

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
**WORKERS' COMPENSATION BOARD**  
OFFICE OF EXECUTIVE DIRECTOR/CHAIR  
442 CIVIC CENTER DRIVE, SUITE 100  
27 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0027

JANET T. MILLS  
GOVERNOR

JOHN C. ROHDE  
EXECUTIVE DIRECTOR

January 30, 2020

Honorable Sara Gideon  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Honorable Troy D. Jackson  
President of the Senate  
3 State House Station  
Augusta, Maine 04333

**RE: Annual Report of the Workers' Compensation Board Pursuant to 5 M.R.S.A.  
§12023(2)**

Dear Speaker Gideon and President Jackson:

Pursuant to 5 M.R.S.A., §12023, please consider this the transmittal letter for the required report from the Workers' Compensation Board due by February 1, 2020.

Please contact me if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. Rohde", written over a large, stylized circular flourish.

John C. Rohde  
Executive Director

JCR/dah

cc: Grant T. Pennoyer, Executive Director of the Legislative Council  
(via e-mail: [quasiagencyreports@legislature.maine.gov](mailto:quasiagencyreports@legislature.maine.gov))





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**RE: Annual Report of the Workers' Compensation Board Pursuant to 5 M.R.S.A.  
§ 12023(2)**

Dear Speaker Gideon and President Jackson:

On behalf of the Workers' Compensation Board ("Board") I am submitting this annual report of procurements in 2019 pursuant to 5 M.R.S.A. § 12023 (2).

I. Introduction

Although technically a quasi-independent agency, the Board has, since its inception in 1993, worked under the auspices of the relevant divisions within the Department of Administrative and Financial Services ("DAFS"). The Board, after enactment of Title 5, Ch. 379, subchapter 3, decided to continue working under the oversight of DAFS. The reasoning, which holds true today, is that our relationship with DAFS has been, and continues to be, the most efficient and effective way for the Board to operate. Below is a description of the board's expenditures that fall into the reporting categories mandated by §12023 (2).

II. Procurements (5 M.R.S.A. §12022 (2) (A))

With respect to procurements in excess of \$10,000 for which competitive bidding was waived, the Board continues to adhere to the comprehensive bidding procedures established by the Division of Procurement Services. Included within these procedures is a requirement that the Board submit for approval a Waiver of Competitive Bidding Form. Approval by the Division of Procurement Services must be received before the Board can enter into a contract that is not the result of the competitive bidding process. Because the Board follows the Division of Procurement Services' procedures, it also submits a waiver request for any procurement greater than \$5,000 for which competitive bidding is waived.

The following table outlines procurements exceeding \$10,000 in the preceding year for which competitive procurement was waived. The Division of Purchases, Department of Financial & Administrative Services approved the Board's Waiver of Competitive Bid requests for these purchases.

Vendor	Justification for Waiver of Competitive Bidding	Dollar Amount of Procurement
West Publishing  RELX Inc. dba LexisNexis  Matthew Bender & Co. dba LexisNexis Matthew Bender (Larson's Workers' Compensation Law treatise)	The Board's staff is required by statute to mediate disputes, hear administrative law cases, write orders and/or provide legal advice and representation to individuals in the workers' compensation system. Board staff uses West Publishing's Maine Revised Statutes Annotated, RELX Inc.'s LexisNexis online library and Matthew Bender & Co.'s authoritative treatise, <i>Larson's Workers' Compensation Law</i> , to perform legal research, write trial and appellate briefs, author administrative law decrees and accomplish other work necessary to perform required duties. Board staff has determined these publications are necessary to provide up-to-date legal analysis, opinions and decisions. Also, Board staff has not found a source for references available in state government or other governmental entities.	Each of these subscription services was procured at a cost that exceeded \$10,000. The cost of each procurement was:  The cost of procuring the subscription service from West Publishing Corp. was \$59,819.00.  The cost of procuring the subscription service from RELX Inc. dba LexisNexis was \$10,428.00.  The cost of procuring the subscription service from Matthew Bender & Co. dba LexisNexis Matthew Bender was \$38,177.23.

### III. Contributions (5 M.R.S.A. § 12022(4))

#### Membership Dues

The Board, pursuant to 39-A M.R.S.A. § 152(3), approves the agency's annual budget which includes membership dues to organizations that pertain directly to the Board's mission. The following chart sets forth the pertinent information regarding membership dues:

Organization	Justification	Amount
International Association of Industrial Accident Boards and Commissions (IAIABC)	IAIABC is an organization that provides information and resources to workers' compensation systems across the country	\$1,545 per calendar year

Workers' Compensation Research Institute (WCRI)	WCRI conducts research and publishes reports analyzing issues of importance to workers' compensation systems.	\$775 per calendar year
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Gifts, donations and sponsorships

The Board does not spend money on gifts, donations or sponsorships.

Travel, meals and entertainment

With respect to travel, meals and entertainment, the Board operates within the policies and procedures promulgated by the Controller's Office. The Board scrutinizes each expense request upon submission and approves reimbursements upon confirmation that the requests comply with the Controller's Office.

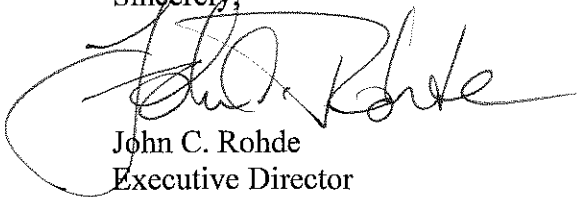
IV. Policies and procedures

A description of changes made in the preceding year to the written policies and procedures required by §12022 or to the procedures used by the governing body to monitor compliance with those policies and procedures.

The Board works under the oversight of DAFS and continues to adhere to comprehensive procurement procedures established by the Division of Procurement Services. The Board does not spend money on gifts, donations or sponsorships and only pays membership dues to organizations that relate directly to the Board's mission.

The Board, pursuant to 39-A M.R.S.A. § 152(13), approves the agency's annual budget which includes membership dues only if they pertain to the Board's mission. The Board's policy pertaining to gifts, donations, sponsorships or travel reimbursement has been to, effectively, incorporate by reference practices prescribed by the Controller's Office. The Board will continue to review its budgeting and payment protocols this year and maintain policies consistent with expectations of the Controller's Office.

Sincerely,



John C. Rohde  
Executive Director

cc: Grant T. Pennoyer, Executive Director of the Legislative Council  
(via e-mail: [quasiagencyreports@legislature.maine.gov](mailto:quasiagencyreports@legislature.maine.gov))