

**Judicial Branch Workers' Compensation Program Advisory Committee**

**Annual Agenda<sup>1</sup>—2020**

**Approved by Litigation Management Committee: May 13, 2020**

**I. COMMITTEE INFORMATION**

<b>Chair:</b>	Ms. Tania Ugrin-Capobianco, Court Executive Officer, Superior Court of California, County of El Dorado
<b>Lead Staff:</b>	Mr. Patrick Farrales, Supervising Analyst, Judicial Council of California
<b>Committee's Charge/Membership:</b> In conjunction with <a href="#">Rule 10.350</a> , <a href="#">Rule 10.67</a> of the California Rules of Court states the charge of the Judicial Branch Workers' Compensation Program Advisory Committee, which is to make recommendations to the council for improving the statewide administration of the Judicial Branch Workers' Compensation Program and on allocation to and from the Judicial Branch Workers' Compensation Fund established under Government Code section 68114.10. <a href="#">Rule 10.67</a> states that the committee must review: <ul style="list-style-type: none"><li>• The progress of the Judicial Branch Workers' Compensation Program;</li><li>• The annual actuarial report; and</li><li>• The annual allocation, including any changes to existing methodologies for allocating workers' compensation costs.</li></ul> <a href="#">Rule 10.67</a> sets forth the membership position of the committee. The Judicial Branch Workers' Compensation Program Advisory Committee currently has 16 members. The current committee <a href="#">roster</a> is available on the committee's web page.	
<b>Subcommittees/Working Groups<sup>2</sup>:</b> 1. Settlement Authority Working Group 2. Deficit Reduction Alternatives Working Group	
<b>Meetings Planned for 2020<sup>3</sup> (Advisory body and all subcommittees and working groups)</b> Date/Time/Location or Teleconference:	

<sup>1</sup> The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

<sup>2</sup> California Rules of Court, rule 10.30 (c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

<sup>3</sup> Refer to [Operating Standards for Judicial Council Advisory Bodies](#) for governance on in-person meetings.

February 18, 2020 / 9:00 a.m. / Sacramento (in person)

March 16, 2020 / 2:00 p.m. / Teleconference

April 22, 2020 / TBD / Teleconference – Topic: Review Asset Development Proposals

June [TBD] 2020 / TBD / Teleconference – Topic: Finalize Data Reporting Requirements

Other teleconferences may be scheduled later in 2020 pending action items from the committee.

Check here if exception to policy is granted by Executive Office or rule of court.

## COMMITTEE PROJECTS

#	New or One-Time Projects <sup>4</sup>	
1.	<b>Project Title</b> Workers' Compensation Third Party Administrator and Ergonomic Provider Solicitation	<b>Priority 1<sup>5</sup></b>
	<b>Strategic Plan Goal<sup>6</sup> VI</b>	
<p><b>Project Summary<sup>7</sup>:</b> Consistent with Rule 10.350(b), members of the Advisory Committee will support the Judicial Council in its role in the Judicial Branch Workers' Compensation Program to designate a workers' compensation third party administrator and a statewide ergonomic provider by participating in the panels for selection.</p> <p><b>Status/Timeline:</b> Planning for the Request for Proposals will begin in April 2020, with the solicitation for both proposals expected to begin in the summer 2020.</p> <p><b>Fiscal Impact/Resources:</b> Coordination through lead staff to the committee with input from the Judicial Council's offices of Branch Accounting &amp; Procurement and Budget Services.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p><b>Internal/External Stakeholders:</b> All JBWCP members.</p> <p><b>AC Collaboration:</b> N/A</p>		

<sup>4</sup> All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

<sup>5</sup> For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

<sup>6</sup> Indicate which goal number of The Strategic Plan for California's Judicial Branch the project most closely aligns.

<sup>7</sup> A key objective is a strategic aim, purpose, or "end of action" to be achieved for the coming year.

#	<b>New or One-Time Projects<sup>4</sup></b>	
2.	<b>Project Title</b> Workers' Compensation Claims Dashboard and Reporting	<b>Priority 2<sup>5</sup></b> <b>Strategic Plan Goal<sup>6</sup> III</b>
<p><b>Project Summary<sup>7</sup>:</b> The Advisory Committee will consider a recommendation to the Judicial Council regarding the development of workers' compensation reports for use by Committee members and program members to identify injury trends and process improvements, with the goal of reducing program costs through the development of data-driven policies and processes.</p> <p><b>Status/Timeline:</b> The Advisory Committee will begin its review of relevant data metrics in April 2020 and is expected to finalize the project in June 2020.</p> <p><b>Fiscal Impact/Resources:</b> Coordination through lead staff to the Committee.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p><b>Internal/External Stakeholders:</b> JBWCP Members</p> <p><b>AC Collaboration:</b> N/A</p>		
3.	<b>Project Title</b> Revise Workers' Compensation Third Party Administrator Compliance Guidelines	<b>Priority 3<sup>5</sup></b> <b>Strategic Plan Goal<sup>6</sup> VI</b>
<p><b>Project Summary<sup>7</sup>:</b> The Advisory Committee will consider a recommendation to the Judicial Council regarding revised compliance guidelines that will address compliance frequency, scope and criteria, with an added emphasis on litigated workers' compensation claims and defense attorney utilization.</p> <p><b>Status/Timeline:</b> The Advisory Committee will begin its review in July 2020, and provide recommendations to the Judicial Council at a later meeting.</p> <p><b>Fiscal Impact/Resources:</b> Coordination through lead staff to the committee.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p><b>Internal/External Stakeholders:</b> JBWCP Members</p>		

#	New or One-Time Projects <sup>4</sup>
	<i>AC Collaboration: N/A</i>

#	<b>Ongoing Projects and Activities<sup>4</sup></b>	
1.	<b>Project Title</b> Allocation of Fiscal Year 2021-2022 Workers' Compensation Premiums	<b>Priority 1<sup>5</sup></b>
<p data-bbox="170 302 1980 375"><b>Project Summary<sup>7</sup>:</b> The Advisory Committee will consider recommendations to the Judicial Council regarding the fiscal year 2021-2022 workers' compensation membership premium, which is based on the program's actuarial evaluation.</p> <p data-bbox="170 415 1980 448"><b>Status/Timeline:</b> The Advisory Committee will provide its recommendations in a report to the Judicial Council at its May 2021 meeting.</p> <p data-bbox="170 488 1980 553"><b>Fiscal Impact/Resources:</b> Coordination through lead staff to the Advisory Committee with input from the Judicial Council's Budget Services office.</p> <p data-bbox="170 594 1980 667"><input checked="" type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p data-bbox="170 708 1980 740"><b>Internal/External Stakeholders:</b> JBWCP Members</p> <p data-bbox="170 781 1980 854"><b>AC Collaboration:</b> Recommendations and initiatives will be submitted to the Court Executives Advisory Committee, Trial Court Presiding Judges Advisory Committee, Supreme Court and Appellate Court Clerk Executive Officers.</p>		

## II. LIST OF 2019 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	The committee has made significant progress in reducing its overall unfunded liability from \$22M in fiscal year 2016-17 to a projected \$11.6M on June 30, 2020.
2.	The committee reduced the program's consulting and brokerage expenses by 25.9 percent and saved the program \$151,000 by opting to split these services through three vendors instead of one.
3.	The committee streamlined its procedures for settling high cost workers' compensation claims by revising its current settlement authority policy and developing tracking mechanisms to ensure timely resolution of workers' compensation settlements.
4.	The committee's Deficit Reduction Alternatives Working Group developed a methodology to increase the program's confidence levels from 50% to 70%, with minimal impact (less than 9 percent increase) to workers' compensation member premiums.
5.	The committee approved a proposal to pay a full year's worth of workers' compensation premiums at the start of the fiscal year, which is expected to generate an additional \$38,000 in interest (at the current rate of 0.25 percent) for the Judicial Branch Workers' Compensation Fund.