATION HB  
355 AND SB 322.

THANK YOU AND HAVE A NICE WEEKEND. "HAPPY VALENTINES DAY"

RITXANNI-NOME

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*****
*
* DELIVER TO: L10CSHN
*
* ORIGINAL
* SENT: 02/12/88 TIME: 16:12
* FROM: L10C0JT
* SUBJECT: JTLAC;FS;WORK,COMP;2-12-88
* PRINT DATE: 02/12/88 TIME: 16:12
*
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DATE: FEBRUARY 12, 1988
SITE: DELTA JUNCTION
SPONSOR: JOINT LABOR AND COMMERCE COMMITTEE
SUBJECT: WORKMAN'S COMP
MODERATOR: LTZ SARVER

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FINAL STATS

TESTIFIED	ADDRESS	PHONE #
NAME/REPRESENTING		
NONE		

OBSERVED	ADDRESS	PHONE #
NAME/REPRESENTING		
NONE		

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TESTIFIED: 0
UNABLE: 0
OBSERVED: 0
TOTAL: 0

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START/END TIME

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*****
*
* DELIVER TO: LIOC SHN
*
* ORIGINAL
* SENT: 02/12/88 TIME: 16:31
* FROM: LIOCELA
* SUBJECT: L&C;FS;WORKERS' COMP;2-12-88
* PRINT DATE: 02/12/88 TIME: 16:31
*
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FEBRUARY 12, 1988  
 JOINT LABOR & COMMERCE COMMITTEES  
 WORKERS' COMPENSATION  
 SITKA  
 MODERATOR-ELAINE SUNDE

FINAL STATS

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TO TESTIFY

- | NAME/REPRESENTING   | ADDRESS  | PHONE # |
|---|----------|---------|
| 1. DAVE BARNES, MCDONALD'S RESTAURANTS IN ALASKA, BOX 2967,<br>SITKA, AK. 99835         | 747-8709 |         |
| 2. RICK WOLLENBERG, ATTORNEY-AT-LAW, REPRESENTING SELF, 408 OJA WAY<br>SITKA, AK. 99835 | 747-3257 |         |

\*\*\*\*\*

TO OBSERVE

- | NAME/REPRESENTING                   | ADDRESS  | PHONE # |
|-------------------------------------|----------|---------|
| 1. CANDY BARNES, PO BOX 2967, SITKA | 747-8709 |         |

- 2-TESTIFIED
- 0-UNABLE
- 1-OBSERVED
- \*3\*TOTAL

9-12, 2-4 P.M. START/END TIME

\*\*\*\*\*  
 \*  
 \* DELIVER TO: LIOCSHN \*  
 \* \*  
 \* \*  
 \* ORIGINAL \*  
 \* SENT: 02/12/88 TIME: 16:31 \*  
 \* FROM: LIOCKOT \*  
 \* SUBJECT: JT. H.&S. L&C;FS; WORK COMP OT \*  
 \* PRINT DATE: 02/12/88 TIME: 16:31 \*  
 \* \*  
 \*\*\*\*\*

DATE: 2-12-88  
 SITE: KOTZEBUE  
 SPONSOR: JT. HOUSE AND SENATE LABOR AND COMMERCE COMMITTEES  
 SUBJECT: LEG. PUBLIC HEARING: WORKERS COMPENSATION  
 MODERATOR: KAREN JOHNSON

FINAL STATS

TESTIFIED			
NAME/REPRESENTING	ADDRESS		PHONE #
1.			
2.			
3.			
4.			
5.			
6.			

OBSERVED			
NAME/REPRESENTING	ADDRESS		PHONE #
1. JERRY NEWTON, BGX 988, KOTZEBUE AK., 442-3067			
2.			
3.			
4.			
5.			
6.			

TESTIFIED: 0  
 UNABLE: 0  
 OBSERVED: 1  
 TOTAL: 1

START/END TIME: 2:00 PM - 4:30 PM

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*****
*
* DELIVER TO: LIOCSHN
*
* ORIGINAL
* SENT: 02/12/88 TIME: 16:32
* FROM: LTCCSOL
* SUBJECT: FS-AM-PM;WORK COMP;2-12-88
* PRINT DATE: 02/12/88 TIME: 16:32
*
*****

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2-12-88  
 JNT LAB & COM  
 WORKMENS COMP  
 SOLDOTNA  
 VESTA

FINAL STATS LIST

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*****\
TO TESTIFY
NAME/REPRESENTING ADDRESS PHONE #
1.DR. WALT FAILOR BOX 4109, SOLD 2629117
2.KATHI BROONER BOX 2675, SOLD 2625505
*****\
TO OBSERVE
NAME/REPRESENTING ADDRESS PHONE #
1.KATHI BROONER BOX 2675, SOLD 262-5505
2.DALE R. MCGAHAN RT 1 BOX 760, KENAI 776-8266
3.HANK BROONER BOX 2675, SOLD 262-5505
4.WILLIAM R. IRVINE BOX 4109, SOLD 262-9117

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2 TESTIFIED  
 0 UNABLE  
 4 OBSERVED  
 6 TOTAL

10:23AM/NOON AND 1:56PM/4:10PM START & FINISH

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*****
*
* DELIVER TO: LIOC SHN
*
* ORIGINAL
* SENT: 02/12/88 TIME: 16:12
* FROM: LIOCDLG
* SUBJECT: JT.H&S LC;FS;WORK.COMP.2-12
* PRINT DATE: 02/12/88 TIME: 16:34
*
*****

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DATE: FEBRUARY 12, 1988 9 A.M. AND 2 P.M.
SITE: DILLINGHAM, LIO
SPONSOR: JT. H AND S LABOR AND COMMERCE
SUBJECT: WORKERS COMPENSATION
MODERATOR: ANNA MAY SORENSEN

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FINAL STATS

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OBSERVED:
NAME-REPRESENTING ADDRESS PHONE#
1.DALLAS NELSON,D.C.,BOX 741, DILLINGHAM, AK.99576 842-2300

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TESTIFIED: 0
UNABLE 0
OBSERVED: 1
TOTAL 1

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START-END TIME: DILLINGHAM DIALED IN AT 9:55 A.M., UNTIL
11 A.M. DID NOT DIAL-IH FOR THE AFTERNOON AS
PART. WAS UNABLE TO ATTEND

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*****
*
* DELIVER TO: LIOC SHN
*
* ORIGINAL
* SENT: 02/12/88 TIME: 16:38
* FROM: LTCCGLN
* SUBJECT: H&S L&C;FS;WORK.COMP;2-12-88
* PRINT DATE: 02/12/88 TIME: 16:38
*
*****

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DATE: FEBRUARY 12, 1988
SITE: GLENNALLEN
SPONSOR: JT H & S LABOR & COMMERCE
SUBJECT: WORKER'S COMPENSATION
MODERATOR: CATHY MACKINNON

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FINAL STATS

OBSERVED	NAME/REPRESENTING	ADDRESS	PHONE #
1	RICHARD NALOS, SEND,	INT. BOX 369, GLENNALLEN	822-3291

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TESTIFIED: 0
UNABLE: 0
OBSERVED: 1
TOTAL: 1

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START/END TIME
START TIME: 9:10 A.M.
END TIME: 10:00 A.M.

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\*  
\* DELIVER TO: LIOCROG \*  
\* \* \* \* \*  
\* ORIGINAL \*  
\* SENT: 02/12/88 TIME: 16:16 \*  
\* FROM: LIOCKTN \*  
\* SUBJECT: H&S L&C;FS;2-12-88 \*  
\* PRINT DATE: 02/12/88 TIME: 16:16 \*  
\* \* \* \* \*  
\*\*\*\*\*

DATE: 2-12-88  
SPONSOR: HOUSE AND SENATE LABOR AND COMMERCE COMMITTEE  
SUBJECT: WORKERS COMPENSATION  
SITE: KETCHIKAN  
MODERATOR: DORIS CROCKETT

\*FINAL STATISTICS\*

TO OBSERVE: 1. ROGER CARLSON, 433 MAIN, KETCHIKAN, AK  
99901,225-4908  
TESTIFIED: 0  
UNABLE: 0  
TOTAL: 1

9:00-10:20

\* SUBJECT: H/S,FS,WORKERS \*\*\*\*\*  
\* PRINT DATE: 02/12/88 TIME: 16:39 \*  
\* \* \* \* \*  
\*\*\*\*\*

DATE: FEBRUARY 12, 1988  
SITE: BETHEL  
SPONSOR: JOINT HOUSE/SENATE LABOR AND COMMERCE COMMITTEES  
SUBJECT: WORKERS COMPENSATION  
MODERATOR: WALLY RICHARDSON

\*\* FINAL STATS \*\*

I DID NOT HAVE ANY PARTICIPANTS FOR EITHER THE MORNING SESSION OR THE AFTERNOON SESSION.

TESTIFIED: -0-  
UNABLE: -0-  
OBSERVED: -0-TOTAL:  
-0-

I DID NOT CALL-IN, NO START/END TIME.

\*\*\*\*\*  
 \*  
 \* DELIVER TO: LIOC SHN \*  
 \* \*  
 \* \*  
 \* ORIGINAL \*  
 \* SENT: 02/15/88 TIME: 10:05 \*  
 \* FROM: LIOCMAT \*  
 \* SUBJECT: FS 2-12-88 WORKERS COMP H&S L& \*  
 \* PRINT DATE: 02/15/88 TIME: 10:05 \*  
 \* \*  
 \*\*\*\*\*

DATE: 2/12/88  
 SITE: MAT-SU *WASILLA*  
 SPONSOR: JT H *S L* C  
 SUBJECT: WORKERS COMP  
 MODERATOR: MARY

FINAL STATS

TESTIFIED	NAME/REPRESENTING	ADDRESS	PHONE#
1.	REP CURT MENARD	BOX V JUNEAU	99811 465-2679

OBSERVED	NAME/REPRESENTING	ADDRESS	PHONE #
1.	ROBERT SHOEMAKER	SRA BOX 6720 PALMER	99645 745-6521
2.	PEGGY SHOEMAKER	SRA BOX 6720 PALMER	99645 745-6521

TESTIFIED: 1  
 UNABLE: 0  
 OBSERVED: 2  
 TOTAL: 3

START/9 PM/ END

\*\*\*\*\*  
\*  
\* DELIVER TO: LIOC SHN \*  
\* \*  
\* ORIGINAL \*  
\* SENT: 02/15/88 TIME: 09:52 \*  
\* FROM: LIOCVAL \*  
\* SUBJECT: JTH&SL&C;FS;WORKERS COMP;2-12 \*  
\* PRINT DATE: 02/15/88 TIME: 09:52 \*  
\* \*  
\*\*\*\*\*

DATE: FEBRUARY 12, 1988  
SITE: VALDEZ  
SPONSOR: JT HSE & SEN LABOR & COMMERCE CMTEs  
SUBJECT: WORKERS' COMPENSATION  
MODERATOR: PAT VON BARGEN

FINAL STATS

VALDEZ DID NOT DIAL IN TODAY'S MORNING OR AFTERNOON  
TELECONFERENCES. WE HAD NO PARTICIPANTS.

EQM

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*****
*
* DELIVER TO: LIOC SHN
*
* ORIGINAL
* SENT: 02/12/88 TIME: 17:16
* FROM: LIOCBAR
* SUBJECT: J.L&C;FS;W.COMP.;2-12-88
* PRINT DATE: 02/12/88 TIME: 17:16
*
*****

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2/12/88  
 BARROW  
 JOINT LABOR AND COMMERCE  
 WORKER'S COMPENSATION  
 LACEN

FINAL STATS

TESTIFY:		
NAME/REPRESENTING	ADDRESS	PHONE #
1.NO ONE		

OBSERVE:		
NAME/REPRESENTING	ADDRESS	PHONE #
1.NO ONE		

- 0 - TESTIFIED
- 0 - UNABLE TO TESTIFY
- 0 - OBSERVED
- 0 - TOTAL

START/END TIMES:

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*****
*
* DELIVER TO: LIOC SHN
*
* ORIGINAL
* SENT: 02/12/88 TIME: 18:10
* FROM: LTCCFBX
* SUBJECT: JT. L&C;FS;WK COMP;2-12-88
* PRINT DATE: 02/12/88 TIME: 18:10
*
*****

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\*\*\*\*\*FINAL STATS\*\*\*\*\*

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DATE: FEBRUARY 12, 1988
SITE: FAIRBANKS
SPONSOR: JOINT HOUSE & SENATE LABOR & COMMERCE COMMITTEE
SUBJECT: WORKERS' COMPENSATION
MODERATOR: FRAN

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\*\*\*\*\*TESTIFY\*\*\*\*\*

NAME\REPRESENTING	ADDRESS	PHONE #
1.) ART ROBSON	600 UNIVERSITY AVE., FBKS, 99709	479-6281
2.) REP. DAVIS		
3.) REP. KOPONEN		
4.)		
5.)		
6.)		

\*\*\*\*\*OBSERVE\*\*\*\*\*

NAME\REPRESENTING	ADDRESS	PHONE #
1.) ED FLANAGAN - AIDE TO REP. DAVIS		
2.) ROMAR SWARNER	315 BARNETTE, FBKS, 99701	452-5306

\*\*\*\*\*TESTIFIED\*\*\*\*\*

TESTIFIED	3	TIME START	9:00 A.M. - 2:00 P.M.
OBSERVED	2	TIME END	12:00 P.M. - 5:30 P.M.
TOTAL	5		

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*****
*
* DELIVER TO: LIOCJNU
*
* ORIGINAL
* SENT: 02/12/88 TIME: 09:08
* FROM: LIOC SHN
* SUBJECT: JT L + C;WK COMP;2-12-88
* PRINT DATE: 02/12/88 TIME: 09:08
*
*****

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DATE: 2-12-88  
SITE: JUNEAU  
SPONSOR: JT H+S LABOR AND COMMERCE

SUBJECT: WORKERS COMP

MODERATOR: SHANA

----- PARTICIPANT LIST

TESTIFIED

NAME/REPRESENTING	ADDRESS	PHONE #
1.		

OBSERVED

NAME/REPRESENTING	ADDRESS	PHONE #
1. MARY LOU COOPER		
2. JUDY EK HOLM		
3. GINGER BAIM	W/ H LABOR + COMMERCE	
4. JOHN RINGSTAD	W/ S LABOR + COMMERCE	
5. DON KOCH	DIV OF INSURANCE, HERE TO ANSWER	
6.		

TESTIFIED:  
OBSERVED:  
TOTAL:

START/END TIME



2525 BLUEBERRY ROAD, SUITE 102  
ANCHORAGE, ALASKA 99503

Date: February 3, 1988

To: Honorable Tim Kelly and Honorable Dave Donley

From: Shelby L. Nuenke-Davison  
Attorney at Law  
2525 Blueberry Road, Suite 102  
Anchorage, AK 99503  
(907) 276-6555

Re: Labor Management Task Force Bill

WRITTEN TESTIMONY

I have been practicing workers' compensation defense almost exclusively in the State of Alaska for the last six years. I testified just briefly at the hearings held in Anchorage, on January 29, 1988 and was the last witness. Since a lot of committee members were unavailable, I have decided to take the time to do some written testimony because I think this bill is crucial.

I am of the opinion that the Labor Management Task Force Bill should be passed with no amendments made to the bill that do not go through the Labor Management Task Force. The reason for this is because, though I can see legally where some language changes need to be made, I know from working in the Alaska workers' compensation arena that all the statutes are directly related to each other and are intimately intertwined.

I would like to briefly comment on why some of the proposed changes are of the utmost importance. Failure of me to address any particular portion of the bill does not mean that I am not in support of those aspects of the bill.

1. Page 1, Section 1, lines 14 & 15 state, "The legislature declares that the workers' compensation laws must not be construed by the courts in favor of any party." This language is crucial to get passed and quite frankly I think it should be a lot stronger in that no matter what workers' compensation reform is done by the legislature, unless there is a message given to the Alaska Supreme Court that when there is any ambiguity in the workers'

compensation statute it should not go in favor of any party, then the Alaska Supreme Court through case law will nullify a lot of your work. Both the employer and employee give up significant rights in the workers' compensation arena. It is important that everybody understands this because much of the testimony has been surrounding the employee's rights. Employers give up the right to have the employee prove by a preponderance of evidence that he was injured, that the defendants are liable, and his damages. The employer also gives up his common law defenses to comparative negligence and assumption of risk. These are significant rights to give up and, as such, the law should not be construed just in favor of the employee. I understand that the employee also gives up his common law damages in exchange for the workers' compensation remedies. Because both parties give up significant rights, neither party should be favored in the law.

As the law presently stands, the Workers' Compensation Act does not state this. As such, the Alaska Supreme Court always construes the law in favor of the employee if there is any ambiguity in the statute. This is based upon a common law rule that the humanitarian purpose of the law is to favor claimants. To give you an example of how bad the Supreme Court is against employers, there is a common joke which goes around the workers' compensation arena, which is that if a claimant loses at the Board level, the claimant's attorney is malpractice not to appeal. That is somewhat of a significant statement and gives you an idea of how crucial this intent language is.

However, under this section, line 20, we should omit the word "any" evidence and substitute "substantial" evidence because that is the appropriate standard of review for appeals on issues of fact. Keep in mind, substantial evidence is easily found on appeal because it has been defined that any evidence is "substantial enough if it supports the conclusion in the contemplation of a reasonable mind."

2. I would now like to comment on page 2 of the bill Section 4, lines 24 through 29 and over to page 3, line 1. This proposed amendment is important to protect employers from being liable on a claim where an employee knowingly makes a false statement as to his physical condition and then allegedly has an aggravation to that condition. Because of the three-pronged test outlined in the proposed bill, this statute will be hard to prove and will not be easy to abuse against the claimant by the employer. This section however, needs to be supported by the new language in AS 23.30.055 which is on page 11, lines 9-10 & 11 of the

bill. Which states that, "the liability of the employer is exclusive even if the employee's claim is barred under AS 23.30.020 (b)."

3. AS 23.30.095, Section A which is found on page 12, lines 7 & 11, is an important amendment so as to avoid doctor shopping. Doctor shopping prolongs a claim unfairly to the employer. Doctor shopping can presently occur if a claimant goes to a doctor who does not support his position and wants to prolong the claim. Presently, there is nothing in the law stopping this and, therefore, claims go on indefinitely. This statute, however, appropriately protects a claimant if his treating physician refers him to a specialist in an area so as not to have the specialist be constituted a treating physician. At the hearing there was some testimony regarding the right of the employer to have IME's every 30 days and the fear that the claimant would be subjected to numerous "invasive diagnostic tests." As such, I recommend inserting on page 13, line 24 the following: "When possible, the IME physicians should use already existing diagnostic data to make his determination."

4. I would like to discuss briefly on two intertwined statutes which I think are very important to be passed untouched. There is nothing legally wrong with either of these paragraphs. One is Section 15 of AS 23.31.120 (c) which is found on page 16 of the bill, lines 4 through 7, and the other is Section 32, which is AS 23.30.265 (17) which is found on page 25 & 26, specifically on page 26, lines 4 through 14. Both of these amendments are absolutely crucial to be adopted without any changes because stress claims are as a general rule hard to objectify and are the up and coming big exposure for employers. Because there was no legislation on the books, the Alaska Supreme Court have made two devastating rulings on stress that make these claims almost undefensible. Since there are so many stressors in ones life and since a stress claim is subjective in nature, I urge you to enact both amendments untouched. These statutes still affords a party to file a stress claim.

5. Finally, the last areas I would like to address are Section 6, Voluntary Vocational Rehabilitation, section 24, Temporary Total Disability, and Section 25, The Scheduling of All PPD Benefits and why these sections are important to pass without any significant amendments being made unless they go through the task force.

The present vocational rehabilitation statute in Alaska has already been labeled a failure by many claimants, employers, workers' compensation board members, and

February 3, 1988

Page 4

vocational rehabilitation counselors alike. The Alaska vocational rehabilitation system is not fair because it is too intimately connected to the types, amount, and period of time benefits that will be received by the claimant and has resulted in increased litigation to the detriment of the employee. Because of its close connection to the types, amount, and period of time benefits that are received, vocational rehabilitation in Alaska is nothing more than a litigation tool, and as such, is usually computed to dollars and settled out in a settlement. After the settlement, the claimant is no longer entitled to vocational rehabilitation and will more than likely have to return to his work at the time of injury, even if he really should not.

To understand the failure of the present vocational rehabilitation statutes, one must understand the interplay between Temporary Total Disability benefits, Permanent Partial Disability and Vocational Rehabilitation under the present law. Under the present law, it is important for you to understand because there is no cap on the amount or period of time a person can collect Temporary Total Disability benefits and there is a cap on Permanent Partial Disability benefits and because the Alaska Supreme Court in a case called Bignell v. Wise, determined that until a person is both "medically and vocationally stationary" he is entitled to get Temporary Total Disability benefits, the claimant has no interest in getting off Temporary Total Disability and on to Permanent Partial Disability benefits. Therefore, because vocational rehabilitation is so closely tied to how much a person gets and for how long it results in a lot of litigation. This is why vocational rehabilitation does not work in the present system because all it is really used for is a tool to facilitate larger claims and/or to prolong the claim. This is where we lawyers do a lot of our work. As such, the Joint Labor Management Task Force Bill should be passed because it removes vocational rehabilitation from the litigation process and puts a cap on Temporary Total Disability benefits of two years and does not make Temporary Total Disability benefits or Permanent Partial Disability benefits tied to whether or not the patient is vocationally stable. However, in the bill pending vocational rehabilitation is still afforded to claimants who need the services. Only those claimants who truly want these services will use them if they are not tied so intimately to the claim. Even though no one can give hard dollars in terms of savings, I cannot see how this concept would not save a lot of costs in the workers' compensation system.

If any of you have any questions in regard to this bill or any legal questions on this matter, please feel free to

February 3, 1988  
Page 5

connect me. Thank you for taking the time to read this  
written testimony.

Sincerely,

*Shelby L. Nuenke-Davison*  
Shelby L. Nuenke-Davison

SND/kac

LAW OFFICES  
**FINDLEY & PALLEMBERG**  
THE VALENTINE BUILDING  
119 SEWARD STREET, SUITE 1  
JUNEAU, ALASKA 99801

THOMAS W. FINDLEY  
PHILIP M. PALLEMBERG

January 11, 1988

TELEPHONE 586-3811  
AREA CODE 907

The Honorable Tim Kelly  
Chairman,  
Senate Labor and Commerce Committee  
P.O. Box V  
Juneau, Alaska 99811

SUBJECT: S.B. 322/H.B. 352--Proposed amendments to Alaska Workers' Compensation Act

Dear Senator Kelly:

As an attorney representing injured workers in workers' compensation cases, I have viewed with interest the recent efforts to reform the Alaska workers' compensation laws. It has long been clear to everyone involved in the system that changes are necessary. Costs are out of control, numerous abuses are occurring on both sides of the system, and too much money is going to individuals other than the most deserving injured workers. It is even more important, however, that the rush to make those changes does not result in a bill that deprives injured workers of basic fairness, and does not achieve the needed savings. I have reviewed the amendments contained in S.B. 322 and H.B. 352, and I am appalled at some of the proposed changes. Cost savings should not be achieved at the expense of fundamental fairness.

It must be remembered that workers' compensation benefits are not handouts. Workers' compensation was devised as a trade-off--workers were allowed benefits, without regard to fault, to compensate them in part for their losses resulting from on-the-job injuries, in exchange for losing their right to sue their employers for negligence. If employers are to continue to be immune from suit, their employees have a right to receive fair and adequate benefits in return.

Clearly, the bill represents a great deal of effort by a large number of people. While much of the proposal is a constructive approach to the problem, I feel that many of the proposed amendments are discriminatory, unfair, or simply unworkable.

OK The bill's tone is set by its first section, which states that its intent is to assure the "quick, efficient, and predictable" delivery of benefits. While these are worthwhile goals, ~~there is no mention of fairness--not only to the injured worker, but also fairness to the employer.~~

The major structural changes in the statute are in the areas of rehabilitation and computation of permanent partial disability benefits. I will first discuss my concerns about the rehabilitation provisions.

Although I have other concerns about the rehabilitation section of the bill, I am most concerned about a few items. First, under new section 041(j)(2), the injured worker is ineligible for vocational rehabilitation unless he or she requests a rehabilitation eligibility determination within 60 days after the injury. This will automatically deprive many needy workers of rehabilitation, since 60 days after their injury most employees don't know whether they will be able to return to their old jobs. Most workers that I speak to are almost totally unaware of their right to rehabilitation benefits. The average injured worker does not want rehabilitation after 60 days, since he expects to return to his previous job. It is only after the worker discovers that he will not recover fully that rehabilitation becomes necessary. The 60 day requirement of new section 041(j)(2) sets a trap for the unwary injured worker.

OK  
New section 041(i) defines "noncooperation" with rehabilitation, which disqualifies the worker from further rehabilitation benefits. The proposal needs to define noncooperation more carefully. This section could be interpreted to provide that an injured worker forfeits his or her reemployment benefits if he or she misses one meeting with the rehabilitation specialist. The statute should contain the requirement that the noncooperation be unreasonable. It is also not fair to deprive a worker of his or her benefits for failure to maintain average grades. By definition, half of all students are above average, and half are below average. It seems somewhat elitist to suppose that any student who does not maintain average grades is not cooperating.

The rehabilitation section eliminates the provision in present law that an employee's ability to return to work be judged by the availability of work in his or community, or the place of work at the time of injury. Instead, it is judged by the existence, not availability, of work anywhere in the state. Under this rule, a Petersburg resident who is injured would not be eligible for rehabilitation if a job exists anywhere in the state, whether in Petersburg, Anchorage, or Nome, which he is capable of performing--regardless of whether the job is available to him.

The new statute also eliminates any payment of temporary compensation as maintenance during rehabilitation. Employees instead are expected to live on their permanent partial disability award during rehabilitation. Maintenance would be awarded only after the worker has exhausted his or her PPD award. I find it unfair to require an employee to live off his or her permanent partial disability settlement during the period of rehabilitation. Coupled with the changes in permanent partial disability awards, this will leave many workers with no money after they complete their rehabilitation programs. This is inconsistent

with the purpose of permanent partial disability, which is to partially compensate injured workers for their permanent loss of earning capacity.

I am very concerned about the changes in permanent partial disability (PPD) awards. PPD is intended to be compensation for an employee's permanent loss of earning capacity. For the typical worker with a back injury (or any "unscheduled" injury), the existing system attempts to base compensation on actual loss of earnings. The new statute eliminates any attempt to calculate actual loss of earnings. Instead, the award is based on the arbitrary disability ratings established in the AMA Guides to the Evaluation of Permanent Impairment. Most physicians will agree that the AMA Guides are a poor way of evaluating many injuries. They are particularly arbitrary when it comes to evaluating back injuries. The gross unfairness with this system is that the arbitrary award is paid whether or not the injury affects the employee's ability to work. A longshoreman with a 5% impairment of his back may be unable to do his job, but he would receive an award of \$250. An attorney with a 40% disability may be fully able to work, but he or she would receive \$96,000. While this may meet the stated intent of "quick, efficient and predictable" delivery of benefits, it is far from fair--to either side.

Section 190 contains another curious provision. After the injured worker's impairment is rated, the rating is "adjusted" by multiplying it by an "Adjustment Factor", ranging from zero for impairments of 5% or less, to one for impairments of 31% or greater. This will result in the following payments for permanent disabilities:

Impairment	Payment
5%	\$250
10%	\$4,800
15%	\$14,400
20%	\$28,800
25%	\$42,000
30%	\$57,600
50%	\$120,000

While workers with large impairment ratings will receive large sums of money, the new schedule, for some reason, sharply discounts the awards to workers with small disabilities. If a worker with a 5% impairment is onetenth as impaired as one with a 50% impairment, it is not clear why the second worker should receive an award four hundred and eighty times as large. The use of the "Adjustment Factors" to discount small awards is discriminatory.

It is interesting to note that, at the same time that Alaska seems to be moving toward a purely scheduled system, the general trend nationwide is away from such systems. This state would do well to heed the example of other states such as Florida, which abandoned a scheduled disability scheme when it found, according to Professor Arthur Larson, the national authority on workers' compensation, that 79 percent of administrative and legal time

was consumed arguing about disability ratings. I predict that, if this section is adopted, there will be just as many disputes about disability ratings as there are now about earning capacity.

Another provision of the bill which I find unduly harsh is the two year limit on temporary total benefits contained in new section 185. While benefits generally are not paid for more than two years, there are instances in which an injured worker has not fully recovered in two years. Occasionally, an employee's condition is not properly diagnosed right away. If an employee needs major surgery, or complications develop, he or she may well be left destitute, while still under medical treatment.

Under new section 095(k), medical disputes are to be submitted to a physician selected from a list kept by the Board. The determination of this physician is presumed to be correct, in the absence of clear and convincing evidence to the contrary. In many cases, all three doctors may be on the Board's list. There is simply no reason to decide a case solely on the basis of the opinion of one doctor who has seen the worker just once. This is just another way of making the process more arbitrary, and less fair.

Under new section 020, a worker is totally ineligible for benefits if he or she misrepresented the worker's physical condition at the time of hire, and the employer relied thereon. It would appear that, under this section, a worker who denied a previous back injury would go uncompensated if he or she aggravated the previous injury on the new job. The consequences of this section for many workers will be disastrous.

In many industries, such as the logging industry, it is very difficult, if not impossible, for a worker with even a minor back injury to return to work. No logging company, if given a choice, will hire a worker with a back problem. Under this section, a logger with a prior back injury will have to make a choice between mentioning his injury, and probably not getting a job, and not mentioning it, and forfeiting his workers' compensation benefits if he is reinjured. While the new statute does contain a toughened anti-discrimination section, such provisions are very difficult to enforce. It is usually impossible to prove discriminatory intent.

This section illustrates the peril of assuming that labor interests can speak for injured workers. A union worker, dispatched through a hiring hall, would not be harmed by this section. The employer could not discharge the worker if his preemployment health questionnaire reflects an injury. A nonunion worker, such as a logger, does not have this protection.

New section 220 revises the procedure for calculation of compensation rates. Under section 220(1), which is unchanged from existing law, rates are based on wages during the two years preceding the injury. Under existing law, if those wages do not

fairly represent the employee's wages at the time of the injury, the Board may adjust the wages by considering the employee's work and work history. This "escape hatch" has been substantially enlarged in recent years by the Supreme Court. The new section would limit this "escape hatch." The rate could only be adjusted if the employee had no earnings, or was "voluntarily" absent from the labor market for 18 months or more during the two years. I can see no justification for limiting this section to voluntary absences. The main justification for the "escape hatch" of section 220(2) has always been to allow the Board to adjust the compensation rate when the employee was absent from the labor market for a portion of the previous two years due to previous illness, disability, or other circumstances beyond the employee's control. Under the new language, such involuntary absences from the labor market would not qualify an employee for an adjustment. This cannot be justified.

Under new section 265, an employee is presumed to have reached medical stability if he or she goes 45 days without objective medical improvement. Medical stability becomes all the more important under the new rehabilitation provisions, since it marks the point at which an employee's temporary benefits end. While the standard of objective medical improvement has some merit, 45 days is much too short a time to judge stability. Many workers go more than 45 days between follow up visits after major surgery. It is not fair to throw an injured worker back in the labor market simply because his injury is slow to recover.

I would suggest four basic reforms which would substantially cut the costs of the system. First, lower the maximum benefit, as S.B. 322 and H.B. 352 do. Second, restore the adjustment of benefits for out of state claimants, as S.B. 322 and H.B. 352 do. Third, return the calculation of compensation rates in section 220 to what the Legislature originally intended, which is that the rate be based on the employee's historical wages. Finally, and most importantly, rewrite the vocational rehabilitation provisions to require a quick, fair determination of an injured worker's entitlement to rehabilitation. Too many workers draw temporary benefits for many months or even years while waiting for a rehabilitation plan to be completed. I can provide more specific proposals along these lines if necessary.

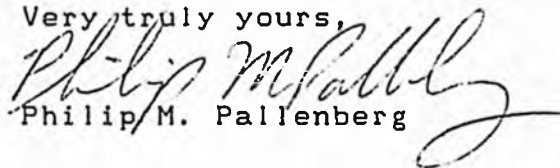
- 1) DEDUCT
- 2) FUND
- 3) RATES
- S/R ON
- WAGES
- 4) BENEFITS
- REHAB

Clearly, the present system has major flaws. Too much money and time is expended in litigation. Too much money is wasted on meaningless rehabilitation. Too many workers are being financially devastated by injuries while other workers receive excessive benefits. The existing statute is an attempt, although not an entirely successful one, to compensate injured workers for their lost wages, and to return them to work. The proposed bill would abandon that effort, and instead pay settlements based solely on the impairment of the body--without regard to earnings. We must not let the need to cut litigation costs and promote certainty eliminate fairness. Fairness, after all, means only that benefits have some relation to what a worker has lost as a result

January 11, 1988

of an injury. That is what the system is supposed to do--and can do, if we are willing to make it work. I sincerely hope that this Legislature will not be remembered as the one which stripped injured workers of their right to be fairly compensated for their injuries.

Very truly yours,

  
Philip M. Pallenberg

cc: Governor Cowper  
Members of the Senate Labor and Commerce Committee  
Members of the House Labor and Commerce Committee  
Senator Duncan  
Representative Hudson  
Representative Ulmer

**AACD**  
**ALASKA ASSOCIATION FOR COUNSELING AND DEVELOPMENT**

ALASKA  
- STATE BRANCH -  
AMERICAN  
ASSOCIATION FOR  
COUNSELING AND  
DEVELOPMENT

*Jim -  
with support as  
needed,  
Best wishes,  
Pat*

Fifth Avenue Bldg. • Suite 500  
900 W. 5th Avenue  
Anchorage, Alaska 99501 U.S.A.  
Telephone: (907) 258-3077

1-24-88

TO: SENATOR TIM KELLY

FROM: Pat Reeves, Legislative Chair  
Alaska Association for Counseling and Development

In Re: Proposed Addition: p. 10, (6) REHABILITATION SPECIALIST  
WORKMEN'S COMP BILL - SB322/HB352

The Alaska Association for Counseling and Development strongly supports the inclusion of other nationally certified professionals to be listed in SB322/HB352, p. 10 (6) as rehabilitation specialists.

You have selected only one group to be listed: certified insurance rehabilitation specialists aka CIRS(or CIRSC). We are aware that there are other equal or more qualified certified groups that need to be listed in this bill. Why "determine" criteria at a future date?

The present bill reads (p.10 (6)) as follows:

"(6) "rehabilitation specialist" means a person who is a certified insurance rehabilitation specialist or a person who has equivalent or better qualifications as determined under regulations adopted by the department."

It could be surmised that the "certified insurance rehabilitation specialists" have been approved to provide reemployment services and other groups have not been sanctioned.

A letter dated 12-10-87 from Eda Holt, Executive Director of the CIRSC (CIRS) - certified insurance rehabilitation specialist - Board states: (copy attached)

". . . As you can see by the standards, a person certified as CIRS may not necessarily do vocational counseling."

Further, the application for the "certified insurance rehabilitation specialists (CIRS/CIRSC), page 1, clearly states: (copy attached)

"The holder of the CIRS credential has demonstrated a minimum acceptable level of knowledge pertaining to

disability compensation systems as determined by the commission. THE CIRS DESIGNATION, IN AND OF ITSELF, HOWEVER, NEITHER IMPLIES NOR REPRESENTS THAT ITS HOLDER POSSESSES KNOWLEDGE AND SKILLS IN A SPECIFIC DISCIPLINE (e.g. ADMINISTRATION, COUNSELING, NURSING, VOCATIONAL EVALUATION, WORK ADJUSTMENT, JOB PLACEMENT,) THAT MAY BE NECESSARY TO PROVIDE REHABILITATION SERVICES TO ELIGIBLE DISABLED INSURANCE RECIPIENTS.

Why was this certificated group (10-11 in Alaska) set up as the standard to deliver reemployment (rehabilitation) services at the exclusion of equal or more qualified groups? Their own certification (as quoted above) "neither implies nor represents that its holder possesses knowledge and skills . . . that may be necessary to provide rehabilitation services to eligible disabled insurance recipients."

Other professionals in Alaska spend time, effort and money to maintain higher professional credentials (national certification status).

We request that you include the following professionals among the groups qualified to provide reemployment services to Alaska's injured workers:

**NATIONAL CERTIFIED COUNSELORS (NCC)** - credentialed by the National Board of Certified Counselors. Requirements for Certification: Masters Degree; Annual Fee; Supervised Practicum; Work Experience; References; Written four-hour examination; Annual continuing education units to maintain professional knowledge.

**AMERICAN BOARD OF VOCATIONAL EXPERTS (ABVE)** - Fellow or Diplomate status. Certificate requires Masters Degree; Rehabilitation experience; Board Annual Review/Approval; Written four-hour examination; Fee; 14 Annual Continuing Education Units.

**Vocational Expert (VE)** - Certified by U.S. Government Health & Social Services, Social Security Division, Board of Hearings & Appeals. Requirement: Rehabilitation experience/training/approval and annual evaluation. Serves at request of Administrative Law Judge for Social Security Disability Hearings as Vocational Expert.

Your compliance with this request will be greatly appreciated by the professional organization and by those who will be receiving the reemployment services.

Thank you for this consideration.



**BOARD FOR REHABILITATION CERTIFICATION**

1156 Shure Drive, Suite 350, Arlington Heights, Illinois 60004 (312) 394-2104

December 10, 1987

Dear

In response to your letter sent to the NRA. The letter was forwarded to me at CRCC and CIRSC for handling.

Enclosed, please find applications for CRC and CIRSC.

Please read the eligibility standards for each process carefully.

Please send our office a copy of the Workers Compensation Law. As you can see by the standards, a person Certified as CIRS may not necessarily do vocational counseling.

The grandparenting period for CIRS occurred over 18 month period, from October, 1984 through October, 1985-three field test examinations with 3,465 applicants.

The CRC and CIRS Certifications are separate and distinct. No, the CIRS was not designed to replace the CRC.

Should you desire further information, please feel free to contact me.

Sincerely,

Eda Holt, Executive Director  
EH/pc

The Board is Composed of Appointees from the Following Organizations:  
ACCD, ARCA, CORE, CSAVR, NANWRW, NARF, NARPPS, NRCE and NRCA.

Betty S. Hedgeman, Ph.D., CRC, PRESIDENT  
Lex Frieden, VICE-PRESIDENT  
Lawrence J. Dencen, Ph.D., CRC, TREASURER  
Ruth White, CRC, SECRETARY  
Eda Holt, EXECUTIVE DIRECTOR

Barbara Banks, CRC  
Ethel Briggs, CRC  
Alan Goldstein  
Michael Willis, M.S., CRC  
Grace Gianforte, M.S., CRC

Lawrence Warnock, CRC  
William H. Graves, Ed.D., CRC  
G. Berk Lynch, II, Ph.D., CRC  
H. Gene McDowell, CRC  
David Myers

Ken Olson, M.A., CRC  
Stanford Rubin, Ed.D., CRC  
Peter Griswold

# JSEC

9

January 29, 1988

Tim Kelly  
P.O. Box V  
Juneau, AK 99811

Dear Mr. Kelly:

On behalf of Job Service Employer's Committee and the JSEC Legislative Committee we are proposing the following change to the Senate Bill 322 and House Bill 352 "An act relating to Worker's Compensation..."

PROPOSED CHANGE:

Page 10, Sec. 6 AS 23.30.041 (REHABILITATION OF INJURED WORKERS) should be changed to read as follows:

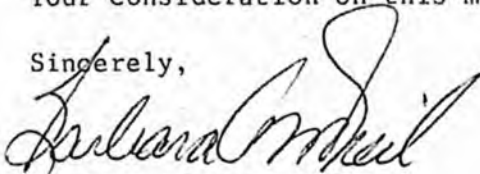
(6) "Rehabilitation Specialist" means a person who is certified by at least one of the following national certifying boards: THE NATIONAL BOARD OF CERTIFIED COUNSELORS (National Certified Counselors - NCC); THE COMMISSION ON REHABILITATION COUNSELOR CERTIFICATION (Certified Rehabilitation Counselor - CRC); THE CERTIFIED INSURANCE REHABILITATION SPECIALISTS COMMISSION (Certified Insurance Rehabilitation Specialists - CIRS); THE AMERICAN BOARD OF VOCATIONAL EXPERTS (DIPLOMATE/FELLOW, VOCATIONAL EXPERT - ABVE).

THE PRESENT DRAFT reads as such on Page 10, Sec. 6 AS 23.30.041:

(6) "Rehabilitation Specialist" means a person who is a certified insurance rehabilitation specialist or a person who has equivalent or better qualifications as determined under regulations adopted by the department.

Your consideration on this matter would be greatly appreciated.

Sincerely,



Barbara A. McNeil  
Anchorage JSEC Legislative Committee Chairperson

c11

To Whom It May Concern:

My name is Donald R. Rudolph. I was injured on the job in 1985 while working as the area mechanic for the Juneau Fire Department. The last day of work was August 30, 1985. My leg went numb, from my knee down to my toes on my right side. I couldn't lift my foot while walking. I wanted to return to my job, but my local physician told me that I could not do this type of work again, or any heavy labor type work in the future.

I have accumulated twenty three years experience as a mechanic and twenty two years as a carpenter. In 1979 I was trained as a commercial diver. Now all of this is gone, wasted so to speak.

I now possess two herniated discs, a free fragment floating around, and more often than not I'm in a lot of pain.

I have this insurance called workers' compensation. It is to cover you when injured on the job. If feel sorry for anyone, who would try to use it. The city attorney hired by my former employer uses any means possible to make me look bad. The humiliation, stress, and hardships I suffer financially are hard to bear. This is not counting the pain.

My family life has been injured as well. There is no compensation for these things. The rehab is about as worthless as anything I have ever seen. I had S.E. Rehab supposedly working to help me "being paid by the insurance company". She was paid by and working for the insurance company, thus working for them and not helping me. I went through three counselors as Cascade (now S.E. Rehab) and only one of those tried to do anything for me, and she was fired immediately, because she wanted to do the right thing for the injured worker. The insurance company in Anchorage (GAE) didn't like someone working against them. I worked with one counselor, then she was gone. Then another one would show up and a different process would start up, because none would agree with what the previous one was doing, and nothing was passed from one to the other. So all was lost in the shuffle.

The last and final counselor lied in my last workers' compensation hearing by stating that I had several job interviews, when I only had one, which was at the office next door to her, from which she just happened to wonder into. She lied on the resume she made up for me to use, stating that I could repair all kinds of office equipment, when in fact, I didn't know the first thing about them.

Another Rehab outfit in Seattle, Washington was hired by the insurance company to keep tabs on me while I was going to

school, lied in the hearing, stating that I was definitely on drugs while talking to me on the phone one day. The dirty tactics used should be against the law. Instead of helping a person they try to destroy you instead.

Also what I feel is rotten, that the Insurance Companies lawyers, and Rehab outfits play doctors, when they are not qualified to do so. This should be prohibited.

Finally, after a year and a half of nothing happened, I went to Washington State and found a school to re-train me in a new field. I trained for seven months in Computerized accounting, in which I had no experience at all. This was the only field that the rehab and insurance company would agree to.

After seven months of training I returned to Juneau, home. I have since applied for every job that I could come close to qualifying, and some that I didn't qualify for. Most of the times, the person hired, has five or six years experience. There are usually around twenty people interviewed for each job, and I don't know how many people have applied for the job. All state workers previously laid off have preferential hire rights. Also others have years of experience in the same field of which I have seven months training in. I am now looking for jobs which pay \$5.00 per hour without any benefits whatsoever. I was making \$14.40 per hour at the fire department plus benefits. But now the insurance company along with the City's hired lawyer has decided that I "should" be making \$9.05 per hour. So now my workers' compensation has dropped from \$323.19 per week to \$94.36, a total income of \$408.00 a month and my total bills run \$1,300.00 a month.

Another round won by the corrupt system and I can't get a workers' compensation hearing for many months to come, because there are 61 cases waiting in line with only one administrator to handle them.

I am too proud to go for welfare for help. I have a son to raise, no money, and a smiling city hired attorney and a happy insurance company.

Signed by an angry, once happy Alaskan.

Donald Rudolph (907) 596-8329  
10742 Horizon Drive  
Juneau, Alaska 99801

- 2 - JH

LAW OFFICES  
**FINDLEY & PALLEMBERG**  
THE VALENTINE BUILDING  
119 SEWARD STREET, SUITE 1  
JUNEAU, ALASKA 99801

THOMAS W. FINDLEY  
PHILIP M. PALLEMBERG

TELEPHONE 586-3811  
AREA CODE 907

February 2, 1988

Senator Tim Kelly  
Chairman, Senate Labor &  
Commerce Committee  
P.O. Box V  
Juneau, AK 99811

Re: SB 322/HB 352  
Worker's Compensation Amendments

Dear Senator Kelly:

I would like to bring to your attention two other issues concerning the proposed Workers' Compensation Act amendments, which I did not mention in my previous letter. First, I do not believe that sufficient attention has been paid to the effects of this proposal on other state agencies.

I expect this bill to result in a substantial increase in demand for the services of the Division of Vocational Rehabilitation. Because so many workers will be deprived of meaningful vocational rehabilitation as a result of this bill, many of those workers will undoubtedly turn to DVR for assistance. This will particularly be true in rural Alaska. Since injured Bush residents will be ineligible for rehabilitation if a job exists for them in Anchorage, they will have a choice of either moving to Anchorage to work or seeking other forms of assistance. The cost of returning these individuals to work in their communities will ultimately be borne by the Division of Vocational Rehabilitation, rather than the workers' compensation carriers.

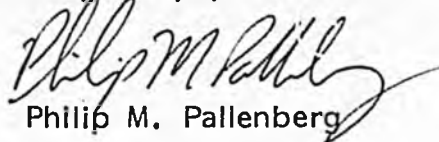
Secondly, the bill changes the standard of judicial review of decisions of the Workers' Compensation Board. Under existing law, decisions of the Workers' Compensation Board are reviewed under a "substantial evidence" standard. The bill would change this to an "any evidence" standard. This places substantially more discretion in the Workers' Compensation Board than is given to any other administrative or judicial decision making body. With all due respect to the members of the Workers' Compensation Board, I do not agree that the Board should be given so much latitude. The Board is as capable as any administrative agency of making a mistake. When it makes a mistake, it should be subject to appeal. The decisions of the Board can have enormous impact on people's lives. We need safeguards such as the right to appeal in order to safeguard the rights of all concerned to a fair and just decision.

Senator Tim Kelly

February 2, 1988

I hope the committee will consider these issues, as well as the others that have been raised.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Philip M. Pallenberg".

Philip M. Pallenberg

PMP:kr

cc: Members of the Senate and  
House Labor & Commerce Committees

Bob Evans



Official Business

**COMMITTEE:**

Joint House and Senate  
Labor and Commerce

**DATE:** January 21, 1988

**Subject of meeting:**

SB 322  
SB 322 -- Act relating to workers' compensation, e.d

**SIGN-IN**

NAME PLEASE PRINT	ADDRESS	PHONE	REPRESENTING	DO YOU WANT TO TESTIFY?
<i>John Lewis</i>	<i>519 "L" Street #200 Anch AK 99501</i>	<i>276 2010</i>	<i>Justice Inc</i>	<i>no</i>
1. JOHN LEWIS		<i>305-443-8111</i>	<i>P.O. Box 330550 COCONUT GROVE FLA</i>	<input checked="" type="checkbox"/>
9 BOB ANDREWS	<i>OPERATING ENGINEERS</i>		<i>W.C. LABOR-MGMT</i>	
20 DAVID GOTTSTEIN	<i>CARR-GOTTSTEIN, INC</i>		<i>TASK FORCE</i>	<input checked="" type="checkbox"/>
3 STEVE HAAG	<i>11401 OLIVE ANCH 99515</i>		<i>WCCA</i>	<input checked="" type="checkbox"/>
4 GARY JENKINS	<i>NATL FED OF INDEPENDENT BUSINESSES 12070 Cross JNU</i>	<i>789-9621</i>		<input checked="" type="checkbox"/>
5 NORM GORSUCH	<i>CHAIR, INSURANCE COMTE - CHAMBER 310 2nd ST. JNU</i>	<i>586-2323</i>	<i>AK. STATE CHAMBER OF COMMERCE</i>	<input checked="" type="checkbox"/>
3 MANO FREY EXEC/PRES	<i>2501 Commercial Dr. Anch 99501 819 1st Ave. Fbx 99701</i>		<i>AK STATE AFL CIO</i>	<input checked="" type="checkbox"/>
<del>GARY JENKINS</del>			<i>NATL FED. OF INDEPENDENT BUSINESSES</i>	
6 BERT MASON, ESQ	<i>Robt. B. Mason &amp; Assoc. 550 W. 7th Ave - Anch.</i>	<i>274-5546</i>	<i>MASON &amp; ASSOCIATES LAW FIRM ANCHORAGE</i>	<i>for himself</i>
7 PHIL PALLENGBERG, ESQ	<i>217 2nd St. JNU</i>	<i>586-2701</i>	<i>ATTY. JNU</i>	<input checked="" type="checkbox"/>



Official Business

**COMMITTEE:**

Joint House and Senate  
Labor and Commerce

**DATE:** January 21, 1988

**SIGN-IN**

**Subject of meeting:** SB 322

SB 322 - Act relating to workers' compensation, e.d.

NAME PLEASE PRINT	ADDRESS	PHONE	REPRESENTING	DO YOU WANT TO TESTIFY?
2 JACKIE McCLINTOCK	(answered questions) NO TESTIMONY		DIR., DIV OF W.C DEPT OF LABOR	answered questions
8 WM. SCHNEIDER EXEC. DIR.	BOX 92500 ANCH - 99509		ASSOC. GEN. CONTRACTORS OF AMERICA INC ANCH.	✓
9 TOM SLAGLE			AM. INSURANCE ASSOC.	✓
10 EDDIE HAYES	no address JNU	586-8158	VOC-REHAB COUNSELOR JNU.	✓
11 PAUL GRANT, ESQ		586-2701	217 2nd St. JNU	✓
12 Sue Roth	no address JNU	586-1816	VOC-REHAB CONSULTANT JNU	✓
13 Tom Wilton, OWNER GEN. MGR	phone: 789-1468 JNU 276-3311 -Ane	456- 4342	POB 244 WILTON ADJUSTMENT SERVICES FBX. 99707	✓

```

*****
*
* DELIVER TO: LHSCLCO
*
* ORIGINAL
* SENT: 01/21/88 TIME: 16:49
* FROM: LIOCDAY
* SUBJECT: H+S L&C, W. COMP., FS, 1-21-88
* PRINT DATE: 01/21/88 TIME: 16:50
*
*****

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\*\*\* FINAL TELECONFERENCE STATISTICS \*\*\*

```

DATE: _____ JANUARY 21, 1988 _____
SITE: _____ ANCHORAGE _____
SPONSOR: _____ HOUSE AND SENATE LABOR AND COMMERCE _____
SUBJECT: _____ WORKER'S COMPENSATION _____
LOCAL MODERATOR: _____ DAVID J _____

```

OBSERVED:

NAME \ REPRESENTING	ADDRESS	PHONE #
BOB NESTEL	16810 EASY ST. #2	ANCH 99577 694-4372
ED HITE	5433 RENEE DR	ANCH 333-0254
STEVE REHNBERG	6230 PIONEER DR.	ANCH 337-4698
ADRIAN G BARBER	530 E TUDOR RD	ANCH 99503 562-5366
RODNEY FULTS	6317 DEEPTO RD	ANCH 333-5266
DICK BLOCK		ANCH 278-5266

```

*****
TESTIFIED: _____ 00 _____ START TIME: ___3:00PM___
OBSERVED: _____ 07 _____ END TIME: ___5:00PM___
TOTAL: _____ 07 _____

```

Jan 24 -  
Feb 12 - Cost analysis  
and returned  
studies.

1/21/88

- 1) JOHN LEWIS
- 2) LABOR / MGMT TASIC FORCE - BOB ANDERS / DAVID GOTTSTEIN
- 3) ~~PAT SMITH OR MAND FREY~~ →
- 4) ~~STEVE HAIG~~
- 5) ~~GARY JENKINS~~
- 6) ~~NORM GORSHON~~
- 7) ~~BEV MASON~~
- 8) ~~DR. PATRICIA COLLIER ALLEN~~
- 9) ~~DR. TIMOTHY AUSTIN~~
- 10) ~~DR. STEVE MESSERSCHMIDT~~
- 11) ~~PAUL PALLENBERG~~
- 12) ~~TOM SLAGLE~~ American Inmate Association
- 13) ~~RON TRUETT~~
- 14) ~~EDY HAYES~~ Vocational Rehabilitation Counselor
- 15) ~~PAUL GORM~~ - CITY OF ANGOON

Sue ROTH  
Tom WILTON

~~Bill Smith~~

Los Angeles Times

# Classified Ads

Los Angeles Times

CIRCULATION: 1,103,655 DAILY / 1,368,105 SUNDAY

SUNDAY, OCTOBER 12, 1980

## JOB PRESSURES TOO MUCH ???

- ★ Overworked? ★
- ★ Harassed At Work? ★
- ★ Headaches? ★
- ★ Poor Sleep? ★
- ★ Stomach Aches? ★
- ★ Depressed? ★
- ★ Nervous/Irritable? ★
- ★ Back/Chest Pain? ★
- ★ Unfairly Fired? ★
- ★ Mistreated? ★

213/384-8089  
818/242-6900  
CALL US NOW  
FOR  
**IMMEDIATE HELP!**

You May Receive Treatment &

## INJURED HARASSED AT WORK

or Unjustly Fired?

Call The



### WORK

### Trauma Hotline

Type Recorded Information  
213/470-3378



or Call Direct  
213/470-4220

Regarding Money & Benefits You May Be Entitled To Receive From Staff Dr's Through Worker's Comp. At No Cost to You Standing by to Advise You Are Attorneys & Psychologists Who Can Provide Psych And Legal Services in Connection with Work Injury & Job Stress.

FREE INITIAL

## HARASSED AT WORK

CALL NOW

213/879-6227

If you have: Headaches • Stomach Aches • Back-Neck Pains • Chest Pains • Poor sleep • Tense • Depressed ... Due to:

- JOB MISTREATMENT •
- OVERWORKED •
- DISCRIMINATION •
- ABUSE/HUMILIATION •
- JOB THREATS •

You may receive: ✓ Free Services ✓ Compensation Payments & ✓ Treatment through Workers Compensation.



## JOB PROBLEMS

If You Suffer From

NERVOUSNESS  
LOW ENERGY, IRRITABILITY  
INSOMNIA, DEPRESSION  
HEADACHES or OTHER  
DISABLING  
PSYCHOLOGICAL  
SYMPTOMS

That are a result of:

- ★ Emotion'l Stress
- ★ Harassment
- ★ Physical Injury
- ★ Overwork

Etc., while on the job.

(213) 655-8777

(818) 789-0788



NO COST TO YOU

You may be entitled to  
SUBSTANTIAL BENEFITS

- ★ COMPENSATION PAYMENTS
- ★ EVALUATION
- ★ TREATMENTS

CALL ANYTIME!

(213) 655-8777

(818) 789-0788

```

*****
*
* DELIVER TO: LIOCDAN
*
*
* ORIGINAL
* SENT: 01/29/88 TIME: 09:16
* FROM: LIOCDAV
* SUBJECT: H+S L&C;WORK'S COMP;FL#1;1-29
* PRINT DATE: 01/29/88 TIME: 09:17
*
*****

```

\*\*\* ANCHORAGE PARTICIPANT LIST \*\*\*

THE FOLLOWING PEOPLE ARE STANDING BY TO PARTICIPATE IN TODAY'S HOUSE AND SENATE LABOR AND COMMERCE: WORKER'S COMP. TELECONFERENCE:

TO TESTIFY:

- 1.) REP. DONLEY \*CHAIR\*
- 2.) REP. ELLIS
- 3.) REP. BOUCHER
- 4.) REP. DAVIDSON
- 5.) REP. FURNACE
- 5.) REP. COLLINS
- 6.) SENATOR SZYMANSKI
- 7.) SENATOR KELLY
- 8.) SENATOR UEHLING
- ~~9.)~~ STEVE MONTGOMERY *OPPOSE*
- ~~10.)~~ CHARLES F. KRICHBAUM *OPPOSE*
- ~~11.)~~ GENE KREMER
- ~~12.)~~ CRAIG LINCOLN *CONSTITUTOR - OPPOSE*
- 13.) KENNETH D. KETZ, DC
- ~~14.)~~ DONNA MESKINEC *OPPOSE*
- 15.) DENNIS MUNSON
- ~~16.)~~ WARREN DVORAK *SUPPORT*
- ~~17.)~~ RENEE MURRAY *FOR*
- ~~18.)~~ JERRY BRINKLEY
- ~~19.)~~ GLEN RAINWATER *OPPOSE*
- 20.) JAMES C FREDRICK
- 21.) HOWARD CUTTER
- 22.) SHELLEY JMIKES-DAWSON
- 23.) JOE KALAMARIDES
- ~~24.)~~ TIM R CRAWFORD *SUPPORT*
- ~~25.)~~ L JOSEPH WELSH *OPPOSE*
- ~~26.)~~ MARJORIE LINDER *REHAB CONSULTANT - SUPPORT*
- 27.) ANNA BELL STEVENS
- ~~28.)~~ DAVID GOTTSTEIN *- 1/2M TASK FORCE*
- ~~29.)~~ DAVID HOLT
- 30.) LARRY BUCHOLTZ
- ~~31.)~~ CHANCY CROFT *- OPPOSE*
- ~~32.)~~ PATRICK ZOBEL
- 33.) EDDIE ANDERS
- ~~34.)~~ ✓RON WEBB *OPPOSE*

TO OBSERVE:

- 1.) TOM MECHENZIE
- 2.) BILLY E. JONES
- 3.) JC HAMILTON
- 4.) R.M. LEBLANC
- 5.) NANCY WATKINS
- 6.) ROB NESTEL
- 7.) LYNN PHILLIPS
- 8.) PAT REEVES
- 9.) E. TAYLOR
- ~~10.)~~ GEORGE BERNARDY
- 11.) ROGER SAMS
- 12.) K. CAUGHLIN
- 13.) BARRY R FILBREATH
- 14.) VIRGINIA HATCH
- 15.) LEROY COUTURE
- ~~16.)~~ RALPH MINGO
- 17.) BARBARA MCLEAR
- 18.) LEN MCLEAR
- 19.) LURA WALLACE
- 20.) CATHY MORTON-HOLBROOK
- 21.) ELAINE MORTON
- 22.) MARVIN GOBLE
- 23.) JOHANNA MUNSON
- 24.) BILL SWANT
- 25.) JEFF DAY
- 26.) WILLIAM LUTES
- 27.) KEVIN DOUGHERTY
- 28.) SUE MERGER
- 29.) CALVIN L. TAYLOR
- 30.) STEPHEN FIELDS
- 31.) ELDON MULDAR
- 32.) GINGER BATH

EOM ... .. DAVID

\*\*\*\*\*

\*\*\*\*\*  
 \*  
 \* DELIVER TO: LIOCDAN \*  
 \*  
 \* ORIGINAL \*  
 \* SENT: 01/29/88 TIME: 09:23 \*  
 \* FROM: LIOCMAT \*  
 \* SUBJECT: L&C - WORKERS' COMP \*  
 \* PRINT DATE: 01/29/88--TIME: 09:23 \*  
 \*  
 \*\*\*\*\*

MSG #1 FROM MATSU:

COMMITTEE MEMBER - REP MENARD

TO TESTIFY:

~~1~~ JOHN WILSON support  
EOM

START/END TIME

\*\*\*\*\*  
\*  
\* DELIVER TO: LIOCDAN \*  
\* \*  
\* \*  
\* ORIGINAL \*  
\* SENT: 01/29/88 TIME: 15:02 \*  
\* FROM: LIOCMAT \*  
\* SUBJECT: L&C- WORKER'S COMP \*  
\* PRINT DATE: 01/29/88 TIME: 15:03 \*  
\* \*  
\*\*\*\*\*

MSG#1 FROM AFTERNOON SESSION:

COMMITTEE MEMBER REP MENARD PRESENT

TO TESTIFY:

~~ED~~ ED ANDERS

*SUPPORT*

FROM

```

* ORIGINAL
* SENT: 01/29/88 TIME: 15:59
* FROM: LIOCDV
* SUBJECT: H+S L&C;WORK'S COMP;FS;1-29
* PRINT DATE: 02/01/88 TIME: 10:42
*
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\*\*\* FINAL TELECONFERENCE STATISTICS \*\*\*

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DATE: _____ JANAUARY 29, 1987 _____
SITE: _____ ANCHORAGE _____
SPONSOR: _____ HOUSE AND SENATE LABOR AND COMMERCE _____
SUBJECT: _____ WORKER'S COMPENSATION _____
LOCAL MODERATOR: _____ DAVID JENSEN _____

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TESTIFIED:

NAME\REPRESENTING	ADDRESS	PHONE #
REP. DAVE DONLEY	P.O. BOX V JUNEAU	99811
REP. ELLIS	"	"
REP. COLLINS	"	"
REP. DAVIDSON	"	"
REP. FURNACE	"	"
SENATOR SZYMANSKI	"	"
SENATOR KELLY	"	"
STEVE MONTOOTH	2600 DENALI ANCH	276-2978
CHARLES F KRICHBAUM	11435 OLD SEW. ANCH	344-1501
GENO KREMER	401 E 36TH AVE ANCH	561-4474
CRAIG LINCOLN	541 W 36TH ANCH	561-1222
KENNETH O KETZ	500 E TUDOR ANCH	561-4864
DONNA MESKINNEC	PO BOX 5179 WASI	99687 376-8254
DENNIS MUNSON	4021 E 20TH AVE ANCH	99503 337-5113
WARREN DVORAK	2791 PELICAN CT ANCH	243-0153
RENEE MURRAY	605 W 42ND AVE ANCH	99503 561-1725
JERRY BRINKLEY	NO ADDRESS GIVEN	248-0266
GLEN RAINWATER	7811 MACREVE CL ANCH	243-8369
JAMES S FREDRICK	4580 MENTROSE ANCH	243-1809
HOWARD CUTTER	1835 BRAGAW ANCH	99512 265-8172
SHELLEY MIEKE-DAWSON	2505 BLUEBERRY ANCH	276-6655
JOE KALAMERIDES	550 W 7TH ANCH	99501 276-2135
TIM R CRAWFORD	715 W FIREWEED ANCH	99503 265-4800
L JOSEPH WELSH	6600 E 8TH AVE ANCH	333-7278
MARJORIE LINDER	9111 VANGUARD ANCH	99507 344-3341
ANNA BELL STEVENS	825 E 8TH AVE ANCH	99501 279-1124
DAVID GOTTSTEIN	6411 A STREET ANCH	561-1944
DAVID HOLT	NO ADDRESS SOLD	
LARRY BUCHHOLZ	SRA BOX 6651 WASI	99687 376-3641
CHANCY CROFT	758 H STREET ANCH	272-5508
PATRICK ZOBEL	943 W 6TH AVE ANCH	99501 279-9574
EDDIE ANDERS	3310 W 78TH AVE ANCH	243-4951
RON WEBB	2020 ABBOTT RD ANCH	99507 344-3565
CRAFT HITTER	PO BOX 6700 CHUG	99567 688-2814
VINCE ??????	232 2ND STREET FBKS	99701 457-0344
RODNEY FULTS	6311 DEBARR RD ANCH	333-2576
ROBERT ANDERS	3310 W 78TH AVE ANCH	243-4951
BILL REEVES	3201 SPENARD ANCH	561-5351
ROBERT C MELTON	2702 DENALI ANCH	349-2077
BURT MASON	NO ADDRESS GIVEN ANCHORAGE	

R. CATTANACH	NO ADDRESS GIVEN	ANCHORAGE	
MANO FREY	2501 COMMERCIAL	ANCH	99501
GIL JOHNSON	4120 LAUREL #102	ANCH	562-3331
BARRY LEE	3201 C STREET	ANCH	99503 561-5578
WAYNE BECKWITH	415 F STREET	ANCH	99501 272-2401

====>45

\*\*\*\*\*  
OBSERVED:

NAME\REPRESENTING	ADDRESS		PHONE #
TOM MECHINES	PO BOX 5179	WASI	99687 376-8254
BILLY E JONES	PO BOX 200641	ANCH	99520 277-1186
JC HAMILTON	NO ADDRESS GIVEN		564-5184
R.M. LEBLANC	300 PUBLIC SQ.	JNU	99811 586-4152
NANCI WATKINS	840 K STREET	ANCH	99501 243-0072
BOB NESTEL	16810 EASY STR	E.RIV	99577 694-4372
LYNN PHILLIPS	3339 SEPPALA	ANCH	248-7630
PAT REEVES	3140 CHESAPEAKE	ANCH	562-4669
JERRY L. ???????	3140 CHESAPEAKE	ANCH	337-0200
E. TAYLOR	2028 OTTER	ANCH	338-7880
MS. MARFIN	11221 OLIVE	ANCH	344-0022
GEORGE BERNARDY	BLDG 32-156	ELMEN.AFB	753-3588
ROGER SAMS	2702 DENALI ST	ANCH	272-6571
K CAUGHLIN	3210 E 40TH	ANCH	562-4459
BARRY R GILBREATH	635 E 81ST	ANCH	349-5218
VIRGINIA HATCH	2805 BERING ST	ANCH	561-5335
LEROY COUTURE	1200 W DOWLING	ANCH	561-1180
RALPH MINGO	PO BOX 102092	ANCH	99510 269-4100
????????????	2550 DENALI #700	ANCH	274-0666
BARBARA MCLEAR	1200 I ST	ANCH	277-0368
LEN MECLEAR	"	"	"
LURA WALLACE	343 E 32ND AVE	ANCH	99504 333-5116
CATHY MORTON--HOLBROOK	506 W 6TH AVE	ANCH	99501 272-9312
ELAINE MORTON	506 W 6TH AVE	ANCH	99501 272-9312
MARVIN GOBLE	1500 W LAKE LUCILLE		99687 376-8608
JOHANNA MUNSON	4120 LAUREL #102	ANCH	562-2811
BILL SWANT	3201 C ST # 200	ANCH	99503 561-7654
JEFF DAY	1400 W BENSON	ANCH	277-5454
WILLIAM LUTES	9520 GROVER	ANCH	345-6499
KEVIN DOUGHERTY	2501 COMMERCIAL	ANCH	276-1640
SUE MERGER	5400 ARCTIC	ANCH	561-1443
CALVIN L TAYLOR	4929 W 80TH AVE	ANCH	243-1208
STEPHEN FIELDS	6524 LINDEN DR	ANCH	243-1387
VERN WATTS	3601 C ST	ANCH	249-1206
ED SPARKS	"	"	249-1507
MICHELE HOSKINS	8050 PIONEER #301	ANCH	338-0758
JAMES PENTLARGE	1400 W BENSON	ANCH	276-1919
MADELINE A. RUSH??	201 DANNER #110	ANCH	349-6461

ED RADCLIFF	4220 B STREET	ANCH	562-2266
FAYE SMITH	5307 E N. LGHTS	ANCH	337-2211
PAT SCHULTZ	NO ADDRESS OF PHONE # GIVEN		
CAPT. SELMAN	6613 BRAYTON	ANCH 99507	522-5234
K. RUSSELL	821 N ST. #205	ANCH	258-1747
ERIKA MAHANEY	PO BOX 671495	CHUG 99567	337-8269
JERRY FOSTER	4051 ROMANZOF	ANCH	243-5620
MR. CALENDERS	SR 192A	ERIV 99577	674-9098
E ROSE	1207 W 8TH AVE	ANCH	276-5366
T. ANDERSON	3321 STARBOARD	ANCH	345-5948
GINGER BAIM	REP. DONLEY'S STAFF		
ELDON MULDAUR	SEN. KELLY'S STAFF		

==== 50

R. GRUFFIN	NO ADDRESS GIVEN	ANCH	
S. HADLEY, MD	NO ADDRESS GIVEN	ANCH	
FRENT GAZAWAY	1521 W 14TH AVE	ANCH 99501	
ERIKA MAHANEY	PO BOX 671495	CHUG 99567	
JIM BRYSON	10601 OLIVE LN	ANCH	344-5432
DAVID HOLT	635 SANDPIPER LANE	KENI	283-4205
??????????????	1341 FAIRBANKS	ANCH	277-6639
APRIL REILLY	2201 E 84TH AVE	ANCH	344-5545
K. KAISER	635 E 81ST AVE	ANCH	349-5218
KEITH R. VALDEZ	9601 NEW AVRAI LP	ANCH	349-3884
CATHY SMITH	4341 B STREET	ANCH	561-6000
DEBRA JACOBSON	4341 B STREET	ANCH	561-6000
CHRISTY CLOSE	3710 E 20TH	ANCH 99507	561-9727
LARRY BONWELL	1890 E 58TH AVE	ANCH 99507	561-0722
RICK STONE	301 DANNER #370	ANCH 99518	522-1093
D. KEHLER	341 E 77TH AVE	ANCH 99518	344-8031
RON ROBERTS	3301 C STREET	ANCH 99502	562-1300
H. CARMICHAEL	6000 C STREET	ANCH 99518	563-5333
SUSAN HARVEY	7001 JEWEL LAKE	ANCH 99502	
PEGGY W?????????	"	"	248-2642
TAMMI LINDSAY	"	"	248-2642
KARIN COPELAND	3213 DOIL DR	ANCH 99507	561-4815
ED HITE	5653 RENEE CIR	ANCH	333-0254
PAUL DONLEY	1303 S. HAMPTON	ANCH	562-4986
SUE DONLEY	"	"	"
KATHY WILLIAMS	CRAWFORD AND CO.	ANCH	563-5014
SHARON WHITE	"	"	"
HAI INGALLS	6000 A ST	ANCH	562-2312
DAVID L ROGERS	2148 SUNRISE DR	ANCH	274-1952

====>79

\*\*\*\*\*

TESTIFIED:	_____45_____	START TIME:	___9:00AM___
OBSERVED:	_____79_____	END TIME:	___4:00PM___
TOTAL:	_____124_____		

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*
* DELIVER TO: LSNCLCO
*
* ORIGINAL
* SENT: 01/29/88 TIME: 16:40
* FROM: LIOCKOT
* SUBJECT: FS HL&CC WORKMANS COMP OTZ
* PRINT DATE: 02/01/88 TIME: 10:44
*

```

DATE: JAN. 29, 1988  
SITE: KOTZEBUE  
SPONSOR: HL&CC  
SUBJECT: LEG. PUBLIC HEARING WORKMANS COMP.  
MODERATOR: MARY BROWN, KAREN JOHNSON

FINAL STATS

TESTIFIED	ADDRESS	PHONE #
NAME/REPRESENTING		
1.		
2.		
3.		
4.		
5.		
6.		

OBSERVED	ADDRESS	PHONE #
NAME/REPRESENTING		
1.		
2.		
3.		
4.		
5.		
6.		

TESTIFIED: 0  
UNABLE: 0  
OBSERVED: 0  
TOTAL: 0

START 'END TIME

```
*****  
*                                                                 *  
* DELIVER TO: LSNCLCO                                           *  
*                                                                 *  
* ORIGINAL                                                       *  
* SENT:          01/29/88   TIME: 16:41                         *  
* FROM:          LIOCKOD                                         *  
* SUBJECT:       JTL&C;FS;WK.COMP;1-29-88                       *  
* PRINT DATE:    02/01/88   TIME: 10:44                         *  
*                                                                 *  
*****
```

DATE: JANUARY 29, 1988  
SPONSOR: JOINT HOUSE AND SENATE LABOR AND COMMERCE  
SUBJECT: WORKMAN'S COMPENSATION  
SITE: KODIAK I.T.O.

PARTICIPANT LIST

\*\*\*\*\*

TO TESTIFY

NAME/REPRESENTING	ADDRESS	PHONE #
-------------------	---------	---------

\*\*\*\*\*

TO OBSERVE

NAME/REPRESENTING	ADDRESS	PHONE #
-------------------	---------	---------

- |                                       |                     |        |
|---------------------------------------|---------------------|--------|
| 1. JOE HOGG/KODIAK BAPTIST MISSION,   | 1944 REZANOF KODIAK | 99615, |
|                                       | 486-4126            |        |
| 2. BRUCE FINKE/CARPENTERS LOCAL 2162, | BOX 967 KODIAK      | 99615, |
|                                       | 486-3331            |        |

TESTIFIED: 0  
 OBSERVED: 2  
 TOTAL: 2

MORNING START/END TIME: 10:06 AM TIL 11:00 AM  
 AFTERNOON START/END TIME: 2:17 PM TIL 4:25 PM

\*\*\*\*\*

\* DELIVER TO: LSNCLCO \*

\* ORIGINAL \*

\* SENT: 01/29/88 TIME: 16:42 \*

\* FROM: LIOC DLG \*

\* SUBJECT: H+S L&C WORK.COMP.1-29-88 \*

\* PRINT DATE: 02/01/88 TIME: 10:44 \*

DATE: JAN. 29, 1988 9-NOON, 2-4

SITE: DILLINGHAM LIO

SPONSOR: HOUSE & SENATE LABOR & COMMERCE

SUBJECT: WORKMAN'S COMPENSATION

MODERATOR: DOROTHY LARSON AND ANNA MAY SORENSEN

FINAL STATS

TESTIFIED	NAME/REPRESENTING	ADDRESS	PHONE #
-----------	-------------------	---------	---------

OBSERVED	NAME/REPRESENTING	ADDRESS	PHONE #
1.	DALLAS K. NELSON,	BOX 741, DILLINGHAM, AK. 99576	842-2300
	DR. NELSON WAS HERE FOR THE MORNING SESSION, AND WAS UNABLE TO TESTIFY. DID NOT RETURN FOR AFTERNOON SESSION.		

TESTIFIED: 0 UNABLE: 1 OBSERVED: 1 TOTAL:  
1

START/END TIME: 9AM TO NOON PLEASE USE THESE FINAL  
STATS IN PLACE OF FIRST FINAL STATS MSG.

\*\*\*\*\*  
\*  
\* DELIVER TO: LSNCLCO \*  
\*  
\* ORIGINAL \*  
\* SENT: 01/29/88 TIME: 16:43 \*  
\* FROM: LIOCKTN \*  
\* SUBJECT: H-S L&C;WKS COMP;FS;1-29-88 \*  
\* PRINT DATE: 02/01/88 TIME: 10:45 \*  
\*  
\*\*\*\*\*

DATE: 1-29-88  
SPONSOR: HOUSE/SENATE LABOR AND COMMERCE COMMITTEE  
SUBJECT: WORKMAN'S COMPENSATION  
SITE: KETCHIKAN  
MODERATOR: DORIS CROCKETT

\*FINAL STATISTICS\*

TO OBSERVE:

1. VIRGINIA KLEPSE (REPRESENTING KETCHIKAN JOB SERVICE), 326 DOCK, KETCHIKAN, AK 99901, 225-3181
2. ROGER CARLSON, 433 MAIN, KETCHIKAN, AK 99901, 225-4908

TESTIFIED: 0  
UNABLE: 0  
OBSERVED: 2  
TOTAL: 2

9:00-11:10 AND 2:40-4:28

\*\*\*\*\*  
\*  
\* DELIVER TO: LSNCLCO \*  
\*  
\* ORIGINAL \*  
\* SENT: 01/29/88 TIME: 16:53 \*  
\* FROM: LIOCSIT \*  
\* SUBJECT: JT.L&C;FS;WORKERS' COMP;1-29-88 \*  
\* PRINT DATE: 02/01/88 TIME: 10:45 \*  
\*  
\*\*\*\*\*

JANUARY 29, 1988  
H & J LABOR & COMMERCE COMMITTEES  
WORKERS' COMPENSATION  
SITKA  
MODERATOR-ELAINE SUNDE

\*\*\*\*\*

---THERE WERE NO PARTICIPANTS IN SITKA. WRITTEN TESTIMONY WAS SENT VIA FAX.

- O-TESTIFIED
- O-UNABLE
- O-OBSERVED
- O-TOTAL

\*\*\*\*\*

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* DELIVER TO: LSNCLCO
*
* ORIGINAL
* SENT:          01/29/88  TIME: 17:20
* FROM:          LTCCFBX
* SUBJECT:       H&S L&C;FS;WORK'S COMP;1-29-88
* PRINT DATE:    02/01/88  TIME: 10:45
*

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\*\*\*\*\* FINAL STATS \*\*\*\*\*

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DATE:          JANUARY 29, 1988
SITE:          FAIRBANKS
SPONSOR:       SENATE/HOUSE LABOR & COMMERCE
SUBJECT:       WORKER'S COMPENSATION
MODERATOR:    FRAN

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TESTIFY:
NAME\REPRESENTING      ADDRESS                      PHONE:#
1.) REP. KOPONEN
2.) ART ROBSON, 600 UNIVERSITY, FBX 99701      479-6281

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OBSERVE:
NAME\REPRESENTING      ADDRESS                      PHONE #
1.) GEORGE RILEY, UAF, FAIRBANKS 99775      474-6206
2.) JO SWARNER, SEN. FAHRENKAMP'S OFFICE      452-4882
3.) MARY A. KLINK, 1873 GILMORE TRAIL, FBX 99712  457-8314
4.) SKIP COOK, PO BOX 810, FBX 99701          452-1855
5.) JOHN CONNERS, PO BOX 810, FBX 99701       452-1855
6.) IKE CHARLTON, 4027 BIRCH LANE, FBX 99709    479-3849
7.) PHIL NELSON, 1812 HILTON, FBX 99701       452-7151
8.) JUDITH HANNIG, 626 2ND ST., GRAEHL, FBX 99701  456-8717
9.) CONNIE OLSON, 232 2ND ST., GRAEHL, FBX 99701  451-0544
10.) CLARE HIRATSUKA, 232 2ND ST., GRAEHL, FBX 99701  451-0544
11.) MIKE STACKHOUSE, 232 2ND ST., GRAEHL, FBX 99701  451-0544
12.) ED MUSTED, 613 CUSHMAN, STE. 210, FBX 99701  456-8777
13.) FRED PRATT, PO BOX 72981, FBX 99707      452-3061
14.) NEDRA WALKER, 1525 EIELSON, FBX 99701     452-3007

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TESTIFIED:    __2__
OBSERVED:     14__
TOTAL:        16__

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TIME START/TJME END: \_\_9:00 A.M. - 4:10 P.M. \_\_

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*****
*
* DELIVER TO: LSNCLCO
*
* ORIGINAL
* SENT: 02/01/88 TIME: 10:04
* FROM: LIOCDAN
* SUBJECT: JT L & C;WORKER'S COMP;FS;1-29
* PRINT DATE: 02/01/88 TIME: 10:46
*
*****

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DATE: 1-29-88
SITE: JUNEAU
SPONSOR: JOINT(H & S) L & C
SUBJECT: WORKER'S COMP
MODERATOR: DAN

```

FINAL STATISTICS

TESTIFY

NAME/REPRESENTING	ADDRESS	PHONE #
1. REP BOUCHER		
2. DON RUDOLPH	10742 HARIYON DR JNU 99801	586-8329
3.		
4.		

OBSERVE

NAME/REPRESENTING	ADDRESS	PHONE #
1. JOHN RINGSTAD		
2. DON RUDOLF		
3. MICHAEL T MILL		
4. SHERRY GRODEN		
5. JAY ?(POORLY WRITTEN) 6.		
6. RICK LAUBER	PSPA	586-6366
7. DON REULEAU		586-3707
8. DONNA WILLIAMS	REP NAVARRE'S OFFICE	465-3765
9. ED FLANAGAN	REP BOYER'S OFFICE	465-3466

```

TESTIFIED: 2
UNABLE: 0
OBSERVED: 9
TOTAL: 11

```

START/END TIME 09:00/16:22

1/29 STATEWIDE T/C

## 15 PERSON TO TESTIFY

### PELM. DISABILITY SECTION -

- GIVE ORIGINAL WORKERS COMP LAW
- WILL CAUSE MAJOR FIGHTING OVER DEGREE OF IMPAIRMENT
- REHAB - 60 DAYS NOT LONG TIME TO KNOW ABOUT EXTENT OF INJURY
- WHAT ABOUT EXTENUATING CIRCUMSTANCES
- THIS LAW IS SAME AS LAW STRUCK DOWN - NOT CONSTITUTIONAL

## CHANCY CROST

PROB = LACK OF INFO

BILL PROVIDES NOTHING FOR ANYONE

BILL DOESN'T SET RATES

MANDATE 15-20% REDUCTION

INTENT LANGUAGE - TOO MUCH FLEXIBILITY FOR ADMINISTRATION

INSURANCE CO. GET LIBERAL INTERPRETATION WHILE WORKER GETS LIMITED INTERPRETATION

'85-'87 TIME OF CLAIMS INCREASED 61%

AVERAGE TIME OF CLAIM = 2X THAT IN LAW

SYSTEM NEEDS TO BE DESIGN TO ACCEPT THAT 80% OF LITIGATED CASES W/A SETTLED.

DIV. OF INSURANCE DOESN'T HAVE INFO TO DETERMINE RATES - THEY ONLY ALLOW THEM TO OCCUR

3<sup>RD</sup> PERSON - RON WEBB

MEDICAL STABILITY - MAKES PERSON PAY TEMP DAY  
OUT OF P&M. PARTIAL

DOCTOR STOPPING BY INSURANCE CO. -

\* NO INCENTIVE FOR INSURANCE, EMPLOYER OR  
DEFENSE ATTY TO SETTLE

VOL  
REHAB DIDN'T DO ANYTHING

AMA GUIDELINES DON'T DO IT

LIST OF MEDICAL EXAMINER WON'T WORK

ORTHOPEDIC DR S/W REVIEW CHIROPRACTOR

MUST SUBMIT TO ANY TEST

PLAINTIFF ATTY GETS 10% - CAN PETITION FOR HONOR

---

DR. STEVE MONTGOMERY

MENTAL HEALTH COUNSELOR

PRESENT LAW IS VERY DEMORALIZING TO PEOPLE

P.E. DOESN'T ADDRESS PERSON BEING PSYCHOLOGICALLY  
READY FOR REHAB

NON-COOPERATIVE - NOT DEFUSED WELL

2 YEAR LIMIT IS TOO SHORT FOR PEOPLE

---

DR KIRSCHMANN - CHIROPRACTOR

10-15% WORKERS COMP PATIENTS

P 13 - EVALUATIONS S/B BY LICENSED DR.  
NEED PROVISION FOR TIMELY NOTICE OF  
NEW EXAMS REQUIRED BY EMPLOYER

P 15 I M E

(OVERSIGHT BY DIFFERENT SOCIETIES IS CURRENT LAW) -

DONNA MESKINEC - CLAIMANT

INSURANCE CO. A PROBLEM

P 12 L 7-9 - INSURANCE PEOPLE ACTUALLY MAKING  
APPTS FOR OTHER EXAMS - NUMEROUS DRs.

RENÉE MURRAY - INS. ADJUSTER

23.30 265 (17) - STRESS -

COURT REMOVED ALL REFUSES TO STRESS CLAIM  
IF NOT STOPPED - STRESS CLAIMS W/R GREATEST EXPENSE<sup>YST</sup>

DR LINCOLN - CHIROPRACTOR

P 16 L 24 - EMPLOYEE NOTIFICATION

THIS SECTION ISN'T FAIR TO EMPLOYEES  
"MIND STABILITY" - PERSON MAY BE STABLE BUT  
PROBLEM WILL DETERIORATE - CAN NO LONGER  
TREAT THEM

CAN'T MEASURE PAIN

Gene Kasper - CITY PRACTICE

P 12 L 7-11 - CHANGE OF DOCTORS

DEFINE ATTENDING PHYSICIAN; HOW TO QUALIFY  
AS SPECIALIST

P 13 - # OF VISITS

~~X~~ CAN PLAN BE MODIFIED?

---

JERRY BRINKLEY - ON W/ COMP

POINTS MADE IN HIS LETTER

ALL EXPENSES S/B REPORTED

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ART ROSSON - UNIFISO FBKS

THEY W/ HAVE FINAL REPORT BY NEXT FRIDAY

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JOHN WILSON - MAT-SG

DO AWAY W/ STRESS CLAIMS

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WARREN DUBOIS - ANCH. SCH. DIST.

COST WENT FROM \$900.0 → \$1,500.0

THIS BILL W/ HAVE SAVED THEM SUBSTANTIAL  
TO OS SEVERAL RECENT CLAIMS

THERE ARE DEFINITE SAVINGS IN THIS BILL

---

GEORGE BERNARDY - GILMORE TRACKING SITE

DOESN'T ADDRESS ALL PROBLEMS OF EMPLOYERS BUT

DOES DO A LOT TO CORRECT THE SYSTEM

GREEN RAINWATER

~~THIS BILL IS BAD FOR WORKERS~~

LUNCH

DON RUDOLF - JUNO

\$'S GO TO UNQUALIFIED REHAB ? LAWYER REPRESENT  
EMPLOYEES

DAVID GOTTSTEIN - TASK-FORCE

TRIED TO CLEAR UP MISUNDERSTANDINGS  
OF THE BILL

MARGERY LINDER VOC REHAB COUNSELOR

OUR COMP SYSTEM LIKE "REQUIRING OF A HEAVYWEIGHT  
WORKER FORCED TO DO SOMETHING HE CAN'T WORK  
? HANGERS-ON GET MORE THAN THE WORKER

REHAB NEEDS TO BE SEPARATED FROM THE  
~~COMP~~ SETTLEMENT SYSTEM

ALLOW WORKER TO MAKE THEIR OWN CHOICES  
IN ? OUT OF REHAB

SUPPORTS THE BILL

DAVID HOLT - BAKERY MGR (SAFEWAY)

CURRENT REHAB SYSTEM MAKES HIM CONCERNED  
ABOUT THIS BILL

PATRICIA ZOBEL - INSURANCE DEFENSE ATTY

BILL MUST BE A COMPROMISE

IF EVERYBODY IS HAPPY W/ IT - IT'S PROBABLY BTD

BILL GOES BACK TO FORMULA EXCEPT FOR SPECIAL CASES

COURT CASE ON STRESS OPENED IT UP

EVERY JOB HAS A STRESS LEVEL

CLAIMS USUALLY A PERSON IN A WRONG SITUATION

2 PROBLEMS W/ CONSTITUTIONAL

NEEDS BACKUP

WAGE RATE IN STATE VS OUT-OF STATE

NEED SOMETHING STATISTICALLY VALID TO

HAVE DIFFERENT RATES

\* P4 L13 NEED TO DEFINE SAME OR SIMILAR OCCUPATION -

\* P7 (i) CONSTITUTIONALLY SUSPECT  
NO RECOURSE OR REVIEW

NEED TO GET BOARD TO IMPLEMENT REGS

TIM CRAWFORD MGR AC CLEANER

PLEASE INSRAT

PIL 4-5 - THE INJURY DIRECTLY CAUSED BY  
ACCIDENT ? WAS NOT PRE-EXISTING  
SUPPORTS

---

JOE XUEISH ON WORKERS COMP

BILL SEEMS LIKE IS TAKING AWAY FROM  
WORKERS

VOL REHAB S/B VOLUNTARY

TOOK 7 DOCTORS TO FIND HIS PROBLEMS  
TOOK 2 YRS TO BE OPERATED ON  
TIME LIMITS TOO SHORT IN BILL

BILL WILL HELP INSURANCE CO - NOT WORKERS

---

ED ANDERS - MASILLA MGR FOR SCHOOL BUS CO.  
COSTS OF COMP ARE EXCESSIVE  
SUPPORTS BILL

---

ROONEY FOLTZ

BILL DON'T BETTER SERVE EMPLOYEE  
WANTS TO SEE BREAKDOWN OF COST  
DON'T LIKE THE BILL  
\$700/WEEK IS OK

WAYNE BECKWITH - ANCH CO. C

SUPPORTS BILL

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BILL REEVES - A.G.C.

SUPPORTS BILL

---

MELTON

---

PSM PARTIAL SCHEDULE

NEW SYSTEM PAYS LESS FOR KESSEL LOSSES

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MR GARY LEE HUFFMAN CONSTRUCTION CO.

SUPPORTS THE BILL

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SITELBY MUEPKE - DAVISON

SUPPORTS BILL UNLESS APPROVED BY TASK FORCE

# WORKERS COMP

## PEOPLE TO TESTIFY

Juno

AMCH / TELCONF.

- NO SUE ROTH - MAYHEW LATER
- NO Tom SLAEGLE 536-3340 <sup>ROCKFORD</sup> <sup>MOBILE</sup> <sup>ETC</sup>
- YES <sup>344-1577</sup> STEVE HAIG ~~...~~ NICLA
- YES MAHO <sup>PAT SMITH</sup> THUR 1/21 in Juno
- YES GEORGE KOUR / NORM GORUCH <sup>1/21</sup>
- YES GARY JENKINS 1/21 NFIB
- YES BERT MASON 1/21
- YES DR PATRICIA CONNOR - ALLEN 1/21
- YES DR TIMOTHY ALLEN 1/21 <sup>CHURCHILL</sup>
- YES DR STEVE MESSERSCHMIDT 1/21
- YES PHIL PALLENBERG 1/21 <sup>COMP</sup> <sup>ATTORNEY</sup>
- YES NORM GORUCH 1/21 <sup>COF L</sup>
- YES ROM TRUETZEL <sup>797-1767</sup> 1/21 <sup>PATIENT</sup>
- YES EGY HAYES 1/21 526-2030

DAVID WALKER 338-0777  
 1/29 CHANCEY CROFT 272-3588  
 ↑ STELLY NEMKE - PARKSON

- MICHAEL } VLADESKY DVORAK - AMCH S. DIST
- HOWARD CUTLER - RIMS <sup>RIMS</sup> <sup>AMT</sup> - ALY SICA
- APRIL RIVER - SM BUS - DRAINAGE ROOFING
- EILEEN CRESS - 5'S WILSON
- JIM BENDALL <sup>ATTY</sup> <sup>SCENES</sup>
- RENSE MURRY <sup>SCOTT WITZEL</sup> MARGERY LINDSE - REHAD COUNCIL
- ATTEMPT ERIC TOLIFSON - CARMS

9 ONES

1/19

JOHN LEWIS

PROFIDU COST  $\approx$  PART OF WAGE - EMPLOYEES ALSO  
PAY FOR WORKING COMP

MEDICAL COSTS = 30-50% OF COMP COSTS

COSTS

AMT OF MEDICAL CARE

DURATION OF TIME ON SYSTEM

1) MEDICAL AREA IS AREA OF COST SAVINGS  $\neq$  BEING DETRIMENTAL

2) PERMANENT PARTIAL

USUALLY ARE 80% OF COMP COSTS

" " 9% OF COMP CASES

3) VDC REHAB

UNTIL 10 YRS AGO <sup>ALMOST</sup> NO VDC REHAB ANYWHERE

ORIGINALLY TO BE 3-5% OF PROGRAM COST

NOW 15% OF TOTAL COST

CALIF = 1.5 BILLION  $\neq$  NO PROOF OF MAKING A DIFFERENCE

MOST SYSTEMS HAVE NO INCENTIVE TO WORK

" " NO PROOF OF SIGNIFICANT RESULTS

4) NON TRADITIONAL MATTER

STRESS - YOU CAN ALWAYS BUY APPROPRIATE TESTIMONY

PROBLEMS & SOLUTIONS IN AIR SAME AS IN

OTHER STATES

JACKIE McCLINTOCK

BOARD SECS NEED TO CHANGE

- 1) IMBALANCE OF BENEFITS (MORE TO MORE DISABLED)
- 2) EVER INCREASING COST OF LITIGATION
- 3) VOC REHAB / PROVIDER COSTS

L/M TASK FORCE

BOB ANDERS, RALPH MINGO, KEN WREST - LABOR

MARY PEARCE, STEVE REHNBURG, DICK CATTANACH - MGMT

4 AREAS AGREED TO WORK ON

- 1) VOC REHAB
- 2) MEDICAL COSTS - 30% OF TOTAL PROGRAM COST
- 3) BENEFITS
- 4) COMPENSATION

DRAFT A REHAB SPECIALIST - REHAB PROVIDER

LICENSING BILL - w/ V.C.

1/81

JOHN LEWIS

NO NET AFFECT IN HARD \$ ANTICIPATED  
SUBSTANTIAL \$ SAVINGS ANTICIPATED IN SOFT \$

REDUCE LITIGATION IN VOC REHAB \$ DISPUTES IN  
MEDICAL ISSUES

---

1984 COMBINED UNEMPLOYMENT \$ COMP. ALL INCOME \$ 900  
NOW COVER \$ 2000

---

BELT -  
P 10 # 6

\* EMPLOYER & EMPLOYEE S) DISCUSS MUTUAL IME  
FOR GROUPS TO TALK W/IN 10 DAYS  
10 DAYS TO TALK - IF NO AGREEMENT, THEN  
10 DAYS FOR IME

TO MUCH POWER IN IME

---

PALLEMBERG

REHAB IS BIGGEST PROB OF SYSTEM

\* 1982 REHAB REGS NOT ADOPTED BOARD

MOST PROBS w/ OUT OF STATE PROVIDERS

\* 60 DAYS TO ASK FOR REHAB IS TOO SHORT

SUE ROTH

VOC. RENAB. - GET QUALIFICATIONS

X

AGAINST ROTATING ROSTER - NOT FREE ENTERPRISE  
CAN'T PRO-RATE EXPENSES ON TRIPS

EMPLOYERS OBLIGATION TO GIVE EMPLOYMENT RENAB

---

TOM WILTON - <sup>WILTON</sup> ADJUSTIVE

NO REDUCTION IN PREMIUMS TO SM COMPANIES

200 + 100 OF THE BILL

SIGN UP & REQUEST ANALYSIS TO BE SENT