



# OKLAHOMA WORKERS' COMPENSATION COMMISSION

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Chairman Mark Liotta · Commissioner Jordan Russell · Commissioner Megan Tilly

Executive Director Hopper Smith

July 1, 2020

Oklahoma City, OK

The Honorable Kevin Stitt  
Governor of Oklahoma

The Honorable Greg Treat  
President Pro Tempore of the Oklahoma Senate

The Honorable Charles McCall  
Speaker of the Oklahoma House of Representatives

The Oklahoma Workers' Compensation Commission (WCC) is dedicated to making agency processes more efficient and user-friendly for businesses and citizens. The Legislature accomplished many of our requested efficiencies upon the passage of a "clean-up bill" in 2019 (HB 2367 Kannady/Daniels). We have endeavored to fully implement those changes in our operations this year.

In accordance with Executive Order 2020-03, the WCC has further identified two administrative rules which may be considered unnecessary, costly, ineffective, duplicative, or outdated. Those requested changes are identified in this report.

It is my privilege to submit to you the 2020 Administrative Rules Report of the Oklahoma Workers' Compensation Commission by direction of Executive Order 2020-03 dated February 3, 2020.

Respectfully,

Commissioner Mark Liotta Commissioner  
Chairman, Oklahoma Workers' Compensation Commission

Agency Name: Oklahoma Workers' Compensation Commission

Administrative Rules Report for Executive Order 2020-03

Comprehensive Review of Administrative Rules as of 30 June 2020

Submitted by: Hopper Smith

Title: Executive Director

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Agency Background: The Oklahoma Workers' Compensation Commission ("WCC") is a relatively new state agency. In 2014, Senate Bill 1062 (passed in 2013) established the WCC and reformed Oklahoma's workers' compensation system from a litigious, court-based system into a more efficient system. The WCC is led by three commissioners appointed by the Governor. This structural design improvement lends itself more readily to constant screening and reviewing of agency processes to make the agency more efficient and user-friendly for businesses and citizens. The commissioners of the WCC value efficiency. As a result, the WCC conducts an ongoing, yearly review of our administrative rules. For the purpose of meeting COO Budd's objective, we did find two additional rules that we hope will be helpful and responsive to the intent of EO 2020-03.

Methodology of review: Consultation with WCC General Counsel, Lauren Hammonds Johnson and Commission Appellate Counsel, Lindsey Christopher to re-review WCC Administrative Rules.

Total number of unnecessary, costly, ineffective, duplicative or outdated regulations (that we have not already identified and eliminated): 2.

1. OAC 810:1-1-7 "Forms" essentially states that the WCC utilizes many forms, they are subject to change when the law changes, and these forms are available at our office or on the website. This rule is still correct, and it does provide guidance on where to find a form; however, it may not be necessary. Although this rule may be helpful, it does not add anything that the general public wouldn't know from viewing our website, calling our agency, or utilizing our Online Case-OK System. Claimants, practitioners, and any other member of the public can easily find WCC Forms on our website by clicking one of the six tabs prominently located at the top of the webpage. It does not seem necessary to keep this rule in our set of administrative rules if we are looking to streamline the overall number of administrative rules in our Title.
2. OAC 810:20-1-4 "Vocational Rehabilitation Director" requires the Commission to hire or contract for a Vocational Rehabilitation Director to oversee the Commission's vocational rehab program. This rule is no longer necessary after last year's clean-up bill (HB 2367) removed this requirement in 85A O.S. § 45(E)(2). House Bill 2367's amendment made the hiring of a VR Director permissive rather than mandatory. As a result, OAC 810:20-1-4 could be modified to reflect the permissive authority, or it could be stricken altogether since the law no longer requires such a position.