

WORKERS' COMPENSATION COMMISSION
Regular Meeting
Third Floor – DOL Conference Room
May 12, 2016 @ 4 pm to 5 pm

A G E N D A

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

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

- III. APPROVAL OF MINUTES FOR OCTOBER 27, 2015**

- IV. OLD BUSINESS**

1.

- V. NEW BUSINESS**

- 1. **WCC Legal Counsel will be provided by the Office of the Attorney General**
- 2. **Compensation Orders for the following claimants:**

- a. **Ambrose Calip**
- b. **Nord James Cortez**
- c. **Rodrigo C. Garcia**
- d. **Rodolfo Lanada, Jr.**
- e. **Eduardo B. Navarra**
- f. **Jason J. Johnson**
- g. **Danny William Cave, Jr.**
- h. **Adelino Katau**
- i. **John Michael E. Pineda**
- j. **Marhinia Enriquez**
- k. **Norberto V. Borja**
- l. **John E. Alten**

- VI. AJOURNMENT**

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

**Workers' Compensation Commission (WCC) Board Meeting Minutes
May 12, 2016
Third Floor GDOL Conference Room
GCIC Building
414 W. Soledad
Hagatna**

The meeting was called to order at 4:04 pm by Maria Connolley, Commissioner, and GDOL Director.
Roll Call for attending WCC Board Members:

Commissioner Maria S. Connelley
Deputy Director Dr. Shirley Mabini
Mayor Doris F. Lujan
Dr. John R. Taitano
Atty. Cynthia V. Ecube (Few minutes late)
Ms. Margaret E. Cruz
Mr. Sanjay Sharma

The WCC Board approved the summary minutes for the WCC Board Meeting held on October 27, 2015.

Old Business:

Reiteration of the requirement for authorizations for any medical services approved the WCC Board at the October 27, 2015 WCC Board Meeting --- concurred and approved by the WCC Board Members.

New Business:

1. Notice to WCC Board that the WCC legal counsel will be provided by the Office of the Attorney General.
2. WCC Board approved and signed the following Compensation Orders:
 - a. **Ambrose Calip – 2016-0004**
 - b. **Nord James Cortez – 2016-0005 (Atty. Ecube did vote)**
 - c. **Rodrigo C. Garcia – 2016-0006**
 - d. **Rodolfo Lanada, Jr. – 2016-0007**
 - e. **Eduardo B. Navarra – 2016-0008**
 - f. **Jason J. Johnson – 2016-0009**
 - g. **Danny William Cave, Jr. – 2016-0010**
 - h. **Adelino Katau – 2016-0011**
 - i. **John Michael E. Pineda -2016-0012**
 - j. **Marhinia Enriquez -2016-0013**
 - k. **Norbert V. Borja -2016-0014**
 - l. **John E. Alten -2016-0015**
3. JoAnnalynn Fullerton, WCC Administrator, addressed the process of agreed settlements, compensation orders, and lump sum requests.

4. Attorney Ecube wanted to advise the WCC Board that she was not representing the Guam Bar Association(GBA) but she is a member of the GBA and asked if she could listed as a member not a representative. The Commissioner noted that Attorney Ecube would be listed as a member.

WCC Board Meeting adjourned at 4:42 pm.