

WORKERS' COMPENSATION ADVISORY COUNCIL  
J. JOSEPH GARRAHY COMPLEX  
ONE DORRANCE PLAZA  
PROVIDENCE, RI

February 7, 2024

MEMBERS

(\* Denotes absence)

George Nee, Chair

Chief Judge Robert M. Ferrieri

Chief Judge George E. Healy, Jr. (ret.)\*

Judge Steven A. Minicucci

Jack DeGiovanni, Esq.

Director Elizabeth Kelleher Dwyer\*

Director Jonathan Womer\*

Raymond Coia

Steven Giarrusso\*

Jacqueline Parrillo

Ian Ridlon

Laureen Grebien

Jose Raul Figueroa\*

Senator Frank Ciccone

Representative Arthur J. Corvese

Director Matthew Weldon\*

Brian Spero\*

Designee Beth Vollucci

Designee Kathy Sherman

Designee Matt Carey

Designee Kevin Flood, Esq.

**1. Approval of the November 15, 2023 Meeting Minutes**

Motion was made by Raymond Coia, seconded by Ian Ridlon, to approve the minutes of the November 15, 2023 meeting of the Workers' Compensation Advisory Council. All in favor. So moved.

**2. Committee Reports**

**a. Update of the Subcommittee Regarding Workers' Compensation Issues**

Jack DeGiovanni stated that other than accidental disability, many items of interest are being addressed with *potential* proposed legislation circulating among subcommittee members. Once refined, it will be brought before the Council for discussion and review.

A round of subsequent discussions took place about the increasing size of the subcommittee and the need for a special subcommittee to tackle accidental disability claims and third-party liens.

Chairman Nee agreed to follow up with Treasurer Diossa to peruse the idea of accidental disability claims of teachers, municipalities and state workers being brought before the Workers' Compensation Court.

**b. Update of the Subcommittee to Relocate/Improve the Arrigan Center Building**

With the help of the Department of Administration and DCAMM, many much needed improvements have been made to the HVAC and drainage systems. Building improvements to the building and maintenance system continue.

As far as services, Administrator Villegas reported utilization up, increased return to work numbers and outcomes improving. The Center is in the midst of changing some of its data collection and is also in the process of revising programs to incorporate a more comprehensive approach, with clients spending more time on a particular day receiving a variety of services as opposed to returning to the Center multiple times for shorter periods.

An announcement was made pertaining to Dr. Randall Updegrove being named Medical Director of the Arrigan Center. Believing the Center should stay at its present location, his priority is the restoration of the therapy pool, seeing it as being instrumental in rehabilitating employees from the effects of their injuries.

Concern was voiced by Administrator Villegas over clients struggling with transportation issues to the Arrigan Center. Jack DeGiovanni noted the subcommittee is working on a provision to reimburse transportation costs when the Court makes the referral to the Arrigan Center, while being mindful of consensus and cost.

**3. Old Business**

**a. Wage Theft Legislation Status**

Chairman asked this item to be removed from the agenda as legislation was passed last session (([2023-S 1079Aaa](#), [2023-H 5902Aaa](#)))

**b. Indirect Cost Recovery Efforts**

Despite lobbying by Chairman Nee and Director Weldon, currently the Governor's proposed budget shows no sign of the Workers' Compensation Fund becoming exempt from the indirect cost recovery or funding of the Workers' Compensation Administrative Fund.

**4. New Business**

**a. Recommendations for this year's Omnibus Bill**

None at this time

**b. Governor's Recommendation of Funds to Study Workers' Compensation System**

The Council was made aware that unbeknownst to Chairman Nee and many others, that within the Governor's proposed budget, The Governor recommends \$200,000 of general revenue be provided to fund a Workers' Compensation System Study. The Study

shall include an analysis of the system's rates, benefits, and administrative costs, a comparison to systems in other states, as well as recommended improvements. The report is to be submitted to the Governor, Speaker of the House of Representatives, and the President of the Senate by March 31, 2025.

Discussion ensued.

Beth Vollucci, Chief of Insurance-Consumer and Filing Services, RI Department of Regulations, agreed to provide council members with a summary of the changes to RI workers compensation loss costs over the past 10 years.

**c. Proposed Amendments to R.I.G.L. § 28-29—17.1**

Chairman Nee is awaiting response from Senate Legal Counsel in reference to proposed amendments to R.I.G.L. § 28-29—17.1 Notice of designation as independent contractor, where clarification on a few items is warranted. Chairs of both the House and Senate have been notified.

**d. Intentional Tort Exception**

Chief Ferrieri was made aware of interest in the proposal of legislation allowing an injured employee to sue the employer for gross negligence or intentional tort.

**5. Public Comment**

Registration is now open for the RI Workers' Compensation Educational Conference, April 25 – 26, 2024 to be held at the Graduate Providence.

**6. Scheduling of Next Meeting**

At the call of the Chair.

**7. Proposed Agenda for Next Meeting**

None

**8. Adjournment**

There being no further business brought before the Council, the meeting was as adjourned by Chairman Nee.