

1       **Workers' Compensation Full Board Meeting Minutes**

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3       **Date:**               Tuesday, May 20, 2025  
4       **Location:**       328 State Street, Schenectady, NY  
5                           Room 324  
6                           Webcast Live

7       **Time:**             10:00 a.m.

8       **MEMBERS OF THE BOARD**

9       Clarissa M. Rodriguez, Chair  
10      Freida Foster, Vice Chair  
11      Mark Higgins  
12      Samuel Williams  
13      Linda Hull  
14      Mark Stasko  
15      Steven A. Crain, Esq.  
16      Pamela Caggianelli  
17      Martin M. Dilan  
18      Arelis Tavares (appeared remotely per Public Officers Law §  
19      103-a[2][c])  
20      Renee Delgado, Esq.  
21      Gloribelle Perez, Esq.

22      **SECRETARY TO THE BOARD**

23      Laura Inglis

24      **GENERAL COUNSEL**

      Keith Longden, Esq.

**SENIOR ATTORNEY**

      Benjamin Jacobs, Esq.,

1 CLARISSA RODRIGUEZ: Good morning, everyone.

2 ALL: Good morning.

3 CLARISSA RODRIGUEZ: And welcome. Morning.

4 Thank you for joining us this morning. I'm  
5 Clarissa Rodriguez, Chair of the New York State  
6 Workers' Compensation Board. Today's Full Board  
7 meeting is being webcast live for members of the  
8 public, so welcome. It is also facilitated by an  
9 American Sign Language interpreter. Thank you for  
10 joining us, Interpreter.

11 Before I start today's meeting, it is with great  
12 sadness that I share the heartbreaking news that our  
13 long-time Board Member, Loren Lobban, has passed away  
14 on Friday, May 9th. Loren was appointed to the  
15 New York State Workers' Compensation Board in 2010.  
16 In his nearly 15 years at the Board, Loren served with  
17 the utmost distinction and integrity as he worked in  
18 support of the Board's mission. His meaningful work  
19 touched the lives of so many. Loren's warmth and  
20 commitment will be long remembered and he will be  
21 deeply missed by us here at the Board.

22 I now have the honor of calling the 1,043rd  
23 meeting of the Full Board to order. Madam Secretary,  
24 will you please call attendance?

1                   LAURA INGLIS:       Vice Chair Foster.  
2                   FREIDA FOSTER:       Here.  
3                   LAURA INGLIS:       Board Member Higgins.  
4                   MARK HIGGINS:       Here.  
5                   LAURA INGLIS:       Board Member Williams.  
6                   SAMUEL WILLIAMS:       Here.  
7                   LAURA INGLIS:       Board Member Hull.  
8                   LINDA HULL:       Here.  
9                   LAURA INGLIS:       Board Member Crain.  
10                  STEVEN CRAIN:       Here.  
11                  LAURA INGLIS:       Board Member Stasko.  
12                  MARK STASKO:       Here.  
13                  LAURA INGLIS:       Board Member Tavares.  
14                  ARELIS TAVARES:       Here.  
15                  LAURA INGLIS:       Board Member Caggianelli.  
16                  PAMELA CAGGIANELLI:       Here.  
17                  LAURA INGLIS:       Board Member Dilan.  
18                  MARTIN DILAN:       Here.  
19                  LAURA INGLIS:       Board Member Delgado.  
20                  RENEE DELGADO:       Here.  
21                  LAURA INGLIS:       And Board Member Perez.  
22                  GLORIBELLE PEREZ:       Here.  
23                  LAURA INGLIS:       Madam Chair, Board Member  
24                  Tavares is joining us remotely today.

1 CLARISSA RODRIGUEZ: Okay. Thank you, Madam  
2 Secretary.

3 Agenda Item 1, Board Members, you have all  
4 received a copy of the April 15th, 2025 Board meeting  
5 minutes for your review. Are there any questions or  
6 need for a discussion? Hearing none, is there a  
7 motion to accept the Board meeting minutes?

8 MARK STASKO: Yes, Madam Chair. I move that  
9 we accept the Board meeting minutes.

10 CLARISSA RODRIGUEZ: Thank you --

11 MARK STASKO: This is Mark Stasko.

12 CLARISSA RODRIGUEZ: -- Board Member Stasko,  
13 thank you. Is there a second?

14 LINDA HULL: This is Board Member Hull, and  
15 I second that motion.

16 CLARISSA RODRIGUEZ: Thank you, Board Member  
17 Hull, for that second. Is there any opposition to the  
18 motion? Okay. Hearing no opposition, Board Members  
19 all in flav -- in favor, please say aye.

20 ALL: Aye.

21 CLARISSA RODRIGUEZ: All opposed? Okay.  
22 Hearing no opposition, I am also a yes. That motion  
23 is passed. Thank you.

24 Agenda Item 2, Office of General Counsel's

1 Departmental Report. Acting General Counsel,  
2 Keith Longden, will now present the Office of General  
3 Counsel's Departmental Report for the month of April.  
4 Morning.

5 KEITH LONGDEN: Thank you, Chair Rodriguez.  
6 Good morning. The following is a statistical analysis  
7 for the month of April 2025 of the three divisions  
8 within the Office of General Counsel responsible for  
9 deciding issues and claims.

10 The Adjudication Division during the month of  
11 April held 18,338 hearings, resolved 11,746 claims at  
12 hearings and issued 426 decis -- I'm sorry, 423  
13 Reserve Decisions. They also held 1,446 Pre-Hearing  
14 Conferences and finalized 2,771 Section 32 Waiver  
15 Agreements. Of those, 2,421 were resolved at hearing  
16 and 350 were resolved by desk review.

17 The office of administrative -- I'm sorry. The  
18 Administrative Review Division received 1,110  
19 applications, processed 1,011 applications with a  
20 pending inventory at the end of the month of 8,418  
21 cases.

22 Finally, Legal Affairs Division received 89  
23 applications for Full Board Review, processed 98  
24 applications and with -- for an end-of-month inventory

1 of 215 claims. And that concludes my report. Thank  
2 you.

3 CLARISSA RODRIGUEZ: Okay. Thank you,  
4 Keith. Board Members, are there any questions or need  
5 for a discussion? Okay. Hearing none, may I please  
6 have a motion to accept the Office of General  
7 Counsel's Departmental Report?

8 PAMELA CAGGIANELLI: Madam Chair, this is  
9 Board Member Caggianelli and I move that we accept the  
10 general counsel's departmental report.

11 CLARISSA RODRIGUEZ: Thank you, Board Member  
12 Caggianelli. Is there a second?

13 RENEE DELGADO: Board Member Delgado. I  
14 second.

15 CLARISSA RODRIGUEZ: Thank you, Board Member  
16 Delgado. Is there any opposition to the motion?  
17 Okay. Hearing no opposition, Board Members all in  
18 favor, please say aye.

19 ALL: Aye.

20 CLARISSA RODRIGUEZ: Thank you. All  
21 opposed? Hearing none, I am also a yes. That motion  
22 is passed. Thank you.

23 Agenda Item 3, License Applications. Senior  
24 Attorney, Benjamin Jacobs, will now present the

1           Licensing Applications for the previous month.

2           BENJAMIN JACOBS:       Good morning, Madam Chair,  
3           Madam Vice Chair and Board Members and colleagues.  
4           You have before you the recommendations from the  
5           assigned Board Panel regarding the Licensing  
6           Application listed in Part 3 of today's agenda. Under  
7           Section 50(3-d), CorVel Enterprise, Incorporated,  
8           qualifying officer William S. Jones, Esquire,  
9           three-year -- three-year renewal. I present these  
10          recommendations for the Board -- to the Board for your  
11          consideration. Thank you.

12          CLARISSA RODRIGUEZ:    Thank you. Board  
13          Members, are there any questions or need for a  
14          discussion? Okay. Hearing none, may I please have a  
15          motion to accept the recommendations of the Board  
16          Panels as presented?

17          MARTIN DILAN:        Board Member Dilan, and I  
18          move to accept.

19          CLARISSA RODRIGUEZ:    Thank you.

20          PAMELA CAGGIANELLI:    This is Board Member  
21          Caggianelli, I second.

22          CLARISSA RODRIGUEZ:    Thank you for that  
23          second. Is there any opposition to the motion? Okay.  
24          Hearing no opposition, Board Members all in favor,

1           please say aye.

2                   ALL:        Aye.

3                   CLARISSA RODRIGUEZ:       All opposed?   Okay.   I  
4           am also a yes.   That motion is passed.   Thank you.

5                   Agenda Item 4, Legal Appeals.   We will now --  
6           Keith Longden will now present the recommendations  
7           concerning decisions by the Appellate Division.

8                   KEITH LONGDEN:        Thank you, Chair.

9                   CLARISSA RODRIGUEZ:       Thank you.

10                   KEITH LONGDEN:       On this month's agenda there  
11           are six decisions of the Appellate Division Third  
12           Department from -- involving appeals from Workers'  
13           Compensation Board decisions.   You can find those six  
14           cases in Items 4A through 4F on your agenda.   And it's  
15           the recommendation of the Office of General Counsel  
16           that all six cases be adopted as the decision of the  
17           Board.   Thank you.

18                   CLARISSA RODRIGUEZ:       Okay.   Thank you,  
19           Keith.   May I please have a motion to accept the  
20           recommendations of the Office of General Counsel?

21                   GLORIBELLE PEREZ:       Board Member Perez, I  
22           move to accept the recommendations of the General  
23           Counsel.

24                   CLARISSA RODRIGUEZ:       Thank you, Board Member



1           Perez. Is there a second?

2                   LINDA HULL:       Board Member Hull, I second  
3           that motion.

4                   CLARISSA RODRIGUEZ:       Thank you, Board Member  
5           Hull. Is there any opposition to the motion? Okay.  
6           Hearing no opposition, Board Members all in favor,  
7           please say aye.

8                   ALL:       Aye.

9                   CLARISSA RODRIGUEZ:       All opposed? Okay.  
10          Hearing none, I am also a yes. That motion is passed.  
11          Thank you, Board Members.

12                   Agenda Item 5, Mandatory Full Board Review.  
13          There is nothing to consider this month. So Agenda  
14          Item 6, Discretionary Full Board Review. I now turn  
15          this portion of the agenda over to Vice Chair,  
16          Freida Foster.

17                   FREIDA FOSTER:       Thank you, Madam Chair.  
18          Good morning.

19                   CLARISSA RODRIGUEZ:       Good morning.

20                   FREIDA FOSTER:       For the cases listed in  
21          Item 6 on your agenda, it's been recommended that Full  
22          Board Review be granted. Those cases are 6A, Matter  
23          of Expo Concrete, LLC; 6B, Matter of New York City  
24          Department of Education; and 6C, Matter of City of

1 New York Department. I move to refer the cases back  
2 to their respective Panels for their further  
3 consideration.

4 CLARISSA RODRIGUEZ: Thank you, Vice Chair  
5 Foster. Is there a second?

6 STEVEN CRAIN: Board Member Crain, second.

7 CLARISSA RODRIGUEZ: Thank you, Board Member  
8 Crain, for that second. Is there any opposition to  
9 the motion? Okay. Hearing no opposition, Board  
10 Members all in favor, please say aye.

11 ALL: Aye.

12 CLARISSA RODRIGUEZ: All opposed? Okay. I  
13 am also a yes. That motion is passed. Thank you.

14 Agenda Item 7, is there any other business, Board  
15 Members, before we adjourn today's meeting?

16 MARK HIGGINS: Yes, Madam Chair. I'd like  
17 to say a few words about my friend, Linda Hull. It's  
18 a happy circumstance that you're leaving, but I'm  
19 going to miss you personally. I think we all will.  
20 You're a lot of fun, great to hang out with, really  
21 enjoyed our friendship. You'll be missed and all that  
22 makes you pretty much unforgettable.

23 MARK STASKO: I second that.

24 LINDA HULL: Thank you all. It's been my

1 honor to serve here and to get to know each and every  
2 one of you and the challenges that we all have and  
3 just how hard we work. Again, an honor, honor of a  
4 lifetime. Thank you.

5 MARK HIGGINS: Yeah.

6 LINDA HULL: Thank you, Mark. And you can  
7 sing to me any time.

8 MARK HIGGINS: And just another minute to  
9 address our very, very sad circumstance of losing my  
10 buddy, my friend, Loren Lobban. I didn't know Loren  
11 until he came to the Board and I observed right away  
12 that he was a very sharp and snappy dresser. And I  
13 came to find out quickly after that he had a sharp and  
14 snappy mind to go right along with his manner of  
15 dress. We really enjoyed each other's company.

16 I came to rely on him for advice on possible  
17 dissents or possible non-dissents. His -- he was  
18 always forthcoming with advice and did a lot of  
19 background work to convince me one way or the other to  
20 go. And I just relied upon him. He became a mentor  
21 and a friend and I'll never forget him. And I'm very,  
22 very sad at the passing of our good friend,  
23 Loren Lobban.

24 LINDA HULL: Madam Chair, I might reiterate

1           that, Mark's comments, in that when I first got on the  
2           Board and I worked with Loren for 12 years, he kind of  
3           took me under his wing. And I'd say, oh, I don't like  
4           that case. He goes, Linda, you know, you better take  
5           a second look.

6                     And you know what I liked the best about Loren is  
7           he -- he never hesitated to say what was on his  
8           mind --

9                     MARK HIGGINS:         Right.

10                    LINDA HULL:         -- regardless of the political  
11           stature of the person in the room or who that person  
12           was, Loren didn't hesitate to say what he was  
13           thinking. And, you know, we were all the stronger for  
14           that, I think, in many ways. But I found him to have  
15           a curious mind and the warmest of hearts and I just  
16           love the guy and I'll miss him.

17                    UNIDENTIFIED SPEAKER:     Yes.

18                    FREIDA FOSTER:         I'd like to also say we know  
19           Loren was the snappy dresser for sure. I served with  
20           Loren and his Tic Tacs for 15 years.

21                    CLARISSA RODRIGUEZ:       He always had those  
22           things.

23                    FREIDA FOSTER:         For 15 years, yes.  
24           Distinguished gentleman, the consummate professional.

1           You know, he will -- he may be gone but he will not be  
2           forgotten. He took a lot of people under his wing  
3           here and he was a valuable member of this team. And I  
4           think his loss will be felt. And good luck to you,  
5           madam, for leaving and for going off into the  
6           retirement world.

7                   LINDA HULL:           Just when I got the promotion.  
8           Thank you.

9                   FREIDA FOSTER:        Yeah. Congratulations.

10                  LINDA HULL:        Thank you, Freida.

11                  MARK STASKO:        I'd like to say about Loren  
12           that I found him a very kind and generous person and a  
13           gentleman always willing to share his thoughts, which  
14           I many, many times agreed with after the original  
15           disagreement, kind of like Linda. Yeah, he'll be  
16           missed.

17                  SAMUEL WILLIAMS:      Briefly, briefly. He was  
18           a good person.

19                  CLARISSA RODRIGUEZ:    Yeah. That sums it up.  
20           He really was.

21                  MARTIN DILAN:        I -- I just want to say that  
22           I, you know, offer my condolences to his family. And  
23           I do want to say that I remember my first year on the  
24           Board when I first rejected an item after many

1           approvals. I did receive a call from him and he was  
2           very supportive and gave advice and I really  
3           appreciated that and he will be sorely missed.

4           CLARISSA RODRIGUEZ:       Thank you. Thank you  
5           all for sharing your sentiments about Loren. He was  
6           always one of my biggest supporters and he --

7           UNIDENTIFIED SPEAKER:       Absolutely.

8           CLARISSA RODRIGUEZ:       -- he would tell me so  
9           often, you know, he -- he -- he did appreciate the --  
10          the challenges of this position and it was nice to  
11          know that I had his support throughout, you know, as  
12          more than just a colleague but as a friend.

13          And I feel similarly about Linda. Linda was  
14          always very much a good sounding board for me and  
15          someone I relied on and, you know, I think that the  
16          Board is going to be a different place without the two  
17          of you. But I know that we have wonderful colleagues  
18          around the room that are just as dedicated to the work  
19          and to New Yorkers everywhere. And there he is. I'm  
20          sure he's smiling -- smiling down on us from wherever  
21          you are. Hopefully a much better place, Loren.

22          With that, thank you all so much for your remarks  
23          and I guess we'll adjourn today's meeting. May I  
24          please have a motion to do so?

1                   LINDA HULL:        I move to adjourn this meeting.  
2                   CLARISSA RODRIGUEZ:        Yes, thank you.  
3                   MARK HIGGINS:        Second.  
4                   CLARISSA RODRIGUEZ:        Thank you for that  
5 second. Any opposition? Okay. Hearing no  
6 opposition, Board Members all in favor, please say  
7 aye.  
8                   ALL:        Aye.  
9                   CLARISSA RODRIGUEZ:        Thank you. All  
10 opposed? Hearing no opposition, that motion is  
11 passed. Meeting adjourned. Thank you all. Have a  
12 good day.  
13                   WHEREUPON, THE MEETING WAS ADJOURNED.  
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