

AGENDA

OREGON OFFICE OF ADMINISTRATIVE HEARINGS OVERSIGHT COMMITTEE

	Oregon Office of Administrative Hearings Oversight Committee Meeting					
Date/time:	January 13, 2023 10:30 am					
Location:	Microsoft Teams Click here to join the meeting					
Attendees:						
	Rep. Paul Holvey, Chair		Gov. Appt. Vacant		Sen. Janeen Sollman	Rema Bergin
	J. Kevin Shuba, Vice Ch		Rep. Ron Noble		Renee Stineman	Robert Unger
	Denise Fjordbeck		Jeff Rhoades		Sen. Kim Thatcher	

AGENDA

	Topic	Desired Outcome	Time	Presenter
1.	Welcome	Informational	10:30 am	Chair Holvey
2.	Bylaws & Staffing	Informational	10:35 am	Chair Holvey
3.	Draft LC 1462	Information & Discussion	10:45 am	Chair Holvey
4.	KPMs	Information & Discussion	11:15 am	Jeffrey Rhoades, Chief ALJ
5.	Unemployment Hearings Backlog	Informational	11:30 am	Jeffrey Rhoades, Chief ALJ John Lohuis, Presiding ALJ
6.	Agency Use of Certified Mail	Informational	11:40 am	Jeffrey Rhoades, Chief ALJ
7.	Roundtable	Informational	11:50 am	Committee Members
8.	Public Comment Period – 3 minutes each	Informational	11:55 am	Citizens
9.	Adjourn		12:00 pm	Chair Holvey

**Office of Administrative Hearings (OAH)
Oversight Committee Minutes
January 13, 2023**

Committee and Staff Present

Rep. Paul Holvey, Chair of the Committee
J. Kevin Shuba, Garrett, Hemann, Robertson, PC, Vice Chair
Sen. Janeen Sollman
Denise Fjordbeck, Oregon Department of Justice
Renee Stineman, Oregon Department of Justice
Jeffrey Rhoades, Chief Administrative Law Judge, OAH
Robert Unger, Rep. Holvey Chief of Staff
Rema Bergin, Executive Assistant to Mr. Rhoades, OAH Staff

Other Attendees: John Lohuis, Michelle Morales, Monica Whitaker, Laurel Drawson

Call to Order

The meeting was called to order at 10:30 a.m. by Chair Paul Holvey

Approval of Minutes

Minutes were approved via email on April 6, 2023

LC1462 & Bylaws

Rep. Holvey opened the public meeting of the Office of Administrative Hearings Oversight Committee. It is January 13th noting that attendees are Denise Fjordbeck Kevin Shuba, Senator Sollman and Rep. Holvey representing the Oversight Committee and Jeff Rhoades, the Chief Administrative Law Judge and ex-officio member of the committee. We're going to proceed with our public hearing portion. We may not be able to take any votes if we intended to. We'll have to wait and see if we have a quorum for voting.

Mr. Rhoades - In reviewing the bylaws it appears that while we do need a quorum for voting on matters, we should be able to hear matters in an informational capacity without a quorum. So we can certainly proceed with KPM discussion. Senator Sollman, we have a responsive discussion to your very good question about certified mail and a few other agenda items. So and unless I'm misreading this, we can still proceed in an informational capacity at the very least.

Rep. Holvey – Yes, I think our bylaws are silent to that. Certainly in the legislature, you're allowed to proceed with public hearings without a quorum you just can't vote or do work sessions without a quorum. I'm going to make a judgment call that would allow us to continue with the information and public hearing portion. Without a quorum recognizing that we have four out of the eight as well as the ex-officio Mr. Rhoades, if anybody objects to that let please let me know. No objections.

We're going to proceed with our public hearing portion. We may not be able to take any votes if we intended to. I will have to wait and see if anybody shows up to provide us a quorum for voting. So with that, we'll skip straight to the bylaws that we approved on August 30th. Rema has sent those out to us and one of the issues that we didn't incorporate into the bylaws because our statutes would not allow us was to identify that the Office of Administrative Hearings actually staffs the Oversight Committee is not currently in statute. It's the Employment Department and so we are seeking that change. Of course, bylaws are a living document and we can entertain other changes as we go along. I think that there might be some things we could do and I might speak to that in a few minutes. One of the things I think we'll just skip right to is the draft LC1462 which I've submitted for drafting but have not introduced the bill yet. I told my staff not to introduce them quite yet because I did want chance to go through the proposal with the committee. You all should have received the draft LC. We decided that we needed to modernize our bylaws a little bit process wise of when we were appointing the new Chief ALJ. I was a little bit taken back by the process that the governor took as opposed to what our statutory obligations seem to be.

I just want to start out, this has really nothing to do with the qualifications of Mr. Rhoades who very well may have been the pick anyway had we gone through past processes. Having been on this committee and knowing the past practices of how we've transitioned from one Chief ALJ to the next, I decided that we needed a little better clarification to make sure that the intent of these statutes provided the Office of Administrative Hearings Oversight Committee the opportunity to make those recommendations in a practical way, as we have in the past. There are a few minor or maybe major changes depending on what seat you're in about that process. One of the one of the pieces I wanted to go through was after this process and seeing how it's potential that a Chief ALJ can be appointed without a recommendation from this Oversight Committee, that there was no real check or balance from the governor's office appointment. So I have added a provision that the appointment of the chief administrative law judge would be subject to confirmation by the Senate, which is pretty common with a lot of boards and commissions.

That's one of the first pieces and added a bit of experience requirements because we all assumed the chief administrative law judge would have the same qualifications as an administrative law judge in general, but that's not entirely clear in this statute. So wanted to make sure that a chief administrative law judge has the same qualifications as an administrative law judge that the chief oversees so that was one of those points. For many years but some of us know that over the years we tried to insulate the chief administrative law judge from political pressure with the job from the governor's office and so we put in a provision where the chief administrative law judge could only be removed for cause. The term of office for a chief administrative law judge is four years, so at the end of those four years the chief administrative law judge either has to be newly appointed or reappointed at the end of that four year term.

I also wanted to ensure with a little more language that the Employment Department would conduct a public candidate search for recruitment and assist the oversight committee with the interviews and reviewing the applications and then being able to make those recommendations to the governor to fill the vacancy. I believe that was it. I think with the other piece that I already spoke to that we left out of our bylaws was ensuring that. The Office of Administrative Hearings will provide committee staff for this oversight committee so that change has been made in in the proposed statute and also to clarify that the Employment Department shall continue to provide those human resource services and assist the committee with candidate searches.

I have not explored this and don't know how the committee will consider this and whether how important it would be, but it occurred to me that this committee is subject to public meetings laws and I am not certain that we would have the ability to enter into an executive session to have conversations about the recommendations that the committee would want to make so they could we could have a back and forth that wasn't an awkward conversation in a public session I would like the committee to think about. I haven't checked it with Legislative Council and there's plenty of attorneys on here that may have different thoughts about that, and I don't know that it's a burning issue and really necessary, but it was a question

that was posed to me and it made me think that there could be scenarios where it would be difficult for the committee to have a conversation with each other about this. While we're in a public meeting it does potentially take away from candid conversations that the committee may want to have. I think that is where I'm at with that draft and I would be asking the committee whether or not they would support introducing this draft. So with that I'm going to Jeff Rhoades.

Mr. Rhoades - Thank you, Mr. Chair, first I want say there are really good ideas in this LC. Of course as you know, we've no problem staffing this committee, think that makes good sense and we're more than happy to do that.

Also the caveat is that my comments are not an official position on the bill. I'm an ex-officio member. I'm just here to provide expertise and helpful commentary to you all so please don't take any of this as a position or anything like that at this time. The provision making sure the chief has experience with administrative law, I think that makes great sense and really would be a fantastic protection and guardrails on the position. So all of that is makes really good sense to me. The issues with appointment/reappointment no position on that. The one thing though that I do want to raise is that I believe it's of paramount importance that the Office of Administrative Hearings be viewed as a neutral arbiter by Oregonians and that we be viewed as one that we're an independent decision maker in any hearing that we're appearing in front of. In fact, when I conduct UI hearings myself, one of the things I say and opening statement is that I'm here as a neutral arbiter, as an independent decision maker. I'm not bound by the administrative decision of the agency.

Because it's the essence of what we're doing that Oregonians can rely on us for that neutrality. So the one part that I would advise the committee to at least take a look at is the Employment Department being the entity in charge of the candidate search. I know that there are and Mr. Chair, you and I discussed this briefly when we were having a conversation about the agenda. There are other places in state government that we might look, to provide that staffing. I do think that it makes great sense for this committee to have support in that process because otherwise it would be incredibly difficult to do so. The thing that does give me pause is further tethering of the Office of Administrative Hearings to the Oregon Employment Department, and in my judgment, I believe we should be going the other way, which is to be more neutral, if at all possible. And the only other thing I would raise is that the Office of Administrative Hearings, while you know, unemployment insurance and our work with OED, remains the most important work we do because of its volume.

Also the fact that that's where we bill the bulk of the billing that goes to OED and thus our budgetary impacts are greatly dependent upon our relationship with OED. We do work with over 70 state agencies across the enterprise so I do want to make sure that we're not viewed as just part of the Employment Department, we are separate, we are independent and we are neutral. And when I look at some of those incredibly important cases that we preside over other agencies we work with, we're talking about water rights disputes, working with DEQ, child support. These are incredibly important issues to Oregonians and I think as a central panel it's important for us to remain a completely neutral body that's not part of the Employment Department or part of any state agency really, so that those are just some thoughts I had looking this over and other than that no issues. Of course I haven't been able to confer with the new governor's office or DAS on this yet. So no position coming from me officially, but just some food for thought for the committee members, while you consider the draft. Thank you.

Rep. Holvey - Thanks for that input Jeff. We did discuss that and did have a conversation about whether it should be the Office of Executive Appointments from the governor's office. And I thought really hard about that and frankly landed that I would prefer the Employment Department as opposed to the governor's office because the political pressure that drove us to. The clause that doesn't allow the Chief ALJ to be removed from office without cause only was really to isolate the political pressure from the

governor's office on decisions and felt like from my seat and agency that the Employment Department has been doing this since the inception of this committee and is more responsive to the legislature's authority and accountability to the legislature, then governor's office, particularly now. I'm not trying to indict anyone in this conversation, but that's kind of how I landed and so short of the candidate search being done outside of the executive branch, I would have to look for the judicial branch or the legislative branch to conduct those candidate searches. So that's something we might think about.

Denise Fjordbeck - I'm not recalling that was a public hearing and so I'm wondering if some work may have been done at that time about whether we could do an executive session or not, because I recall the discussions that we had were pretty frank about the prospective candidates. Maybe the Legislative Council can help track that down on candidates. The other thing I wanted to say was to express support for the bill. I do think it's important. The process that we've used in the past was a good process. I think it's important to have that process and it's important for this committee to have some input into the appointment process and that's obviously no reflection on Jeff in any way. He was not in charge of that process and the circumstances were unusual to say the least. But I think going forward a set procedure for how that happens is important and is a good idea.

Rep. Holvey - Yes, and thank you Denise. As I recall, I believe that our last appointment process was in a public meeting scenario. It was in Room 470, I believe of the legislative west wing. That's my recollection when I went back to look for that, I didn't see any provision for executive consideration, session type of consideration. Like I said, I have not explored this yet with Legislative Council, but they may show me wrong. It could be in some other chapter somewhere that it's covered. And my memory doesn't go back far enough. Denise, I've been on the committee a long time too, whether in the past we've done several candidate interviews, and I'd I quite frankly, don't remember whether there were. It seemed like when they were in the Employment Department building, we might have gone to executives, sort of conversations. And I sort of remember that, but I can't find any record of that. I don't know if Jeff Rhoades and staff can go back far enough to find anything like that, Mr. Shuba, do you recall?

Mr. Shuba - I recall we did go into an executive session for those interviews. I don't know whether how carefully that was researched before we did it, I don't know. And Ms. Stineman is here now we could endorse the legislative concept as a group. Is that appropriate to take it up now? Or do you want to wait for further in the agenda?

Rep. Holvey - Now that we have Renee, we have a quorum, so we could move but we can wait till we have a little bit more conversation on it, I think and we'll get to it unless one of our committee members is on a time schedule that has to leave.

Mr. Shuba - Last question, rather than the governor's office, is there an option for the Department of Administrative Services to do a candidate search for us rather than the governor's office? That's a little bit less political, a little more of an executive department but I don't know whether they do candidate searches for high level positions, and I don't know how large a staff they have for that.

Mr. Rhoades - Mr. Chair, if I may I would like to make that exact suggestion. I was going to suggest the Department of Administrative Services for that very same reason, and they do absolutely have the resources available to do so, as well as assist this committee with staffing. And so Vice Chair Shuba, I think that that makes a lot of sense. One more one more thing, Mr. Chair. I know Rema, may be the longest serving member of this committee. As I understand it, she's been here since before we were a central panel. Rema. I don't know if you have the institutional knowledge to answer any of the questions as well, but certainly wanted to give you an opportunity to weigh in if you do.

Rema Bergin – Yes since 2000 with first Chief, Tom Ewing. I have all the information going back to then and can get that for you if you'd like.

Rep. Holvey - I think the DAS suggestion may be one we definitely want to consider and of course we can make amendments to this legislation as it goes along and I anticipate a couple but would still, as Denise said, I think it's important that you know this committee weigh in on introducing a draft to modernize. We'll have to perhaps bring the committee back together in the process, or at least send out some information about the process and what amendments are being proposed to the legislation. I want to make sure the committee is aware of any changes that are made and has an opportunity to weigh in on that as well. That would be my intent anyway. Would the committee want to request this legislation be introduced? That would be my preference and we can work on clarifying these things as Mr. Rhoades and others have laid out, perhaps with DAS as opposed to the Employment Department. DAS never has any hearings in front of the Office of Administrative Hearings I don't believe. Then there's the option of executive appointments in the governor's office that Mr. Rhoades was also talking to me about earlier. So that's a potential and of course, there's other branches of government that also can do that. If there is concern about it or perception of improper influence by agencies. And I'm saying that in light of I have never seen any sort of influence in the past from the Employment Department. In this process they basically put out the request for the people to apply for the vacancy and turned over those candidate selections to this committee. I've never received any sort of preference or any sort of communication from the Employment Department about who they would prefer as opposed to who they don't prefer. So I just want to make that perfectly clear too. Does anyone have any comments on this? Not hearing any we will move to a motion that the Office of Administrative Hearings Oversight Committee would like legislation introduced at their request to modernize the Office of Administrative Hearings Oversight Committee and its processes. That we expect that there would be potential amendments presented that will be presented back to the committee to make sure they're informed of the bill going forward. So that would be my motion and are there any other? Is there any discussion on that motion?

Sen Sollman - You need a second.

Rep. Holvey - That's a good point. Do we need a second in this particular committee? We don't take seconds in Mason's manual and the legislature, but that's legislative procedure. This is an executive function. So I'm guessing they probably do seconds.

Sen Sollman – I offer to second the motion.

Rep. Holvey - Thank you, Senator Sollman seconded the motion. So now is there discussion about that motion or any thoughts about wording it better. All right, thank you. Sen. Sollman?

Sen. Sollman - Thank you Chair Holvey. I just wanted to say how much I appreciate your eye for looking at process of things and making sure that it's very clear in that and moving us forward. I just appreciate that distinction in your work. So I really wanted to just say that.

Rep. Holvey - Thank you. Any other discussion on the motion? Hearing none, if all those in favor could say aye.

Mr., Shuba – Aye
Ms. Fjordbeck – Aye
Sen. Sollman – Aye
Ms. Stineman - Aye
Rep. Holvey - Aye

Rep. Holvey - Motion passes so the bill will be introduced fairly soon and we'll start in earnest with the discussions of potential amendments that we may want to make with this. I have alerted the governor's office of this draft as well. So they are also aware of the language that's in it and I'll be seeking their input as well, just for the record. I think we can close that work session that proposed legislation. LC1462 was a legislative concept that we were referencing. It will be assigned a bill number right after introduction and we will get that bill number to you all very quickly. So you can all track its progress if you wish on the Oregon Legislative Information System. If you are not aware of that particular system, it is really a great system to track legislation.

KPMs

Rep. Holvey - We asked Jeff regarding one of the functions of this committee is really trying to track how we're doing as an agency with the public, with the workload. And they do have KPMS that they do report to the Ways and Means Committee and the legislature that also tracks their budget and their needs as well and authorizes FTE and the like. Jeff, I'm going turn over the KPM's to you and I believe Rema sent out some charts with the KPMs. I will say that my request would bet here's a lot of acronyms in there. At some point, if we could get a sheet that shows us which agency those particular initials or stand for would be helpful. (Rema to send out list.)

Mr. Rhoades – Went over the KPMs and overview of them.

Rep. Holvey - Jeff, do we have numbers from 2018 and 2019 that are pre-pandemic that might reflect closer to what historically we've been at with the UI?

Mr. Rhoades - We do have those and can certainly pull them. They are absolutely available and that's something that we can provide to this committee after in e-mail.

Rep. Holvey - That would be great. I just think to give us, especially with newer Members, the context of historically how we how we've been with the KPMs in year years past and I speak specifically pre-pandemic when we had a more normal economy perhaps.

Mr. Rhoades - Absolutely makes perfect sense, Mr. Chair. We'll accommodate that.

Rep. Holvey - I'm not certain what the targets to follow up, are they different? I assume that different agencies have different targets for their KPM's.

Mr. Rhoades - That's correct, Mr. Chair. The standards that are established by our user agencies does vary from agency to agency depending on the matter. So absolutely the case.

Rep. Holvey - I just think that would be helpful, especially to my Department of Justice colleagues to know which agency is further away from their targets. And I know that those targets are established with the coordination with the Joint Ways and Means Committee as well when they look at these numbers. So for us, I think that granularity on the targets for the individual agencies, whether it's KPM 8 or 9 would be helpful and thank you for pointing out those numbers.

Mr. Rhoades - Absolutely, Mr. Chair. We'll look into that and see if we can break this down to a more granular level to be of service to you. It would be my pleasure. Just really quick a little bit of history. We have talked about this in the past, but just to set the context for where we are immediately following the onset of the COVID-19 pandemic, we really saw those employment referrals coming over from OED slow to a standstill and that was a result of the crush of business and the need to reprioritize resources on processing initial claims, paying benefits as quickly as possible, but to be sure, as this work was being

done, a big backlog of UI appeals was building up and building up. As that came unstuck and pushed into the system to the office of Administrative Hearings starting in December of 2020, we started to build up a backlog in tandem. And certainly this is something that we've seen across the country with other central panels. I've confirmed with my counterpart in Washington, they've experienced similar issues coming out of the pandemic and so the volume of cases was just such a magnitude that we were overwhelmed in a matter of weeks during the pandemic.

When we changed leadership at OAH, the first thing that I made the number one priority was to initiate a recruitment for additional UI judges and to make eliminating the backlog the number one priority for the agency. We've got Oregonians that have been waiting longer than a year to have their cases heard, and it is an issue with access to justice. It's not acceptable that they should be waiting so long to have these claims heard. We needed to get started right away, getting up and running with a much bigger workforce towards clearing this backlog. So what we did was initiate a recruitment immediately and this recruitment, the effect of which it doubled the size of our UI program, which was certainly what we needed in order to clear this backlog, of course. And I've talked about this in the past, we, we got creative as well cross training ALJs from other program areas to conduct UI hearings. Expanding the hours that we offer UI hearings, asking more of our judges to take on increased caseloads, leveraging temporary employees, bringing back retired LJ's to leverage that experience. All of this helped, but certainly nothing as big of an impact as the new recruitment. And I must say a fantastic group of ALJs that we got out of this recruitment and incredibly diverse panel and just they've been really doing a fantastic job thus far. Mr. Rhoades went on to his presentation.

Certified Mail

Mr. Rhoades - There are certain agencies that require by rule service for contested case documents to be served via personal service or by certified mail. One of those, for example, is DEQ. Another is our special education cases are required to be sent via registered or certified mail. Both of these are contained within the OAR's. They are not statutory and so could be changed by administrative rule. One of the things that I want to caution in terms of my role in this is; as I went back and forth with our presiding judge, of course, access to justice, as I said is of paramount importance to us, but we also don't know if it's appropriate and I would take the advice of this committee as well for the Office of Administrative hearings to be mandating how agencies want to do this piece of the business. I think it's more appropriate for, for example, the oversight committee to be the one to say, you should be doing this and that way we can stay in the role of a neutral.

I just believe that's so important that when Oregonians come to us, they believe they're going to get a neutral decision maker. So with that, those do exist out there and certainly could be changed by statute, could be changed by rule. There are a number of ways to do that. Lastly, if our hearing coordinators have not obtained consent from appellate and respondents to receive documents via electronic mail, RLG's and the ABC program asked them during prehearing conferences as well if they would be willing to accept service in such a fashion. So we don't just take one bite at the apple we keep trying to figure out a way to make it more appropriate and easier for folks to interface with us. Of course, as I said though, there are certain agencies out there where there are rules in place preventing us from doing so. So with that, I'll step back and hopefully we can have a discussion. Thank you, Mr. Chair.

Sen. Sollman - Thank you, Mr. Chair and thank you so much for looking into this. I appreciate it. I am wondering if the agencies that are having a difficult time with this, this idea of this change. Is it because the information that they are putting through is sensitive to nature? You know, sensitive in nature, so they're worried about it going to somebody who should not be able to see it? And the reason I ask that is, you know, in today's world, if I get a message from my doctor, my doctor sends me a text. I have to click on the link and then I have to put in private information. In order for that message to be

released to me and people would have to be privy to that. So I am wondering if you know, through a court procedure, if there's something that somebody signs to give this information and then there could be some sort of protected portal type of link, so that if it is sensitive information, we do want make sure it's getting to that person. I'm going to be crystal clear with you. I've been sitting here during this meeting, listening to you all and sorting through about two weeks worth of mail. It just collects and I feel like today's society, we are so much more electronic and ready and responding to that. I'm hopeful that we can figure that out for convenience and to figure that out for cost savings as well. So thank you.

Rep. Holvey - That is a great observation and you know, I guess for from my seat, I would want to know specifically which agencies are either by statute or rule are. We would have to have a little bit of research done on each of those agencies that use certified mail and understand the reasons they do, whether it's just they don't have to. But statute says they do or rule says they do, but it's not really a major legal consideration, but I imagine there's some agencies that see a legal consideration that compels them to use certified mail. And that's a different thing. And after saying all of that. I think I would not put this into the same bill that we were have been discussing because a bill to consider the use of certified mail for different agencies may need to go to the Judiciary Committee to examine those legal reasoning for the use of certified mail. I do not know that, but that would be my guess. So if we were to get some feedback on that, Jeff so we can understand because legislative session starts here pretty quick and we don't have a lot of room. We have a month or two to come up with a proposal if we're going to have one. This may be something that we have to not take action on this session. Or maybe we need more time to examine the reasons for use of certified mail amongst different agencies. I just don't have a good handle on why.

Mr. Rhoades - Thank you, Mr. Chair. I think Senator Sollman got to one of the critical pieces, which is sensitivity of information depending on which case type we're talking about. And I'll give you an example. Our special education cases or required by rule to utilize certified and registered mail. And I think we all can imagine why that would be the case. There's extremely sensitive documents that are part of that and I'm certain that if you heard from the agency, they'd say that is why we have this requirement. For our part, as this committee considers whether or not to put forward legislation, I can say that we will continue to work with our partner agencies to get consent for this process as we've done in the past and that long list of agencies that I hope to despair you from. That's what we do with them. And indeed, we will continue to do that. That being said, we're happy to provide any service or expertise that you would like for which agencies have rules or I don't believe we found any statutory requirements. These were administrative requirements, but we'll double check on that order to require this. Happy to help with that going forward. But I would imagine to your point, Mr. Chair, Judiciary does sound like where this might end up. And of course, we haven't spoken to every partner agency about this issue. It might even believe this committee to have representatives from those agencies come before you to explain why they leverage this process or not. We can certainly surmise for our part, but again it didn't feel like the right process for the Office of Administrative Hearings to be reaching out and making demands of agencies on how they're going to request service, because we want to stay in that role of neutrality.

Rep. Holvey - It's reassuring that it's not driven by statute and somebody's forced to do something that they don't feel necessary and much more comfortable that they're doing this by rule because they've determined that they need to for some of those reasons that. So it's not quite as imperative to me or now that you've said that, Denise, your thoughts?

Denise Fjordbeck - It is one thing to use certified mail for professional licensure. A medical doctor is likely to have to pick up his certified mail for people that may have disabilities or maybe economically disadvantaged going to the post office to pick up mail is a big deal. A lot of those same people don't have reliable Internet access and don't have computers. So getting them notice at all is difficult, and I don't have an answer for that, but I think we need to approach carefully. There are there are circumstances

where I think certified mail is appropriate and you know really necessary and other circumstances where it's really not. But we have to be certain that when something is happening to someone and you know in terms of benefits or licensure or whatever that they are getting notice. I don't think there's a one-size-fits-all answer for that with all programs and all people.

Rep. Holvey - I really appreciate that. I think that's kind of what I was thinking too. I just want to make sure that our agencies have the flexibility to make those communications however they think is necessary and that we don't have statutory restrictions or mandates on how they do it.

Sen. Sollman - Thank you Chair Holvey, and I appreciate this conversation and I want to say thank you so much to Denise for just mentioning that because you know, in light of when my community mailbox was broken into and for about three months we had to go get our mail, we discovered that we had to go to the post office. It wasn't. We had the luxury of driving our car, but we weren't the only ones affected by this because it was a whole string of people in the area and it was not accessible right directly in front of the post office to public transportation. So I appreciate Denise mentioning that and I appreciate knowing that this might not have to be a statutory change and that hopefully our agencies, when we're talking about and thinking about people's lives and experiences, that this is a practice that has been done for many years because it's just the way it's been done. Hopefully this conversation has really engaged them in a thought process to say, how we could better serve the people that are in front of us to be able to give them options and an option at the time for when, how they're going to get their documents. Because I think there are significant hurdles to be thought of here. And I appreciate the discussion. Thank you.

Rep. Holvey - Any other thoughts on certified mail? Other than I think we'll continue to have some conversation about it Mr. Rhoades can try to try to figure out how we want to try to communicate, perhaps from this Oversight Committee to those agencies expressing our support for having flexibility but also ensuring that the communication can happen and be accessible to people.

Roundtable

Rep. Holvey – I'll just say that during this session, I may request another meeting for the committee to be updated. Or I may just ask Jeff and Rema to send out a communication on the status of what we're what we're doing and potentially, maybe my office will send something out as well to Jeff and Rema or and to the whole committee perhaps on the potential amendments in those in those discussions and certainly if the committee members want to regroup and have a public meeting again to discuss this as a group.

Meeting Adjourned – 12:07 pm