

**WORKER'S COMPENSATION COMMISSION**  
**Regular Meeting**  
**Third Floor – DOL Conference Room**  
**October 27, 2015 @ 4:00pm – 5:00pm**

**A G E N D A**

- I. CALL TO ORDER**
- II. ROLL CALL**

**Commissioner Maria S. Connelley**  
**Mayor Doris F. Lujan**  
**Dr. John R. Taitano**  
**Atty. Cynthia V. Ecube**  
**Ms. Margaret E. Cruz**  
**Mr. Sanjay Sharma**

- III. APPROVAL OF MINUTES FOR MAY 28, 2015**
- IV. OLD BUSINESS (WCC Board Members – this section is not included in attachments)**

**The following Compensation Orders were all approved by the WCC Board.**

- a. **Compensation Order #2015-0001 for Alfred Q. Sanchez Domaoal – Approval of Lump Sum Payment and Disfigurement Payment**
- b. **Compensation Order #2015-0002 for Ferdinand Baybayan Domaoal – Death Benefits**
- c. **Compensation Order #2015-0003 for Gerardo Celorio – Approval of Lump Sum Payment and Disfigurement Payment**

**The Application for Reauthorization to Write WC Insurance -- Guam 2015-2016 and to keep the start date of July 1, 2015 – approved by WCC Board.**

- 1. Nipponkoa Insurance Company, Ltd.
- 2. Tokio Marine Pacific Insurance Limited  
c/o Nanbo Insurance
- 3. Chung Kuo Insurance Company, Limited  
c/o Great National Insurance and Alpha Insurers
- 4. AIOI Nissay Dowa Insurance Company, Ltd.
- 5. The Travelers Indemnity Company
- 6. Travelers Casualty & Surety Company
- 7. Insurance Company of North America
- 8. Zurich American Insurance Company
- 9. XL Insurance America, Inc.
- 10. XL Specialty Insurance Company
- 11. LM Insurance Corporation
- 12. The First Liberty Insurance Corporation
- 13. ACIG Insurance Company
- 14. The Liberty Insurance Corporation
- 15. Greenwich Insurance Company  
c/o Takagi & Associates

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16. Island Home Insurance Company c/o Staywell Guam, Inc.
17. American Home Assurance Company
18. American International Group, Inc. (AIG)
19. National Union Fire Insurance Company of Pittsburgh, PA
20. St. Paul Fire & Marine Insurance Company  
c/o Calvo's Insurance & Guam Insurance Adjusters
21. Pacific Indemnity Insurance Company
22. The Continental Insurance Company
23. Federal Insurance Company  
c/o Cassidy's Associated Insurers
24. Dongbu Insurance Co. Ltd.
25. First Net Insurance Company
26. Arch Insurance Company
27. The First Liberty Insurance Corporation  
c/o Moylan's Insurance
28. Terrace Guam, Limited  
c/o Guam Insurance Adjusters
29. Century Insurance Company (Guam) Limited
30. Old Republic Insurance Company  
c/o AON Insurance

**V. NEW BUSINESS**

**1. Raymond Quintanilla –**

Raymond Quintanilla sought medical treatment at GMHA ER on 8/29/2012 without WCC authorization. Mr. Quintanilla then insisted that WCC pay for his \$749.99 bill. WCC inquired with Dr. Bollinger (his treating physician at the time) if his GMHA ER visit should be covered under WCC. Dr. Bollinger stated that it was Mr. Quintanilla who was "...adamant that his hemarthrosis be covered under Workers' Compensation; I explained to him that individuals on Coumadin are at risk for bleeding into any joint, whether there has been trauma before or not; it is theoretically possible that a previously traumatized joint would be more likely to bleed, however, this cannot be proved at this time."

WCC – notified Mr. Quintanilla that this bill will not be paid by WCC – because of Dr. Bollinger's diagnosis and that he did not get authorization from WCC, and Mr. Quintanilla is responsible for the \$749.99 bill and not WCC.

Mr. Quintanilla insisted that there be a WCC Board Meeting re his bill of \$749.99.

WCC Board Members please review the attached documents.

2. **Compensation Order 2016-0001 for Alfred Seville**
3. **Compensation Order 2016-0002 for Faksen Sellem**
4. **Compensation Order 2016-0003 for Angel O. Tandoc**
5. **Resignation of Mark Smith**
6. **RFP for a new Legal Counsel for WCC - Pending**

**IV. ADJOURNMENT**

## **Summary of the Minutes for the WCC Board Meeting on October 27, 2015 4:05 pm**

Meeting was opened by Maria S. Connelley, GDOL Director, and Commissioner, WCC

### **Roll Call:**

Mayor Lujan, Dr. Taitano, Margaret Cruz, and Sanjay Sharma – All Present

Atty. Ecube came later.

Introduction of Dr. Shirley Mabini, Deputy Director, GDOL and was announced by the Commissioner that Dr. Mabini may be conducting the WCC Board Meetings in her absence.

### **Minutes for May 28, 2015 approved.**

**New Business – Mr. Raymond Quintanilla** – submitted his GMHA receipt of \$749.99 for GDOL to pay for his medical treatment - GDOL gathered all the information from the hospital, including Dr. Bollinger's report, and as a result of all this information, the Director of GDOL denied the request and because it was denied, Mr. Quintanilla is appealing to the WCC Board Members to approve the \$749.99 bill.

Dr. Taitano asked if Mr. Quintanilla was allowed to speak – Commissioner allowed Mr. Quintanilla to present his case.

Mr. Quintanilla preceded to present not only the current case of \$749.99 medical treatment bill which was not authorized but also billings from 2007 on.

Mr. Quintanilla's bill was deemed reasonable by Dr. Taitano, "...from a medical viewpoint this was a small price to pay for an emergency situation."

Because of the following, the GDOL Director denied the bill:

1. GMHA bill for August 29, 2012, Mr. Quintanilla contacted Manny Pablo on September 2012
2. Manny Pablo contacted Dr. Bollinger's Office (Mr. Quintanilla's treating physician at that time) to find out if this was compensable or not compensable.
3. September 4, 2012, a memo from Dr. Bollinger stating that Mr. Quintanilla wanted this hemarthrosis to be covered under Workers' Compensation, Dr. Bollinger advised Manny Pablo that "...it is not compensable under the worker's comp because Dr. Bollinger felt ...that individuals on Coumadin are at risk for bleeding into any joint, whether there has been trauma before or not..."
4. No Form 101A from WCC was issued for this medical treatment

The Commissioner stated that she denied this request for payment for the above reasons and that now it was up to the WCC Board to decide if they want to entertain Mr. Quintanilla's request for payment for this medical treatment. If the Director makes a decision and the claimant is not satisfied, the claimant can go to the WCC Board.

Attorney Ecube was very concerned that if the WCC Board approved this request that it would set a precedent that authorizations may not be needed for medical treatment. What would stop Mr. Quintanilla from coming back to the WCC Board for more requests for reimbursement or payments for non-authorized medical treatment(s)?

Dr. Taitano felt that preauthorization in emergency should not be required especially if Mr. Quintanilla's was in dire pain because of his knee injury.

Manny Pablo explained a short history of Mr. Quintanilla's work injury and that it was characteristic of Mr. Quintanilla to not get authorizations for medical treatments .

Mr. Quintanilla should have had a knee replacement back in 2006 or 2007 but he did wish to have one so --

Steroid injections (Hawaii) but Manny Pablo checked his physician here, Dr. Perez, and the injections could be done on Guam.

Mr. Quintanilla went back to Hawaii on his own.

Dr. Taitano withdrew his motion to pay the current bill. Sharma – moved to deny paying the \$749.99.

Manny Pablo still explaining about the golfing in Hawaii (hot line report to WCC but upon checking with Mr. Quintanilla's doctor, golf was okay).

Mr. Quintanilla's last trip, he reported to his doctor in Hawaii that this work related injury made his right leg shorter, his doctor said NO.

Motion to not pay this bill approved – all medical treatments must be accompanied with an authorization.

#### **Compensation Orders:**

##### **Approved:**

**Sevilla - Disfigurement**

**Sellum - Attorney Ecube agreed with the Commissioner if the insurance carrier and claimant both agree on this compensation order -- then it should be approved.**

**Tandoc - second wc injury**

#### **Legal Counsel**

Mark Smith resigned on September 2, 2015. GDOL/WCC is preparing an RFP for a new legal counsel.

**WCC Board meeting adjourned - 4pm**