



# MICHIGAN SELF-INSURERS' ASSOCIATION

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**Gerald M. Marcinkoski**  
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**Board of Managers**

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Steve Ohman  
1<sup>st</sup> Vice Chair

**General Motors Corporation**  
Susan R. Azar  
2<sup>nd</sup> Vice Chair

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Sheila Mahan  
Treasurer

**Varnum Consulting, LLC**  
Libby Child

**Wayne State University**  
Pamela Galloway

**Ford Motor Company**  
Jonathan R. Parker

**Little Caesar Enterprises, Inc.**  
C. Michael Healy

**AT&T Michigan**  
Albert Calille

**Consumers Energy Company**  
Doug Wright

**DTE Energy**  
Douglas A. Green

**FinCor Solutions**  
Janet Kransz

**Marathon Oil Company**  
Barbara Parker

**The Pepsi Bottling Group**  
David Sedlock

**Sherriff-Goslin Company**  
William Ticknor

**Wayne County Airport Authority**  
Leigh Stepaniak

## MINUTES OF BOARD OF MANAGERS' MEETING

March 7, 2008  
Holiday Inn North Campus  
Ann Arbor, Michigan

**Reminder: Minutes are now only available via e-mail or on the website. If you wish to receive the Minutes via e-mail, please provide your name, company name, and e-mail address to Marianne Melton at [mmelton@laceyjones.com](mailto:mmelton@laceyjones.com)**

### Present:

AZAR, S., General Motors Corporation  
CALILLE, A., AT&T Michigan  
CYRULNIK, S., Trinity Health  
GALLOWAY, P., Wayne State University  
HEALY, M. Little Caesar Enterprises, Inc.  
MAHAN, S., City of Grand Rapids  
PARKER, B., Marathon Oil Company  
WRIGHT, D., Consumers Energy Company

### Chairperson's Council:

ZURVALEC, D., Michigan Manufacturers Association

### Not Present:

BLOCK, W., Michigan Chamber of Commerce  
CHILD, L., Varnum Consulting  
GREEN, D., DTE Energy  
KRANSZ, J., FinCor Solutions  
LEVINS, N., Chrysler LLC  
OHMAN, S., Alticor, Inc.  
PARKER, J., Ford Motor Company  
SEDLOCK, D., The Pepsi Bottling Group  
SUSSER, D., Smith Haughey Rice & Roegge  
TICKNOR, B., Sherriff-Goslin Company

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The MSIA Board of Managers' meeting was called to order at 11:45 a.m., by Chairperson Susan Cyrulnik to discuss the following Agenda.

### AGENDA

1. Minutes of Board of Managers' Prior Meeting
2. Treasurer's Report
3. Nominating Committee Report
4. 2008 Spring Conference Report
5. Technology Committee Report
6. *Amicus Curiae* Committee Report
7. Funds Trustees' Report
8. Health Care Committee Report
9. Legislative Committee Report
10. Membership Committee Report
11. Old Business
  - a. Funds Trustee Position
  - b. Letters from the Board to Director Nolish
  - c. Other Old Business
12. New Business
  - a. Additional vacancies on the Board of Magistrates
  - b. WCRI Report
    - i. New Application form
    - ii. New Vocational Rehabilitation Guidelines
  - c. 60 Summit Project meeting
  - d. Other New Business

The **Minutes** from the prior Board of Managers' meeting were approved with a correction upon motion by Ms. Azar, seconded by Ms. Parker. The correction noted that the spring conference is "Dancing With the Comp Stars."

The **Treasurer's Report** was submitted by Ms. Mahan. She indicated that there had been little activity since the prior meeting. Some vendors had begun to sign up for the spring conference and paid their fees. The Treasurer's Report was approved upon motion of Ms. Azar, seconded by Mr. Wright.

The **Nominating Committee Report** was submitted by Mr. Calille. He noted that, while greatly valuing the work the MSIA performs for Michigan employers, Chrysler LLC was resigning its seat from the Board of Managers. Chrysler did express interest in being made a part of the Chairperson's Council. Upon the motion of Ms. Parker, seconded by Mr. Healy, the board accepted the resignation of Chrysler LLC from the Board of Managers and approved their placement on the Chairperson's Council. Ms. Theresa Bartlett, M.D., will be the Chrysler contact person.

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A discussion was held regarding the size of the Chairperson's Council and how many persons might be allowed to be in the Chairperson's Council. For the time being, the matter was left to the discretion of the Board.

Additionally, the Nominating Committee unanimously recommended that the Wayne County Airport Authority be added to the Board of Directors with Leigh Stepaniak as its designate. On the motion of Mr. Calille, seconded by Mr. Healy, the motion was approved.

Finally, the Board discussed by the Board relative to the vacancy created by Chrysler LLC's resignation. Mentioned as possible candidates were some retail concerns, schools or school associations, or employee leasing or temporary help agencies. Any of these types of entities would broaden the Board's membership.

The **Spring Conference Committee Report** was submitted by Mr. Wright. He indicated that the brochures were about finished, and a sample was distributed. The Committee anticipated the brochure being mailed out at the end of March. Twenty-four vendors have already signed on for the conference. Discussion was made relative to online registration. There was also a discussion relative to online registration for the golf outing.

There was also a discussion made regarding the distribution of registration materials. Many Board members have attended conferences in which all of the material is distributed on a CD. Some have been at conferences in which both CDs and printed materials were passed out. A discussion was had relative to perhaps attempting for the Fall Conference of having registration materials available on the MSIA website. Relative to the Spring Conference, a discussion was also had relative to the possibility of having the Grand Traverse Resort pass out the registration packets at the time participants register.

Ms. Azar gave a brief presentation relative to the upcoming Fall Conference. The Board discussed trying to keep all participants in a general session, eliminating the breakout sessions to achieve simplicity and cost reduction. A discussion was had relative to speakers planned at the conference.

In the absence of Ms. Child, no **Technology Committee Report** was given.

The **Amicus Curiae Committee Report** was submitted by Mr. Calille. He noted that the Association has filed *amicus* briefs in the *Stokes v DaimlerChrysler* case relative to the definition of disability and in the *Robertson v DaimlerChrysler* case relative to psychiatric claims. At the present time, all parties are awaiting decisions from the Supreme Court. No action has yet been taken in the *Robertson* matter. The Supreme Court heard oral argument in the *Stokes* matter in October 2007.

The **Funds Trustees' Report** noted that the term of Ms. Child has ended. As yet, no replacement has been selected by the governor. The Board discussed candidates to fill Ms. Child's position.

The **Health Care Advisory Committee Report** was submitted by Ms. Azar. Work on the evidence-based medical proposals are moving forward. At a meeting scheduled for early April, a final proposal is scheduled to be recommended to the Committee of the whole. Finally, it was discussed that Sheila

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Wilkinson, the state employee most responsible for the health care service rules, has not yet been replaced.

The **Legislative Committee Report** was submitted by Mr. Zurvalec. He indicated that the state budget remains tight. However, there was no indication that self-funding the Workers' Compensation Agency is being discussed.

The **Membership Committee** had nothing to report.

Under **Old Business**, discussion was had relative to the Qualifications Advisory Committee. The executive secretary had written the director of the Agency and requested that the Qualifications Advisory Committee meet to qualify additional candidates for magistrate positions. The last Magistrate's list was submitted in October 2006. Since that time, many magistrate positions have been filled. As a result, the list of qualified candidates has shrunk considerably. Additionally, the letter requested that the Qualifications Advisory Committee also undertake in a timely manner its statutory duty to evaluate the performance of each existing workers' compensation magistrate.

The Executive Secretary also sent a letter to the director relative to the draft of the Vocational Rehabilitation Process Notice created on January 18, 2008, and distributed at the Director's Advisory Committee meeting on February 15, 2008. This drafted notice does not require that a vocational rehabilitation hearing be on the record, that is with testimony taken and stenographically recorded. Since a decision of the director's designate is appealed to a magistrate, the absence of a record on appeal may violate the party's right to due process of law because there is no transcribed record of the proceeding to review.

Under **New Business**, the Board noted the draft of the new Application for Mediation or Hearing form. This form does ask the plaintiff to give a description of his educational achievements, as well as list the jobs that he or she had had in the 15 years before their alleged disability commenced.

Also discussed were additional vacancies on the Board of Magistrates. Magistrate Rabaut and Magistrate Sloss will be leaving their positions shortly. Additionally, former Magistrate Nancy Day ultimately turned down an opportunity to return to the Board of Magistrates. These three vacancies, or soon to be vacancies, make more acute the problem presented by the out-dated list of candidates remaining on the last QAC recommendation letter.

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The meeting was then adjourned upon Motion of Mr. Calille, seconded by Ms. Parker at 4:17 p.m.

Respectfully submitted,

*Michael T. Reinholm*

Michael T. Reinholm for  
Gerald M. Marcinkoski  
Executive Secretary