



MEMORANDUM

Council Agenda
Item No. IX. AR
12/17/2024

The City of OKLAHOMA CITY

TO: Mayor and City Council

FROM: Craig Freeman, City Manager

Joint Resolution with the Oklahoma City Municipal Facilities Authority directing the Director of Risk Management and the Trust's legal counsel not to appeal the Order of the Workers' Compensation Commission Claim No. CM3-2024-01721F, styled: *Christopher Blankinship, Claimant vs. The City of Oklahoma City, Respondent*, an Own Risk Carrier, and authorizing payment to the Claimant of permanent partial disability benefits, attorney fees, less an assessment for the Multiple Injury Trust Fund; authorizing payment of costs and fees for the Respondent.

Background:

The Claimant, Christopher Blankinship is 50 years old and a 24-year employee of The City of Oklahoma City. At the time of the injury he was assigned to the Fire Department as a Major. As of June 1, 2024 the Claimant retired from the city.

The Claimant sustained an undisputed accidental injury on December 7, 2023 to his low back, upper back, and right knee. The Claimant required surgery to his right knee on February 16, 2024.

The Claimant was evaluated by Dr. Lance E. Rosson on behalf of his attorney and found to have the following permanent partial impairment: low back 25%, upper back 3%, right knee 39%. The Claimant was also evaluated by Dr. William D. Jones on behalf of the City and found to have the following permanent partial impairment: low back 6%, upper back 2%, right knee 7%.

On November 20, 2024, Judge P. Blair McMillin, of the Workers' Compensation Commission, awarded Claimant the following permanent partial disability: lower back 6%, upper back 2%, right knee 17%. entitling Claimant to 75.55 weeks of compensation at \$360 per week, totaling \$27,198, of which 25 weeks have accrued and shall be paid in a lump sum of \$9,000.

The settlement further calls for a 3% assessment of the PPD award in the sum of \$815.94 be deducted and paid on behalf of the Claimant for the Multiple Injury Trust Fund Tax, making the lump sum award \$26,382.06. The Commission further ordered \$5,439.60 or 20% of the PPD award be deducted from the award and paid in a lump sum to the Claimant's attorney as a fair and reasonable fee. In addition, the City will pay Court costs of \$140, a Special Occupational Health and Safety Tax Fund, representing .75% of the permanent partial disability award in the sum of \$203.99 and the Workers' Compensation Administration Fund, representing 2% of the permanent partial disability award in the sum of \$543.96.

This item has been reviewed and approved by the City's contract attorney, Hornbeek, Vitali & Braun, law office located at 3711 North Classen Boulevard, Oklahoma City, Oklahoma 73118 and Claimant's attorney, Jeffrey Cooper, law office located at 415 Northwest 11th Street, Oklahoma City, Oklahoma 73103.

Permanent Partial Disability Payment ¹	\$27,198.00
Special Occupational Health and Safety Fund Tax ²	\$203.99
Workers' Compensation Administration Fund ²	\$543.96
Workers' Compensation Court Costs ²	\$140.00
City's Total Cost of Award	\$28,085.95

Source of Funds:

¹ DEBT SERVICE-RSTR> OCITY > REDEMPTION OF JUDGEMENTS> DS - JUDGEMENT PRI (1601-9804600-55040007)

² RISK/WORKERS COMPENSATION > OCMFA > RISK MANAGEMENT MFA> WORKER'S COMP CLAIMS (3042-2800750-52190061)

³ GENERAL OPERATIONS-UASN > OCITY >MUN COUN EXEC LEADERSHIP >PROFESSIONAL SVC-LEGAL (1001-1700101-52040001)

Review:

Risk Management

Recommendations: Joint Resolution be adopted.