

AGENDA

MEETING OF THE FULL BOARD

DATE: SEPTEMBER 15, 2020
LOCATION: 328 STATE STREET, ROOM 329
WEBCAST LIVE
TIME: 10:00 AM

MEMBERS OF THE BOARD

CLARISSA RODRIGUEZ, CHAIR
FREIDA FOSTER, VICE CHAIR
ELLEN PAPROCKI
MARK HIGGINS
LOREN LOBBAN, ESQ.
SAMUEL WILLIAMS
LINDA HULL
FREDRICK AUSILI, ESQ.
MARK STASKO
STEVEN CRAIN, ESQ.
PAMELA CAGGIANELLI
MARTIN DILAN
ARELIS TAVARES

SECRETARY TO THE BOARD

KIM MCCARROLL

GENERAL COUNSEL

DAVID WERTHEIM

SPECIAL COUNSEL

ELIZABETH LOTT

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- 1) APPROVAL OF THE JULY 21, 2020, BOARD MEETING MINUTES**
 - 2) OFFICE OF GENERAL COUNSEL DEPARTMENTAL REPORT**
 - 3) LICENSING APPLICATIONS**

A. Section 24-a – Claimant Representatives

1. Marjorie C. Fruscione

B. Section 50(3-b) – Domestic TPA

1. NCA Comp Inc.
Kevin Gregory - Qualifying Officer

C. Section 50(3-d) – Foreign TPA

1. Larkin Benefit Administrators of New York Inc.
Mary Mraz, Esq. (DB Only) - Qualifying Officer
2. Creative Risk Solutions LLC
William S. Jones, Esq. - Qualifying Officer
3. Emerald Claims Management of New York LLC
William S. Jones, Esq. - Qualifying Officer

4) LEGAL APPEALS

- 4A. MATTER OF *Juan De La Cruz vs. Aufiero Painting Industries Inc., et al.*
CASE #: G191 8574 (Affirmed)
- 4B. MATTER OF *Derek Kleban vs. Central NY Psychiatric Center, et al.*
CASE #: G185 0110 (Affirmed)
- 4C. MATTER OF *Anna Lebedeva vs. FOJP Service Corporation, et al.*
CASE #: G193 7755 (Affirmed)
- 4D. MATTER OF *Cynthia Mayers vs. Frito Lay, et al.*
CASE #: 8021 3348 (Affirmed)
- 4E. MATTER OF *Dee Ann Meager [Jonathan Meager (dec'd)] vs. Saratoga County Sewer District, et al.*
CASE #: G183 4317 (Affirmed)
- 4F. MATTER OF *Gloria Thompson vs. Clare Hayduscko, et al.*
CASE #: 4070 8094 & 4070 5174 (Dismissed)
- 4G. MATTER OF *Julie Wolkiewicz vs. Lincare Holdings Inc., et al.*
CASE #: 8080 6716 (Affirmed)
- 4H. MATTER OF *Gina DeMarco vs. Trans Care Ambulance, et al.*
CASE #: 2050 7752 (Affirmed)
- 4I. MATTER OF *Alwyne E. Johnson vs. Borg Warner Inc., et al.*
CASE #: G209 0661 (Reversed)
- 4J. MATTER OF *Wen Liu vs. Division of General Internal Medicine, Mount Sinai School of Medicine, et al.*
CASE #: G025 7611 (Affirmed)

5) MANDATORY FULL BOARD REVIEW (WCL§23)

***bold** denotes dissenting opinion; no bold denotes unanimous panel

FOR CONSIDERATION BY THE FULL BOARD:

- 5A. MATTER OF *JP MORGAN CHASE*
CASE #: G111 6661 (Lobban/Foster) (**Caggianelli**)
- 5B. MATTER OF *COCA-COLA REFRESHMENTS USA INC.*
CASE #: G160 3071 (Crain/Tavares) (**Paprocki**)
- 5C. MATTER OF *MACY'S CORPORATE SERVICES INC.*
CASE #: G144 4584 (Crain/Foster) (**Paprocki**)
- 5D. MATTER OF *SKANSKA-WALSH JV*
CASE #: G256 9489 (Crain/Tavares) (**Paprocki**)
- 5E. MATTER OF *CIDNY - CENTER FOR INDEPENDENCE*
CASE #: G236 9162 (Rodriguez/Williams) (**Caggianelli**)
- 5F. MATTER OF *TOPROCK INTERIORS*
CASE #: G140 2072 (Foster/Higgins) (**Ausili**)
- 5G. MATTER OF *SUFFOLK COUNTY POLICE DEPARTMENT*
CASE #: 4070 0904 (Crain/Tavares) (**Paprocki**)

6) DISCRETIONARY FULL BOARD REVIEW (WCL§142)

- 6A. MATTER OF *CON EDISON*
CASE #: 0977 4060 AUSILI/FOSTER/HIGGINS
- 6B. MATTER OF *VIA TRANSPORTATION*
CASE #: G139 6410 LOBBAN/DILAN/HULL
- 6C. MATTER OF *CITY OF SCHENECTADY*
CASE #: 5070 9530 (ALSO PERTAINS TO 5020 1678 & G136 3666)
RODRIGUEZ/CAGGIANELLI/FOSTER
- 6D. MATTER OF *CARRIER INDUSTRIES*
CASE #: 9030 1594 (ALSO PERTAINS TO 5951 9576) AUSILI/WILLIAMS/HIGGINS
- 6E. MATTER OF *TEMPCO SERVICES*
CASE #: G152 0689 CRAIN/TAVARES/PAPROCKI
- 6F. MATTER OF *LAND PRODUCTIONS INC.*
CASE #: G040 3473 RODRIGUEZ/CAGGIANELLI/STASKO
- 6G. MATTER OF *NYC HRA (HAU)*
CASE #: G101 2287 CRAIN/TAVARES/PAPROCKI



7) OTHER BUSINESS

8) GUEST SPEAKERS

Jeremy Attie, President
Ziv Kimmel, Senior Vice President & Chief Actuary
New York Compensation Rating Board (NYCIRB)

9) NEXT MEETING: OCTOBER 20, 2020

