

STATE OF NEW MEXICO  
ADVISORY COUNCIL ON WORKERS' COMPENSATION  
AND OCCUPATIONAL DISEASE DISABLEMENT

**\*\*MINUTES\*\***

MEETING DATE: November 16, 2023  
Main office, 2410 Centre SE, Albuquerque, NM 87106

Members Present: Darrell Deaguero, Courtenay Eichhorst, Sara Ranney, Marni Goodrich,  
and Director Robert Doucette, as ex-officio. Absent: Buffy Jackson

1. Call to Order and Introductions: 2:31 p.m. Chair Goodrich asked all present at the meeting to introduce themselves.
2. Approval of agenda: Darrell Deaguero made a motion to approve the agenda, seconded by Sara Ranney. Agenda approved.
3. Approval of minutes: Courtenay Eichhorst made a motion to approve the minutes from the October 3, 2023, meeting, seconded by Darrell Deaguero. Minutes approved.
4. Status of Agency report:  
Director Robert Doucette reported that interviews for the open administrative judge position took place on Monday, November 13. This is the second time the interview process has been open to the public. A choice has not yet been determined, but a decision may be made by December 1, after which the Governor will weigh in. The agency logo is in the process of being updated, and a choice has not been made. There are four finalist designs that have been chosen by the logo committee, and the agency employees have been asked to vote on their choices, ranking the logos 1-4. He asked the council members to participate.  
He will present a budget to the legislative finance committee (LFC) in January. He provided council members with the presentation. The biggest change in the budget will be to ask for more funds for the 200, or personnel category. The agency is asking for a BAR (budget adjustment request) for a 5% increase. When asked what he would want the vacancy rate to be, the director stated anything less than 4% would be nice, but he is realistic. He believes the agency has been fortunate in the hires it has made, as there are anywhere from three to four good candidates applying for any given position.  
Council member Goodrich wondered if the state allowed succession planning. The director said the agency offers schooling, up to three hours a week, for employees to gain certifications and degrees. Several staff members are working on their master's or PhDs. The director said he has met with the new LFC head of budget. The representative of the LFC for General Services, which Director Doucette also runs, is representing the WCA to the LFC. Absent from the WCA's budget request again this year is the \$1M traditionally allocated to Department of Workforce Solutions (DWS). The director is hopeful the funds will not be swept this year.  
HM83 Task Force Update: Charles Cordova, economist with the agency, reported that his bureau of economic research has been working with general counsel to create a survey and gather data to be used for the task force in making a decision about the

attorney fee cap. Cordova reports the last meeting of the task force was November 7. There will soon be a page on the agency's website that provides information on the work the task force has done. There will be the attorney survey report. All 272 workers' compensation attorneys who practice in New Mexico were contacted. Of the 81 who responded, 74 responses are valid. There will also be a dashboard on that webpage that will show data such as how many cases hit the fee cap. The next task force meeting is December 12 via Zoom. A draft about the task force's work should be ready soon and will be presented to the legislature.

Councilor Goodrich noted she likes the new look of the annual report, and others concurred.

5. Legislative Subcommittee Update

Councilor Eichhorst attended an LFC hearing the morning of this council meeting, where Representative Herndon brought up the \$1M sweep of WCA funds. She asked that the funds remain with the WCA. Secretary Nair was there and they had a good conversation. He reported that he went through the annual report and used it to reach out to legislators to educate them about the council and workers' compensation. The union he is with has access to a trades vehicle which travels around the state. While touring, he talks about workers' compensation. He educates young people who may join the workforce and union, telling them about workers' compensation and how the workplace injury process works. Councilor Ranney said they also spoke about safety. Eichhorst said he is excited to think the \$1 million may stay with the WCA. Secretary Nair and Rep. Herndon did a great job speaking on behalf of the WCA

6. Council's Annual Report

Councilor Ranney said she was excited to have something to hand out to legislators that explained the council's work. A document had been created by Diana Sandoval-Tapia that was a council overview. She also drafted the council's annual report. Bullets on work comp and white space for notes are beneficial on the legislative handout. The annual report is a work in progress and almost done being reviewed by council members. Director Doucette thought the document looked good and he did not need to approve it. The legislative document and the Advisory Council Annual Report draft versions will be updated and approved via email vote. Councilor Goodrich asked that the annual report have a picture of the mural cranes on the cover; that change will be made.

7. Public Comment

There was no public comment.

8. Next Meeting

The next Advisory Council meeting will take place Thursday, January 25 at 2 p.m. in Santa Fe (location to be announced). Council members can then more easily meet with officials.

9. Adjourn

Eichhorst made a motion to adjourn the meeting, seconded by Deaguero. The meeting was adjourned at 3:13 p.m.