

## **HM83 Task Force Meeting April 16, 2024; 11:30-12:00**

Attendance:

Michael Holt, WCA General Counsel

Diana Sandoval-Tapia, WCA PIO

Rinda Dewhirst, WCA GC Paralegal

Charles Cordova – WCA Statistician

Victoria Bratton - Injured Worker

Marsha Schmidt - Injured Worker

Chris Elmore - E/I Attorney

Megan Kuhlman - E/I Attorney

Kathryn Lueker-Eaton – Workers’ Attorney

Ben Sherman – Workers’ Attorney

Johnna Padilla – Employer (SPO)

Matt Sanchez – Employer (Jaynes Corp.)

Dan Giralmo – Insurer (NM Mutual Casualty)

Randy Akin - SI Group (Builders Trust of NM)

Jeffrey Steele - Ironworkers Local 495

Greg Montoya - IAFF Local 244

Pamelya Herndon, Representative

(Highlighted names did not attend)

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### **Michael Holt – WCA General Counsel and Director’s Designee**

**Michael Holt** – I have left room in the current draft of the report for any supplements that a stake holder wants to present. It is easy enough to include such a supplement, including renumbering the table of contents. I was looking at this upcoming Friday as a semi-deadline to issue the final draft of the report to task force members. I need to submit this report by the close of business on April 30, 2024. I need to obtain all the task force members’ signatures electronically. Once I obtain all the signatures, it will be posted on the website. I will need to send the report to Representative Herndon and then to the advisory council members by April 30. The advisory council members meet here in our Albuquerque office on May 2<sup>nd</sup> at 2:30. I will provide a hard copy to the advisory council members who are present. I will give an overview of the recommendations and entertain any questions. The advisory council is open to the public, all task force members are welcome to attend. I believe the task force method is the best approach for these types of complex issues to get studied.

**Dan Giralmo** – He wants to thank Mike and Charles for putting this together, it was written very well; he knows it was a lot of work. He has an addendum to add to the report, and he is requesting the deadline to be the end of Monday to complete it.

**Michael Holt** – The deadline extension is not a problem. Randy, are you going to submit an addendum as well or submit a collaborated addendum with Dan? Anyone for that matter is welcome to submit an addendum but please keep in mind that nothing from the final report will not be edited out. Kate and Ben also talked about submitting an addendum together as well.

**Randy Akin** – He also appreciates all the work Mike and Charles have put into this report. Also, to all the task force members, we have all come in from opposite sides, but all came together in a professional manner.

**Michael Holt** – We did strive hard; I appreciate Charles' hard work on this. I asked a lot of Charles, and I had no idea what the data would show. He is sure the economic data and other studies will surprise people in terms of what it shows as well as what it does not show.

**Kathryn Lueker-Eaton** – She agrees that everyone comes from different points of view; she appreciates being asked to participate in this task force. She appreciates everyone worked together to accomplish this assignment we were tasked with. She still does not believe \$30,000 is adequate, but we are recommending the legislature revisit this subject matter more frequently. Even if we do not get beyond the \$30,000, perhaps we can educate some of the legislators about the background of attorney fees, the workers' compensation system and some of the competing interests that affect it. Hopefully that can prime them for subsequent provisions for future fee cap increases.

She will submit an addendum and work with Ben for submission by Monday. She also wants to commend Charles for his work and Mike for keeping everyone inline.

**Michael Holt** – I believe Kate deserves recognition for her idea on requesting an attorney survey. That was a good addition to capture attorney views on this subject matter.

**Charles Cordova** – He thought about his role in this task force and what he came up with is this: it is not his job to figure out where the proper balance of an attorney fee cap is; it was his job to contextualize the issue so task force members can do their job. He hopes he did that and provided useful information and helped the task force where it needed to be.

**Matt Sanchez** – He was considering if there is anything that needed to be added in there, he is okay with the recommendations. He does not feel the need for himself to submit an addendum.

**Jeffrey Steele** – He would like to thank everyone for the knowledge he gained by listening. This was out of his wheelhouse, but it has been a learning experience for him. He enjoyed being on the task force.

**Johnna Padilla** – She also appreciates Mike and Charles’ hard work on this report; she also appreciates being on this task force.