



MICHIGAN SELF-INSURERS' ASSOCIATION

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Leigh Stepaniak

Kelly Services, Inc.
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Meijer
Sherri Miller

Spectrum Health
Stephen Ohman

Parker Hannifin Corporation
Sally Perrin

Kellogg Company
Tara Albaugh

MINUTES OF BOARD OF MANAGERS' MEETING

November 18, 2011
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

Present:

ALBAUGH, T., Kellogg Company
AZAR, S., General Motors LLC
BRUNO, L., AT&T Michigan
CLIMER, L., Amway (by phone)
FISK, T., Trinity Health
GALLOWAY, P., Wayne State University
GREEN, D., DTE Energy
JELKS, M., City of Grand Rapids
OHMAN, S., Spectrum Health Occupational Services
PARKER, B., Marathon Petroleum Company LP
PARKER, J., Ford Motor Company
STEPANIAK, L., Wayne County Airport Authority
WRIGHT, D., Consumers Energy Company
ZIELINSKI, L., Kelly Services, Inc.

Chairperson's Council:

BLOCK, W., Michigan Chamber of Commerce
SUSSER, D., Smith Haughey Rice & Roegge

Not Present:

CHILD, L., Qualifications Advisory Committee
HEALY, M., Ilitch Holdings, Inc.
LEVINS, N., Chrysler Group LLC
MILLER, S., Meijer
NEWBERRY, D., Michigan Manufacturers Association
PERRIN, S., Parker Hannifin Corporation

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The Chairperson, Mr. Jonathan Parker, called the meeting to order at 11:37 a.m. to discuss the following Agenda:

AGENDA

1. Minutes of Board of Managers' Prior Board Meeting
2. Treasurer's Report
3. Membership Committee Report
4. Nominating Committee Report
 - a. Review of MSIA board meeting attendance
5. Funds Trustees' Report
6. *Amicus Curiae* Committee Report
7. Technology Committee Report
8. Health Care Committee Report
9. Legislative Committee Report
 - a. Passage of HB #5002 in the House
 - b. Status of bill in the Senate
10. 2011 Fall Conference Final Report
11. Old Business
 - a. Kids' Chance
 - b. Other Old Business
12. New Business
 - a. Spring Conference for 2012 – Committee Members and Topics
 - b. Schedule of 2012 Meetings – Continue Golf?
 - c. Participation in Self-Insurers survey?
 - d. Other New Business

The **Minutes** were approved, following two corrections, upon motion of Ms. Azar seconded by Mr. Green.

The **Treasurer's Report** was provided via a handout by Mr. Healy. There are still items outstanding from the Fall Conference. The Fall Conference was profitable. Upon Motion of Mr. Green, seconded by Mr. Wright, the Treasurer's Report was unanimously approved.

The **Membership Committee Report** was provided by Ms. Zielinski. She reported that MSIA was doing well on renewals of membership. And, she reported a new member, who has paid the requisite fees, Central Medical Imaging. Upon motion of Ms. Zielinski, seconded by Ms. Stepaniak, the new member was approved.

The **Nominating Committee Report** was provided by Ms. Susser. With respect to attendance at MSIA Board Meetings, she reported that attendance is satisfactory except for Chrysler. She did note that newer members of the Board have attended less frequently, but tabled discussions of that for three or four months. Ms. Susser suggested, and the Board agreed, that the Executive Committee will meet to look at appointment of a Second Chair for next year, 2012.

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The **Funds Trustees' Report** was provided by Mr. Green. He related that there was nothing new to report. The next Funds Trustees' Meeting would be in December. He did relate that Mr. Morrill and Mr. Smith of the Funds are meeting with Sedgwick's team to reconcile their lists of Delphi claimants receiving workers' compensation benefits.

The **Amicus Curiae Committee Report** was provided by the Executive Secretary. There have been no recent *amicus curiae* requests. The Executive Secretary reported that the *Findley v Chrysler* case remains pending before the Michigan Supreme Court. The issue in *Findley* is whether split decisions from the Workers' Compensation Appellate Commission would be considered valid and viable decisions or whether the Appellate Commission must issue true majority opinions.

The **Technology Committee Report** was submitted by Mr. Parker. He reported that the dates of the MSIA Spring Conference have been posted on the MSIA website.

The **Health Care Committee Report** was provided by Ms. Azar. She related that there was a meeting of the Health Care Committee on November 8, 2011. At that meeting discussions centered on hearing aids, ambulatory surgical centers, long term care, and the scope of chiropractic practice. Ms. Azar related that a sub-committee is working on the long term care issue as it relates to such care both inside and outside of the home. The chiropractors are relying on an attorney general opinion to argue for a wider scope of the area of their practice.

The **Legislative Committee Report** was provided by Ms. Block. She reported passage of House Bill 5002 in the Michigan House of Representatives. A summary of the bill was provided the MSIA Board. Ms. Block identified the points within the bill that have proven to be the most controversial, including: wage earning capacity, certain pension language, employer control over employee medical care, and illegal aliens. Ms. Block also discussed the potential effective date of the changes should they pass the Legislature. The Board acknowledged the difficult and outstanding work done by Ms. Block of the Chamber of Commerce and Ms. Newberry of the Michigan Manufacturers Association in moving the bill forward in the Legislature.

The 2011 **Fall Conference Final Report** was provided by Ms. Parker. Ms. Parker reported that the Fall Conference did well and was profitable. The feedback from the Conference from both exhibitors and attendees was positive. The Board agreed that the Conference was a good one.

Under **Old Business**, Ms. Azar discussed Kids' Chance, an organization which provides scholarships to children of injured workers. This organization is attempting to initiate a program in Michigan. It is an effort under a national umbrella group. Their first meeting has yet to occur. Ms. Azar will provide additional information as it becomes known. There was no other old business.

Under **New Business**, the Spring Conference 2012 is chaired by Mr. Wright and he reported that the Committee met in the morning before the MSIA Board Meeting. The Committee brainstormed on topics for the Conference. The Committee discussed multiple approaches to the conference. The Spring Conference is scheduled for May 30 through June 1, 2012 in Acme (Traverse City) Michigan. In general, the thought is it will have a "Pure Michigan" theme.

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The Board then reviewed the proposed schedule of 2012 MSIA Board Meetings. The Board discussed whether to continue the September meeting which centers on a golf outing following the Board Meeting. Given the lack of interest amongst the Board in recent years, the Board resolved not to have a Board Meeting related to golf in 2012.

The Board then discussed a recent inquiry it received from a financial consultant who is in the midst of research related to self-insured workers' compensation programs in Michigan. After reviewing the request, the Board resolved that it does not have the type of information the consultant was seeking. The consultant would be referred to the State of Michigan who would be the resource of the information he seeks.

Under **Other New Business**, the Board discussed Mr. Richard Zapala's departure from the Accident Fund and impending departure from the Funds Trustees. Mr. Zapala's departure will necessitate appointment of a new trustee and we understand the administration is considering candidates.

Upon motion of Mr. Ohman, seconded by Mr. Wright, the Board adjourned at 3:58 p.m.

Respectfully submitted,

Gerald M. Marcinkoski

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Executive Secretary