

BOARD OF DIRECTORS' MEETING AGENDA

April 7, 2020





State Office of Risk Management

300 W. 15TH, AUSTIN, TEXAS 78701 / P.O. BOX 13777, AUSTIN, TEXAS 78711-3777
(512) 475-1440, FAX (512) 370-9025 / WWW.SORM.TEXAS.GOV

Public Meeting

Board of Directors

April 7, 2019, 9:30 a.m.

William P. Clements Building, Room 604F
Austin, Texas

1. Call to order, roll call, and recognition of a quorum
2. Consideration and possible action to excuse previous board member absences
3. Approval of the minutes from the October 22, 2019, meeting
4. Discussion of network usage
5. Presentation and discussion of Agency Operations Report
 - 5.1 Opening remarks from the Executive Director
 - 5.2 Presentation of division reports
6. New business
 - 6.1 Presentation, discussion and action on remaining Fiscal Year 2020 assessment totals
 - 6.2 Presentation, discussion and action on the Risk Management Information System Request for Offer No. 479-20-RMIS
7. Old business
8. Public comment
9. Discussion and possible action on future meeting dates
10. Adjournment

Individuals who may require auxiliary aids or services for this meeting should contact Audrea Blake at (512) 936-1564 or audrea.blake@sorm.texas.gov at least two days prior to the meeting so that appropriate arrangements can be made.



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BOARD MEMBERS	DATES OF TERM	HOMETOWN
Lloyd Garland, M.D., Chair	02/01/2025	Lubbock
Ricardo Galindo III	02/01/2025	San Antonio
Rosemary Gammon, PAHM	02/01/2021	Plano
Tomas Gonzalez	02/01/2023	El Paso
Gerald Ladner	02/01/2021	Austin

1. Call to order, roll call and recognition of a quorum

Information

The Chair:

1. Calls the meeting to order;
2. Identifies the board members present.

Action Required

The Chair recognizes a quorum is established.



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2. Consideration and possible action to excuse previous board member absences

Information

Board member absences may be excused for good cause as determined by the Board.

Action Required

The Chair may entertain a motion for consideration and possible action to excuse previous absences, if any.



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3. Approval of the minutes from the October 22, 2019, meeting

Information

Attached are the minutes from the October 22, 2019, meeting.

Action Required

The Chair may entertain a motion for approval of the minutes, with any amendments.



Minutes of the Public Meeting
on
October 22, 2019

Board Members Lloyd Garland (Chair), John Youngblood, Gerald Ladner, and Rosemary Gammon (arrived at 10:38 a.m.) were present.

Item 1. Board Chair Garland called the public meeting to order at 10:31 a.m. on October 22, 2019. Board Chair Garland recognized Members present. A quorum was established.

Item 2. Board Chair Garland called for a vote to excuse the previous absence from the July 30, 2019, meeting: Board Member Gammon. Board Member Youngblood moved to excuse absence. Board Member Ladner seconded the motion, which carried without objection (3-0 vote).

Item 3. Board Chair Garland asked for any comments or changes to the Minutes of the July 30, 2019, meeting. Hearing no changes, the minutes were approved.

Item 4. New Business:

4.1 Board Member Ladner introduced Darlene Brown (Internal Auditor with McConnell & Jones, LLC). Ms. Brown presented the Fiscal Year 2019 Internal Audit Report and gave recommendations on the Talent Management Department and answered questions from the Board. Board Member Ladner moved to accept the Internal Audit Report. Ms. Brown and Stephen S. Vollbrecht (Executive Director) answered additional questions regarding the report and presented the Fiscal Year 2020 Audit Plan. Board Member Ladner moved to accept the Fiscal Year 2020 Internal Audit Plan. Board Member Youngblood seconded the motion, which carried without objection (4-0 vote). Board Member Youngblood moved to accept the Fiscal Year 2019 Internal Audit Report. Board Member Gammon seconded the motion, which carried without objection (4-0 vote).

4.2 Deea Western, General Counsel and Chief of Legal Services, presented evaluation background and staff recommendations regarding the Medical Cost Containment Requests for Proposals. Ms. Western and staff answered questions and concerns from Board. The Board discussed and proposed a work session to educate everyone on in-network versus out-of-network benefits. Board Member Youngblood moved to approve staff recommendations for multiple contracts. Board Member Ladner seconded the motion, which carried with one opposition (3-1 vote – Board Member Gammon opposed).

Item 5. Agency Operations Report:

5.1 Executive Director Overview. Mr. Vollbrecht addressed the Risk Management Information System (RMIS) Request for Offer and introduced the Agency Operations Report.

5.2 Division Reports. Stuart B. Cargile (Chief of Internal Operations) and Linda Griffin (Director of Talent Management) introduced new employees, provided a list of current vacancies, turnover, retirement, and internal transfer/promotion. Mr. Cargile and Ms. Shaw (Director of Accounting and Finance and Chief Financial Officer) presented the end of year administrative and claim budgets. Mr. Cargile with Leo Ramirez (Director of Information Technology) gave an update on current projects, including the PC refresh and cyber security awareness. James Cox (Chief of Strategic Programs) introduced Shelby Hyman (Director of Communications and Development) to provide an update on training modules including the Board Training manual in the Learning Management System, training, and on-boarding videos. Mr. Cox introduced Jackie Baynard (Director of Enterprise Risk) who presented an update on visit counts/annual goals, recommendations, COOP, and the Statewide Insurance Program. Mr. Cox introduced Lydia Scranton (Director of Claims Operations) who presented an update on current workers' compensation claims and upcoming audit. Deea Western (General Counsel and Chief of Legal Services) and Alan Ryman (Director of Compliance) presented an update on indemnity in Tshau Todman's (Supervisor of Indemnity Quality Assurance) absence. Janine Lyckman (Supervisor of Medical Quality Assurance) provided an update on cost savings, network/non-network practices and payouts, and prescription savings. Ms. Western provided information on litigation, fraud, and subrogation. Staff heard comments, tasks, and answered questions from the Board.

Item 6. No Old Business.

Item 7. No Public Comment.

Item 8. Future Meeting Dates. Discussion on suggested dates for the next Board meeting. Board Chair Garland set January 14, 2020, as the next tentative date.

Item 9. Board Chair Garland adjourned the meeting at 12:17 p.m.

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4. Discussion of network usage

Information

Board Member Gammon will have an opportunity to express concerns and ask questions pertaining to current network usage.

Action Required

No official action required.



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5. Presentation and discussion of Agency Operations Report

5.1 Opening remarks from the Executive Director

Information

Stephen Vollbrecht, Executive Director, will provide opening remarks and information regarding recent activities affecting the Office and State.

Action Required

No official action requested, at this time.



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5. Presentation and discussion of Agency Operations Report (continued)

5.2 Presentation of division reports

Information

Management will be available to summarize agency and division activities and provide additional information requested by the Board.

Board identification of key metrics or other components for inclusion or removal in subsequent reports.

Action Required

No official action required.



**AGENCY OPERATIONS REPORT FY20Q2
TO THE
SORM BOARD OF DIRECTORS
April 7, 2020**

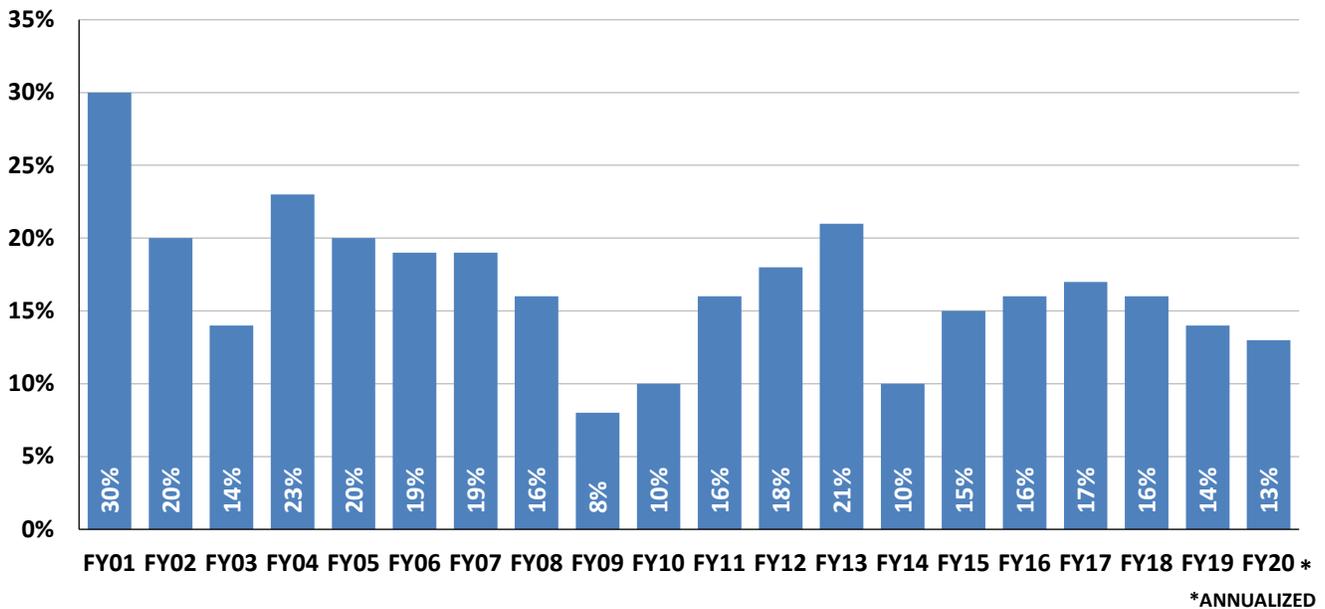


INTERNAL OPERATIONS

TALENT MANAGEMENT

New Hires	Vacancies
Sharon Billingsley, Receptionist	Data Manager
Brittanny Gordon, Adjuster	Insurance Account Manager
Kyle Grimshaw, Adjuster	Risk Manager
Maria Mead, Document Specialist	Senior Accountant
Courtney Page, Training Consultant	
Cynthia Stuart, Risk Manager	
Rachel Victoria, Contract Administrator	

Annual Turnover Rates



ACCOUNTING AND FINANCE

FY20 AGENCY (CONSOLIDATED) BUDGET

February 29, 2020

Objects of Expense	Initial Budget:	Adjustments Transfers (+ In, - Out)	Revised Budget:	Expenditures Year to Date @ 2/29/2020	Encumbrances @ 2/29/2020	Remaining Budget @ 2/29/2020	Unpaid Expenses Incurred	Percent of Budget Expended/Incurred	Percent of Fiscal Year Elapsed
Salaries & Wages	7,400,000	0	7,400,000	2,951,922	0	4,448,078	583,247	47.8%	50.0%
Other Personnel Costs	250,000	0	250,000	108,044	0	141,956	15,485	49.4%	50.0%
Professional Services	1,500,000	0	1,500,000	450,021	2,191,993	(1,142,014)	36,882	32.5%	50.0%
Consumable Supplies	32,000	0	32,000	11,728	10,870	9,402	0	36.7%	50.0%
Utilities	5,500	0	5,500	2,054	1,483	1,963	72	38.6%	50.0%
Travel	150,000	0	150,000	67,641	0	82,359	14,339	54.7%	50.0%
Rental of Space	720	0	720	360	0	360	0	50.0%	50.0%
Rental of Equipment	22,500	0	22,500	3,577	26,980	(8,057)	3,960	33.5%	50.0%
Operating Costs	2,118,504	0	2,118,504	1,034,202	20,176	1,064,126	27,454	50.1%	50.0%
Capital Expenditures	250,000	0	250,000	0	0	250,000	0	0.0%	50.0%
Total	11,729,224	0	11,729,224	4,629,549	2,251,502	4,848,173	681,440	45.3%	50.0%

Objects of Expense	Initial Budget:	Adjustments Transfers (+ In, - Out)	Revised Budget:	Expenditures Year to Date @ 2/29/2020	Remaining Budget @ 2/29/2020	Percent of Budget Expended/Incurred	Percent of Fiscal Year Elapsed
Indemnity	17,669,415	0	17,669,415	7,595,852	10,073,563	43.0%	50.0%
Medical	22,898,335	0	22,898,335	9,374,579	13,523,756	40.9%	50.0%
Total Exps.	40,567,750	0	40,567,750	16,970,431	23,597,319	41.8%	50.0%
Subrogation and Restitution	(567,750)	0	(567,750)	(491,310)	(76,440)	86.5%	50.0%
Net Total	40,000,000	0	40,000,000	16,479,121	23,520,879	41.2%	50.0%

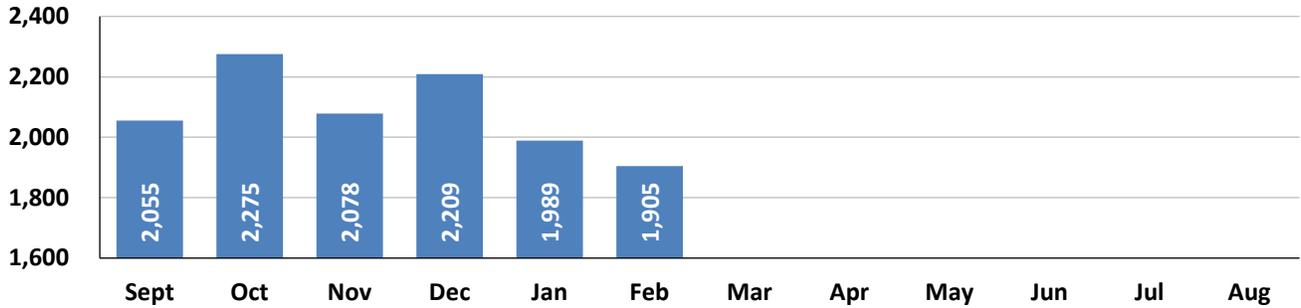
FY20Q2 PROJECTION

	Actual Costs as of 03/20/20 (6 months, 15 business days)	Based on even distribution	Based on 15 year avg. (FY2005 - FY2019)	Based on 10 year avg. (FY2010 - FY2019)	Based on 5 year avg. (FY2015 - FY2019)	Worst Case Assumed
indemnity		55.19%	55.43%	55.16%	54.69%	54.69%
medical		55.19%	56.45%	56.96%	57.70%	55.19%
recovery		55.19%	63.55%	59.35%	61.13%	100.00%

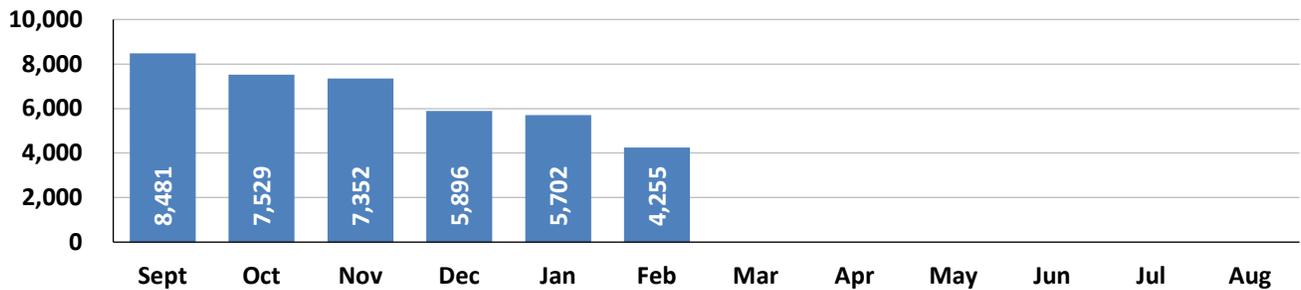
FY 2020 Projections

indemnity	8,408,859	15,235,854	15,169,318	15,245,603	15,374,325	15,374,325
medical	10,253,379	18,577,904	18,164,453	18,000,175	17,768,643	18,577,904
recovery	(494,610)	(896,174)	(778,324)	(833,438.48)	(809,130)	(494,610)
	18,167,628	32,917,584	32,555,447	32,412,339	32,333,838	33,457,619
						Average of four different projection bases and "worst case" 32,735,365
gross costs only	18,662,238.04	33,813,758.03	33,333,771.28	33,245,777.65	33,142,967.88	33,952,228
						Average of four different projection bases and "worst case" 33,497,701

Indemnity Bills Processed FY20
Total 6,408



Medical Bills Processed FY20
Total 23,362



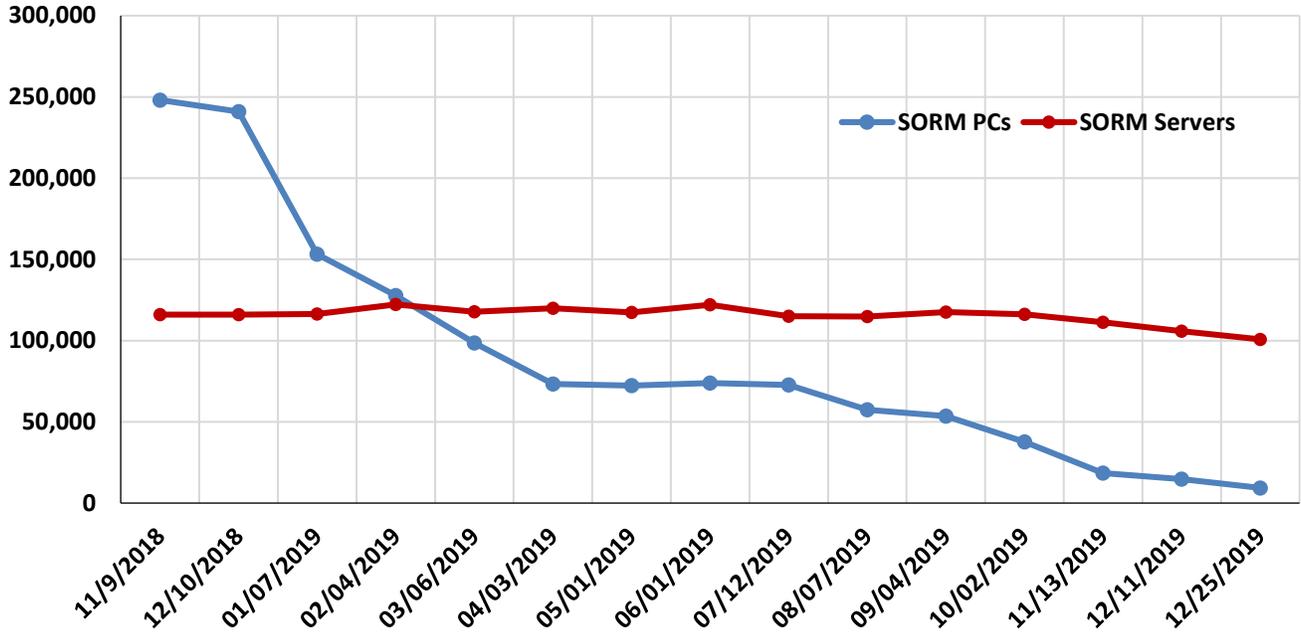
INFORMATION TECHNOLOGY

I. ONGOING AGENCY SUPPORT

Information Technology (IT) continues to support the agency operations through infrastructure support, processing, and reporting. Significant areas of activity in FY20Q2 include:

Area	Task
Equipment – servers, desktops, laptops and peripherals	<ul style="list-style-type: none"> • Multi-function printer replacements • Server part maintenance • Remote Connectivity
Software Changes	<ul style="list-style-type: none"> • Web Helpdesk Ticket System • Security upgrades to software • Team Foundation updates
Projects for Business Owners	<ul style="list-style-type: none"> • Medical Cost Containment Vendor • SORM PLN Letter Template Updates • EOR Parser Rewrite • Employee Checklist Rewrite • Inventory System Upgrade
Cyber Security	<ul style="list-style-type: none"> • Controlled Penetration Testing • Securing the Human Training • Monthly Vulnerability Scan Reports • Achieved a 90% reduction in vulnerabilities for all systems
Other Items	<ul style="list-style-type: none"> • Information Resources Deployment Review (IRDR) statutory report • Support for computers, servers, mainframe, and applications • Support for Website, Intranet, and LMS

Change in Vulnerabilities Risk Score per Asset since November 2018



II. ANTICIPATED ACTIVITY

In addition to routine support functions congruent with operations for the Office, we anticipate the following activities during FY20Q3 and beyond:

- RMIS Implementation
- Information Security Assessment
- Update PHP frameworks to improve our security posture
- Continue supporting website, intranet, and LMS systems



STRATEGIC PROGRAMS

COMMUNICATIONS AND DEVELOPMENT

During FY20Q2, Communications and Development collaborated with Talent Management to update new employee onboarding materials such as the new hire orientation presentation and the new department introduction learning modules on the SORM Learning Management System. We welcomed a new Training Consultant who is assisting with updating existing training materials and exploring new platforms for content delivery.

Agency Outreach and Training for FY20Q2

Course Name	Classes Taught	Total Students
15 Passenger Van Safety	3	40
Accident Investigation	1	170
Additional Duty Safety Officer	1	38
Conflict Resolution	1	28
Driving Safety	23	532
GHS/HazCom/SDS	1	36
Lifting Safety and Back Injury Prevention	1	23
Slips, Trips, and Fall Prevention	1	23
Stress Management	1	35
TOTAL CLASSES	33	925



FY20Q2 TOTAL VIEWS

Total views 29,703 views

FY20Q2 TOP 3 VIDEOS

How to Survive an Active Shooter	14,210 views
Office Ergonomics – Quick and Fun Guide	3,827 views
Same Level Slips, Trips and Falls	3,236 views

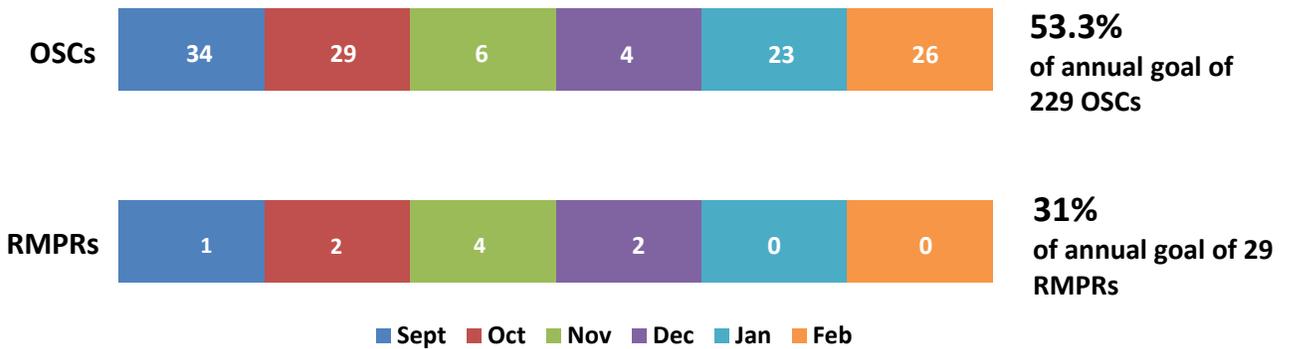
FY20Q2 TOP 5 US STATES

State	Views
Texas	2,384
New York	1,471
Ohio	1,077
California	1,064
Illinois	390

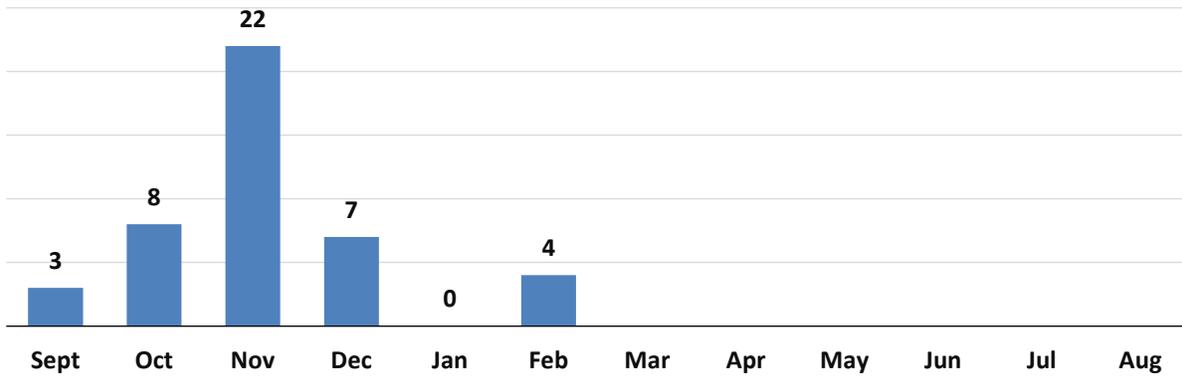
ENTERPRISE RISK

I. STATEWIDE RISK MANAGEMENT PROGRAM

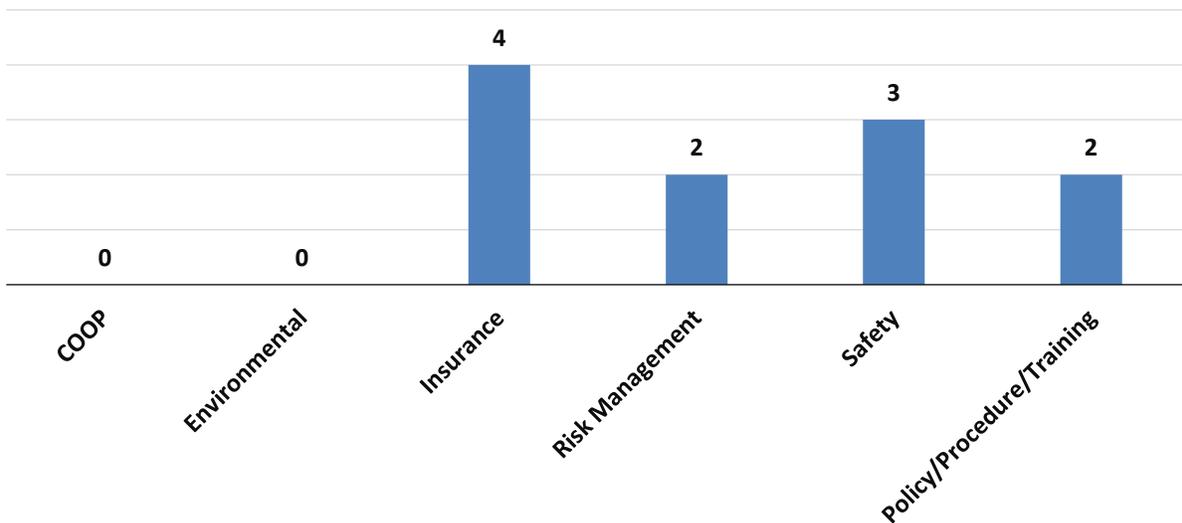
ON-SITE CONSULTATIONS (OSCs) AND RISK MANAGEMENT PROGRAM REVIEWS (RMPRs)



Recommendations Given FY20Q1 - FY20Q2
Total: 44

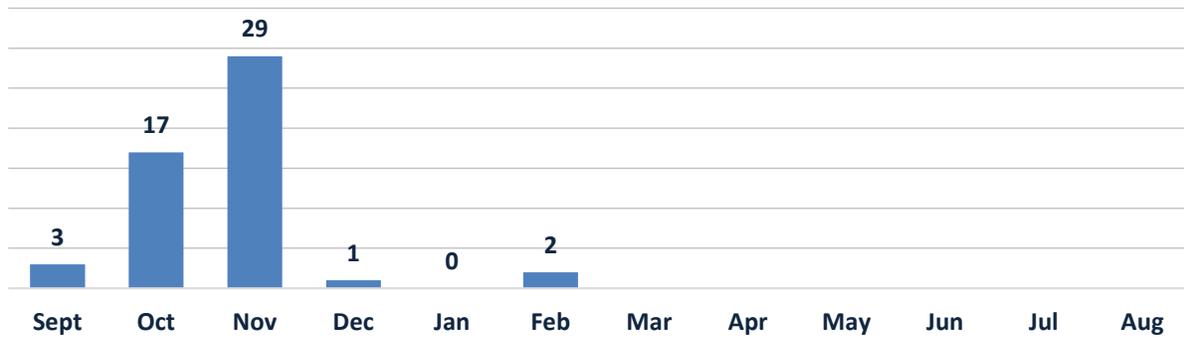


Category of Recommendations FY20Q2
Total: 11



Closed Recommendations FY20Q1 - FY20Q2

Total: 52



II. STATEWIDE CONTINUITY OF OPERATIONS (COOP) PROGRAM

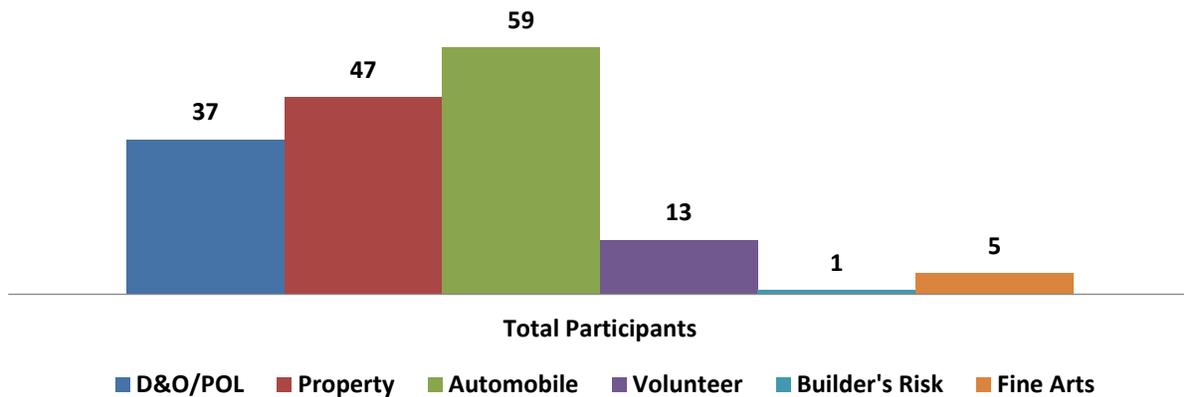
COOP Activity FY20Q2

State entity plans evaluated	3
State entity exercises evaluated	0
Onsite consultations	8
Training programs conducted	1

COOP Recommendations FY20Q2

Administrative Sections	1
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SORM Statewide Insurance Lines FY20Q2



III. STATEWIDE INSURANCE PROGRAM

A. MONITORING

432 notary applications were processed during FY20Q2

B. INSURANCE AND BOND PURCHASES

Number of SORM 201s processed: 5
 Number approved and premium paid: 5 for \$90,176

Line	Approved	Comments	Premium
Cyber	Yes	Critical financial information is increasingly stored in electronic form. Cyber Insurance is recommended as protection against increasing cyber security risks.	\$10,141
Aviation	Yes	Drones are not covered under the state entity's aviation policy or the state sponsored auto policy. Aviation Insurance covers drones up to \$25,000,000 in liability.	\$18,180
General Liability	Yes	General Liability insurance is designed to protect an organization against liability claims for property damage, personal, and/or advertising injury. In this case, the entity is a lien holder on various properties and is protecting its assets.	\$3,205
Property	Yes	This property insurance is not included in the state sponsored insurance policy. This is because it is "force-placed insurance," also known as creditor-placed, lender-placed or collateral protection. It has been placed by a state entity acting as a loan servicer. When the property owners' own insurance is cancelled, has lapsed or is deemed insufficient this insurance allows the servicer to protect its financial interest in the property.	\$52,050
Inland Marine	Yes	Commercial hull, protection and indemnity (P&I) coverage protects the vessel owner against legal liabilities arising out of negligence in the operation of a vessel.	\$6,600
TOTAL			\$90,176

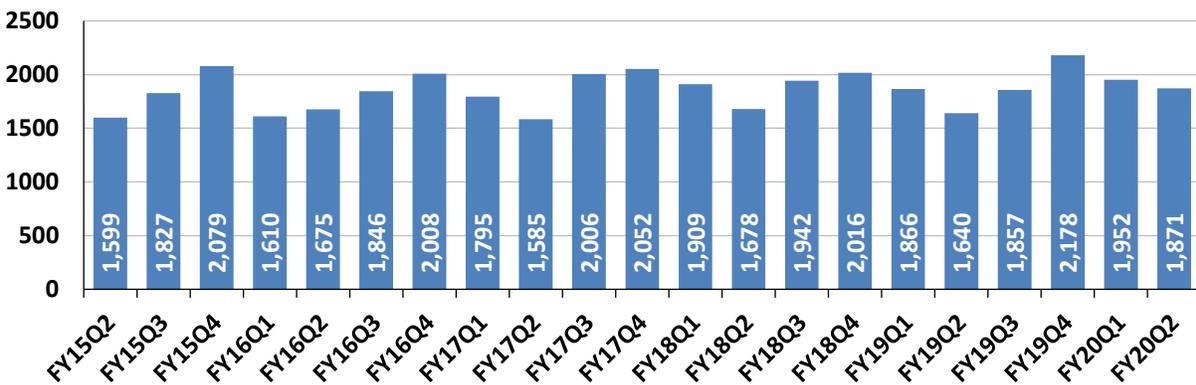
CLAIMS OPERATIONS

I. CLAIMS OPERATIONS ACTIVE WORKLOAD FY20Q2

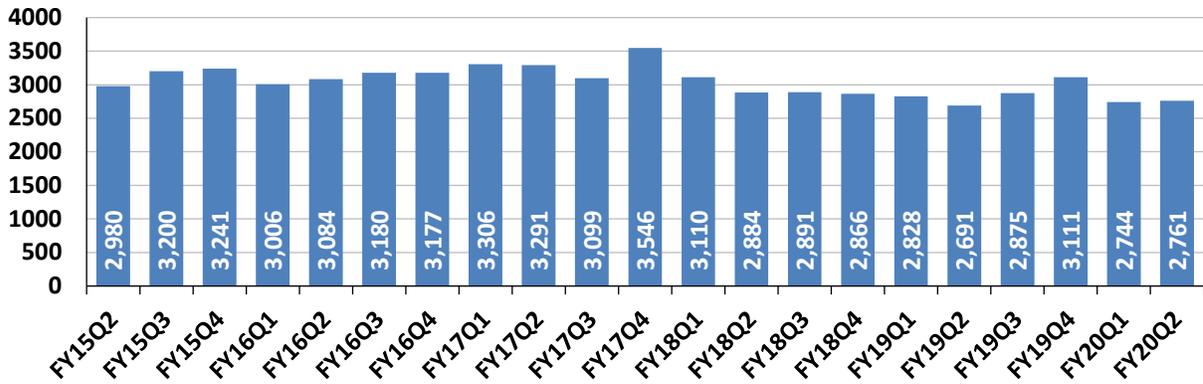
Claims Operations continues to conduct thorough investigations in the initial stages and focuses on maintaining active follow up.

- A. SORM received 1,871 injury reports (claims) in FY20Q2, which is a decrease from the number of injury reports received in FY20Q1 (1,952)
- B. 1,592 claims were accepted
- C. 2,079 claims were inactivated
- D. SORM had 2,761 open claims at the end of FY20Q2

Claims Received per Quarter



Claims Open per Quarter

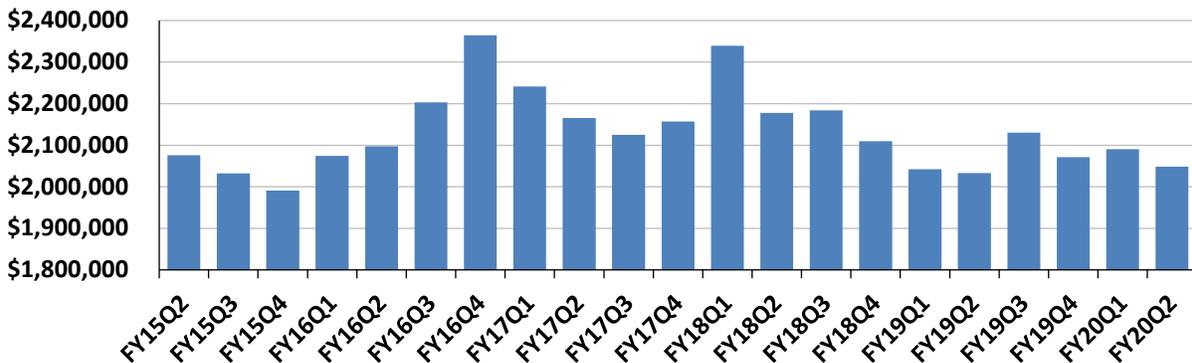


II. ANALYSIS OF INCOME BENEFITS EXPENSES FOR FY20Q2

- A. FY20Q2 reflects a slight decrease in TIBs indemnity costs from FY20Q1
- B. TIBs payments were \$2,048,010 and IIBs payments were \$880,972 in FY20Q2
- C. At the end of FY20Q2, there were 525 TIBs, 186 IIBs, 21 SIBs with payment, 12 LIBs, and 61 DIBs claims open

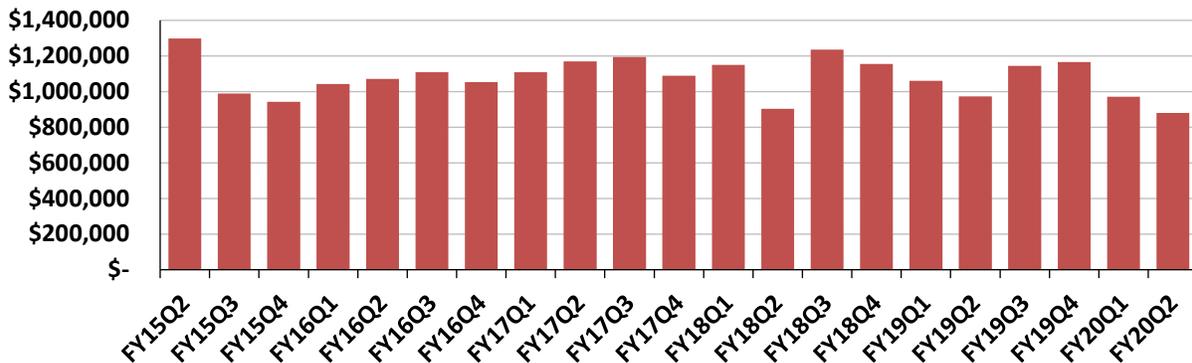
Temporary Income Benefits (TIBs) expenditures for FY20Q2 totaled \$2,048,010 on 525 claims

TIBs Expense per Quarter



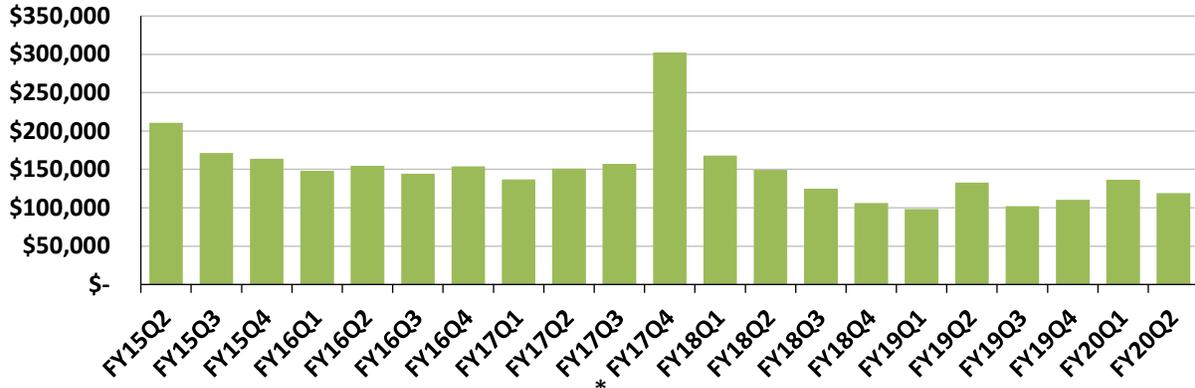
Impairment Income Benefits (IIBs) expenditures for FY20Q2 totaled \$880,972 on 186 claims

IIBs Expense per Quarter



Supplemental Income Benefits (SIBs) expenditures for FY20Q2 totaled \$119,055 on 21 claims

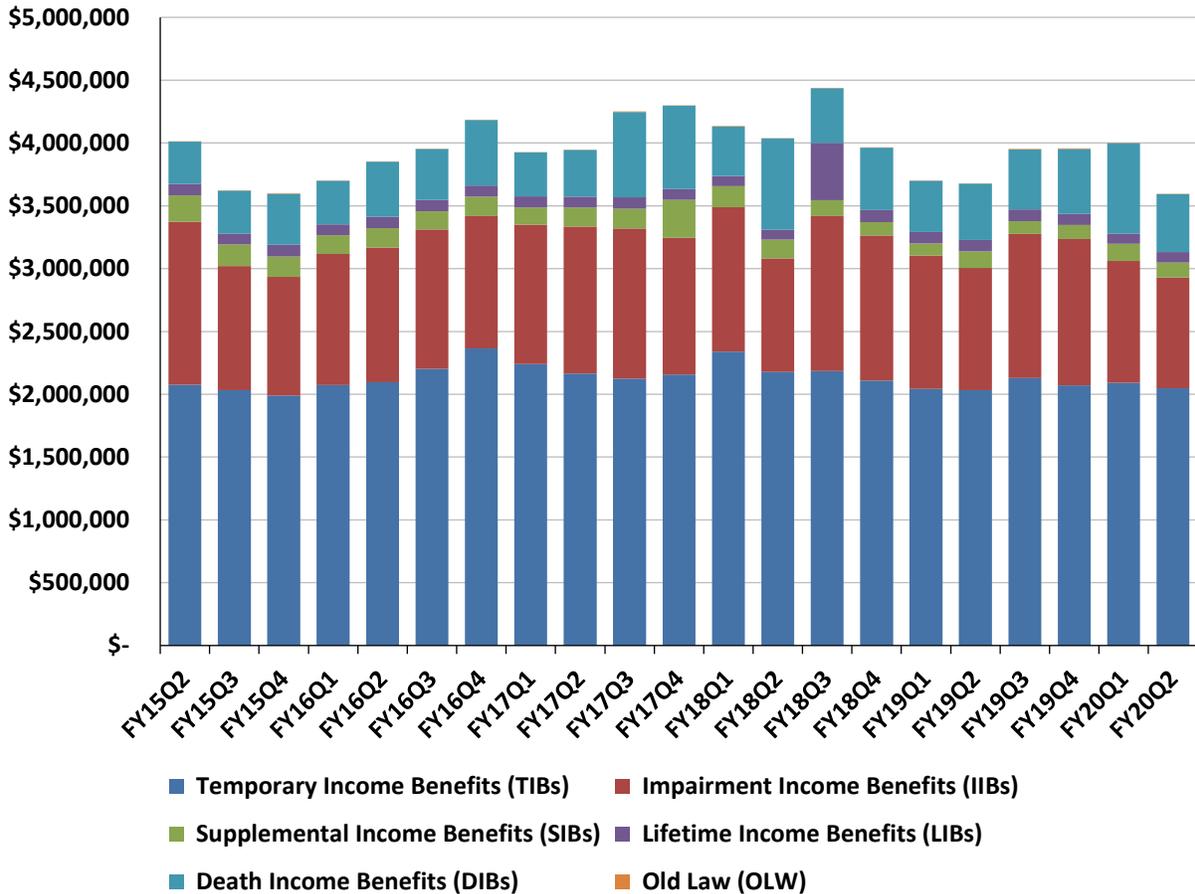
SIBs Expense per Quarter



*FY17Q4 – nine quarters paid due to CCH ruling

Combined indemnity expenditures for FY20Q2 totaled \$3,595,491 on 759 claims

Combined Indemnity Expense per Quarter





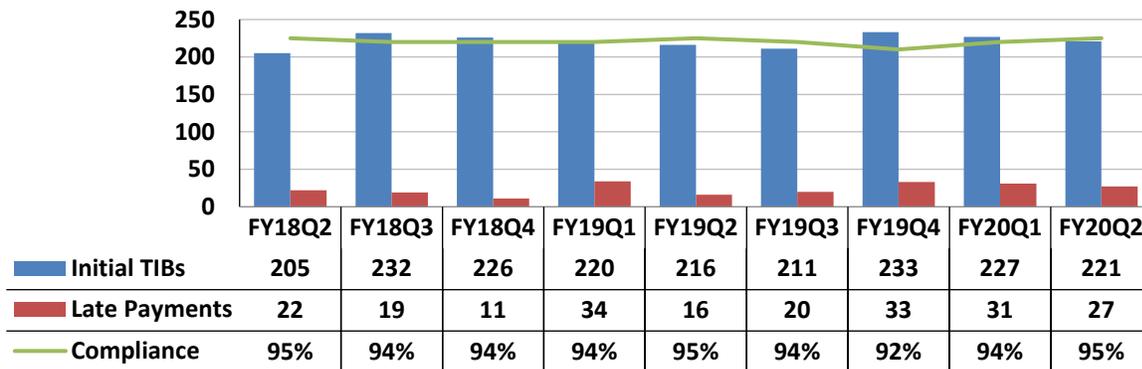
COMPLIANCE AND PRACTICES

I. INDEMNITY QUALITY ASSURANCE

A. TEMPORARY INCOME BENEFIT AUDITS

SORM must initiate temporary income benefits by the 7th day after the accrual date (8th day of disability) or the 15th day after notice of injury.

Initial TIBs Compliance Rate and Late Payments



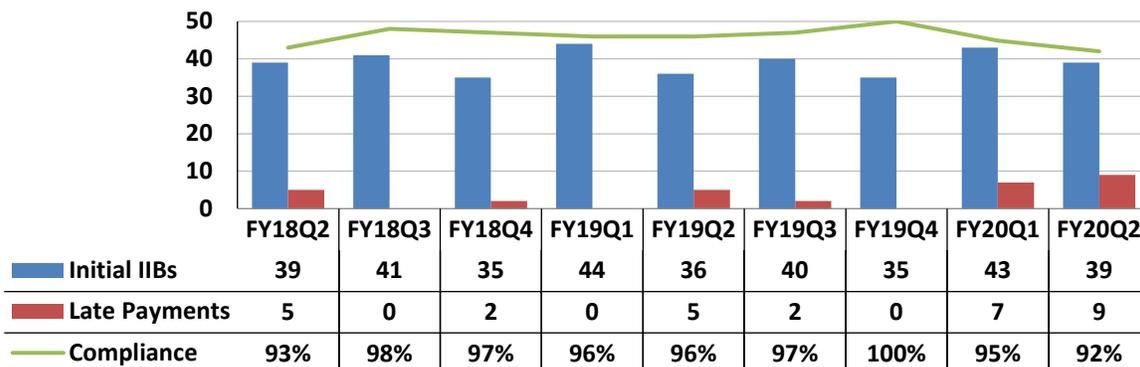
TIBs Late Payments FY20Q2

System	1
Physician	3
Carrier	5
Employer	18

B. IMPAIRMENT INCOME BENEFIT AUDITS

SORM must initiate impairment income benefits by the 5th day after receiving a notice of medical evaluation indicating the injured employee has reached maximum medical improvement (MMI).

Initial IIBs Compliance Rate and Late Payments



IIBs Late Payments FY20Q2

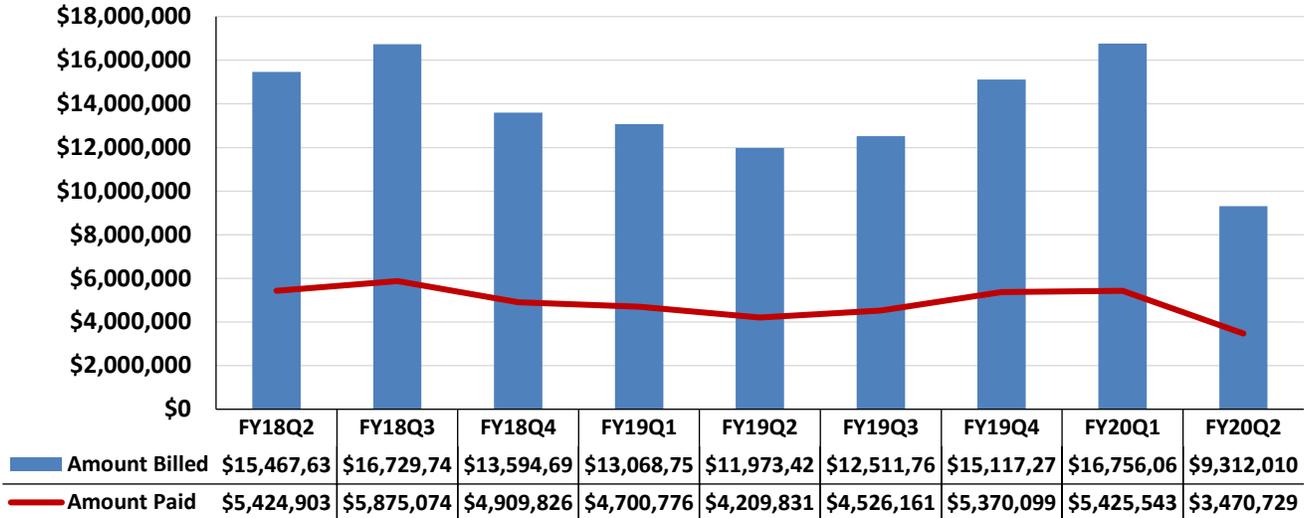
Carrier	8
System	1

II. MEDICAL QUALITY ASSURANCE

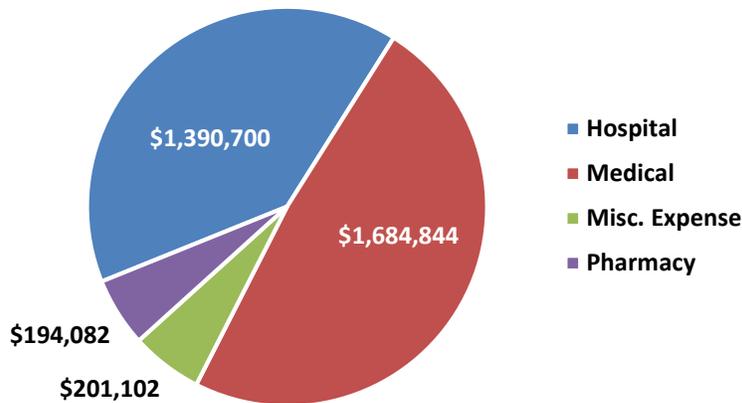
A. MEDICAL COSTS

Workers' compensation benefits include medically necessary treatment related to the compensable injury.

Total Medical Cost Savings FY18Q1 - FY20Q2



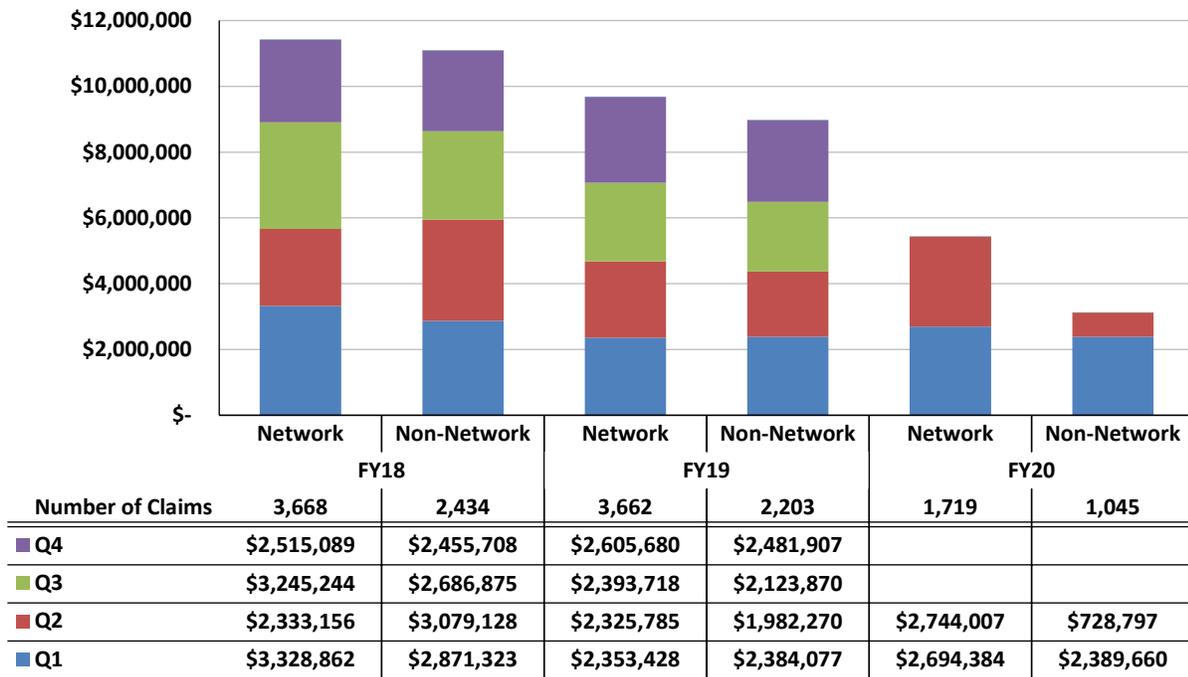
Medical Payments FY20Q2



B. NETWORK AND NON-NETWORK DATA

The following chart shows the number of network and non-network claims.

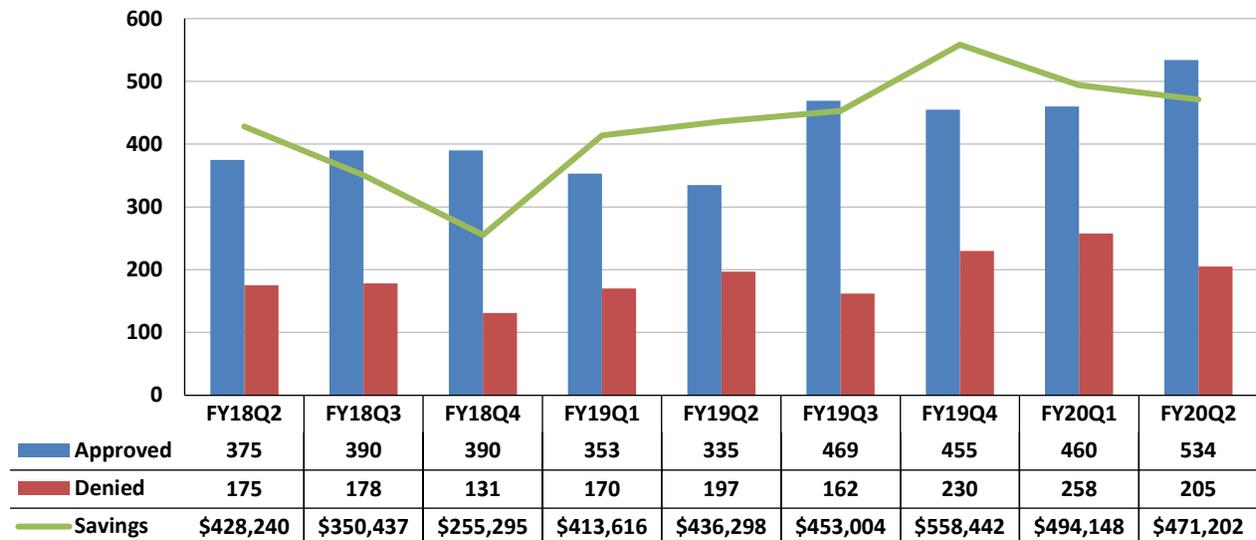
Network and Non-Network Medical Cost FY18Q1 - FY20Q2



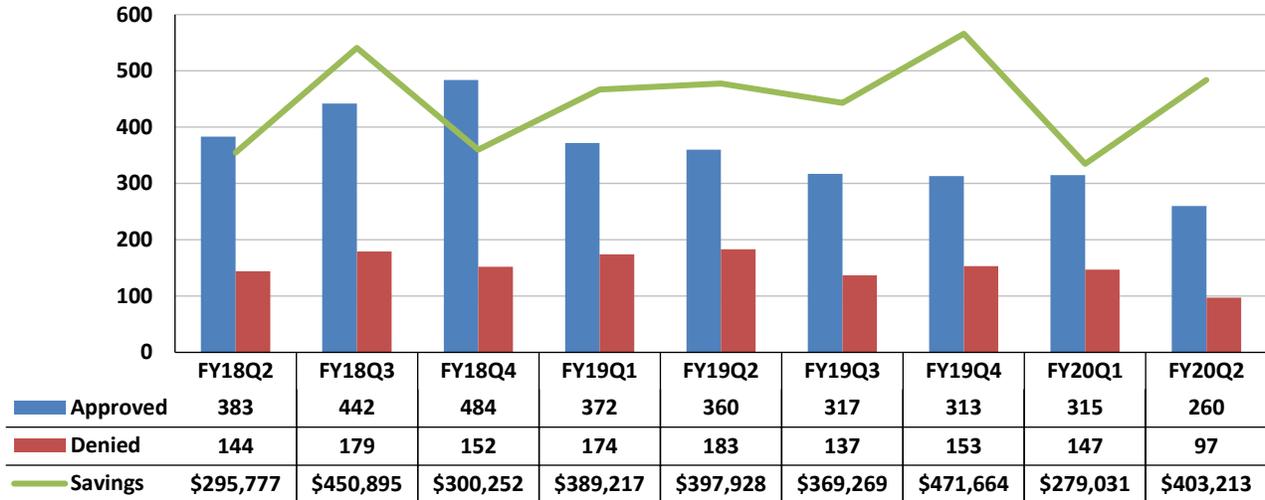
C. PREAUTHORIZATION

Certain types of health care services must be prospectively reviewed and preauthorized as medically necessary before the service is provided to an injured employee.

Network Utilization Review FY18Q1 - FY20Q2



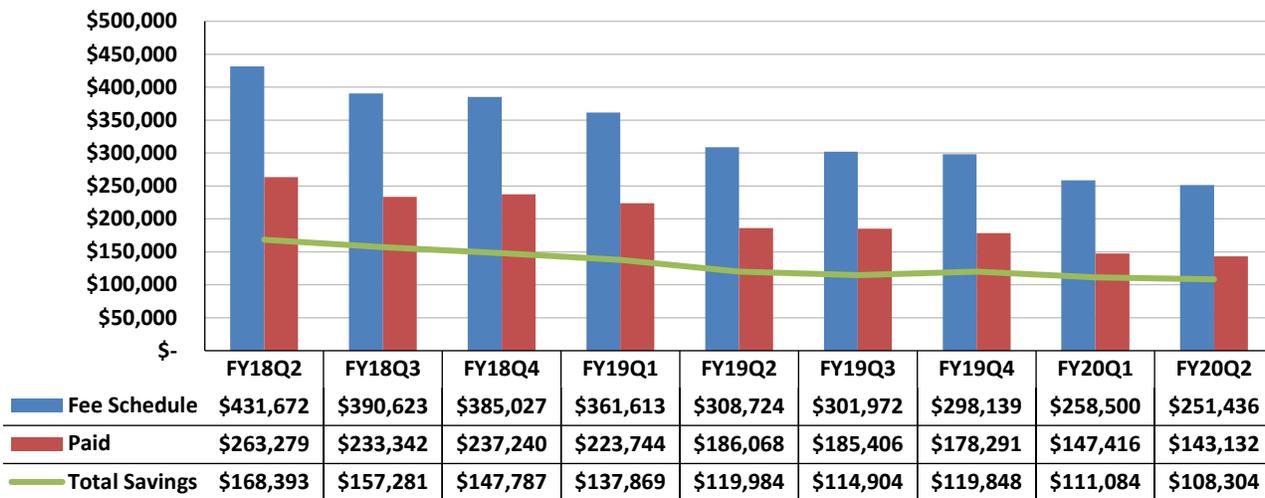
Non-Network Utilization Review FY18Q1 - FY20Q2



D. PHARMACY BENEFIT MANAGEMENT

Workers' compensation benefits include medically necessary prescription drugs and over-the-counter medication.

PBM Cost Savings FY18Q1 - FY20Q2



LITIGATION

I. MEDICAL DISPUTE RESOLUTION FY20Q2

Medical dispute resolution is used to resolve disputes when an insurer reduces or denies payment of a medical bill or to determine the medical necessity of treatment for a compensable injury.

Medical Fee Disputes	11 Non-Network received
	5 Network received
Medical Necessity Disputes	3 Non-Network received
	0 Network

II. BENEFIT DISPUTE RESOLUTION FY20Q2

Disputes regarding compensability or eligibility for benefits can occur throughout the life of a workers' compensation claim.

BRC Attended	BRC Resolved	Most Common Issue(s) Resolved	Going to CCH	Primary Issue(s) Appealed
74	5	MMI/IR	35	MMI-IR
CCH Attended	CCH Resolved	D&O for SORM	D&O Against SORM	Primary Issue in D&O
32	0	7	7	MMI/IR

FRAUD, SUBROGATION, AND OTHER RECOVERIES

I. FRAUD INVESTIGATIONS

SORM investigates and reports workers' compensation fraud committed by system participants.

FY20Q2	Pending	Opened	Closed	Criminal Referral
Fraud Investigations	16	4	5	2

II. SUBROGATION AND RECOVERIES

When a claimant's injuries are caused by a third party, SORM can request reimbursement for benefits that have been paid by the state for the compensable injury.

	FY20Q1	FY20Q2	FY20Q3	FY20Q4	Totals
Restitution	\$2,702	\$261			\$2,963
SIF	\$0	\$0			\$0
Subrogation	\$83,508	\$404,839			\$488,348
Total	\$86,210	\$405,100			\$491,310



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6. New business

6.1 Presentation, discussion, and action on remaining Fiscal Year 2020 assessment totals

Information

Stuart B. Cargile, Division Chief of Internal Operations, will present recommendations for remaining assessment funding pursuant to the General Appropriations Act, Article IX, Section 15.02(c), and Section 412.0123, Texas Labor Code.

Action Required

Board determination and approval of the final assessment.



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6. New business (continued)

6.2 Presentation, discussion, and action on the Risk Management Information System Request for Offer No. 479-20-RMIS

Information

Alan Ryman, Director of Compliance Management, will present results of the risk management information system (RMIS) request for offer.

Action Required

Board determination and approval of RMIS contract.



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7. Old business

Information

Staff is available to address any questions or concerns from the previous meeting.

Action Required

No official action requested, at this time.



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8. Public comment

Information

It is the policy of the Board that members of the public shall be given the opportunity to appear before the Board during public meetings of the Board and to speak on any issue under the jurisdiction of the Board.

Action Required

No official action requested, at this time.



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9. Discussion and possible action on future meeting dates

Information

Tentative meeting dates are attached for discussion.

Action Required

Selection of future meeting dates.



**Tentative Board of Directors Meeting Dates
FY20Q3**

Month	Day of Week	Date	Notes
July	Tuesday	7	
	Tuesday	14	Office closed for Independence Day on 07/04/20
	Tuesday	21	Assessment amounts for next fiscal year due before 08/01/20

NOTES:

The Secretary of State requires a minimum of 7 days notice before publication in the Texas Register. Draft rules, revised rules, and final rules must be published in the Register for 30 days.

All dates shown are with notes on upcoming due dates and holidays that will affect the Office.



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10. Adjourn meeting

The Chair:

1. Calls the meeting adjourned and announces time