

Dawn M. Droblich
Executive Secretary

Board of Managers

DTE Energy
Douglas A. Green
Chairman

Trinity Health
Mark G. Schneider
2nd Vice Chair

Ilitch Holdings, Inc.
Michael J. Niehaus
Treasurer

General Motors LLC
Susan R. Azar

City of Grand Rapids
Craig Coulson

Wayne State University
Pamela Galloway

AT & T Michigan
Lisa M. Bruno-Herline

Wayne County Airport Authority
Cheryl Smith

Ford Motor Company
Katie Mason

Johnson Controls
Tracy A. Flynn

Consumers Energy Company
Doug Wright

Kelly Services, Inc.
Sandra DiCicco

University of Michigan
Kathleen M. Rychlinski

**Marathon Petroleum Company
LP**
Lina Lee

Spectrum Health
Stephen Ohman

Lorraine Climer
Perrigo Company

MINUTES OF BOARD OF MANAGERS' MEETING

October 13, 2016

Holiday Inn North Campus
Ann Arbor, Michigan

Reminder: Minutes are now only available via e-mail on the website. If you wish to receive the Minutes via e-mail, please provide your name, company name, and e-mail address to Keeli Baker via e-mail.

Present:

AZAR, S., General Motors LLC
COULSON, C., City of Grand Rapids
DICICCO, S., Kelly Services
FLYNN, T., Johnson Controls
GALLOWAY, P., Wayne State University
GREEN, D., DTE Energy
LEE, L., Marathon Petroleum Company LP
MASON, K., Ford Motor Company
OHMAN, S., Spectrum Health Occupational Services
PELAK, B., Meijer
SCHNEIDER, M., Trinity Health
SMITH, C., Wayne County Airport Authority
WRIGHT, D., Consumers' Energy

Chairperson's Council:

McKINLEY, Delaney, Michigan Manufacturers' Association
SUSSER, D., MacArthur, MacArthur & Associates, P.C.
WHITE, D., FCA US LLC

Not Present:

BLOCK, W. Kellogg Company
BRUNO-HERLINE, L., AT&T Michigan
CLIMER, L. Perrigo
NIEHAUS, M., Ilitch Holdings, Inc.
PENZ, M., HSA WCF (representing the Group Funds)
RYCHLINSKI, K., University of Michigan

The Chairperson, Mr. Green, called the meeting to order at 12:16 p.m. to address the following Agenda:

1. Minutes of Board of Managers' prior Board Meeting
2. Treasurer's Report
3. Funds Trustee Report
4. Legislative Committee Report
5. Membership Committee Report
6. Nominating Committee Report
 - a. MSIA Seniority List
7. *Amicus Curiae* Committee Report
8. Technology Committee Report
9. Health Care Committee Report
 - a. Results of hearing on October 14, 2016
10. 2016 Fall Conference Committee Report
11. 2017 Spring Conference Committee Report
12. Old Business
 - a. Meeting dates for 2017
 - b. Workers' Compensation Board of Magistrates up for re-appointment 2017
 - c. Contract for Fall Conference 2017
13. New Business
 - a. Dates for Spring Conference 2018

The **Minutes** were approved with changes submitted by Mr. Schneider regarding the reorganization of the Minutes pertaining to the Fall Conference Committee Report as follows (changes in italics):

*“The **Fall Conference Committee Report** was submitted by Ms. Azar. She stated that 40 vendors have registered for the conference, with 34 regulars and 6 gold sponsors signed up to date. There will be a cocktail reception held on October 12, 2016 from 5:00 p.m. to 6:30 p.m. at the Lansing Center. There was some discussion amongst the Board as to the various attendees who should be invited to the cocktail reception. All Board members are encouraged to contact Mr. Schneider or Ms. Baker pertaining to potential invites with respect to same.*

*The **2017 Spring Conference Committee** report was submitted by Mr. Schneider. He indicated that the 2017 Spring Conference is finalized at the Amway Grand Hotel for May 31, 2017 and June 1, 2017. Additional work will be done after the completion of the Fall Conference.*

The Committee has received a contract from the Atheneum Hotel for the 2017 Fall Conference. Ms. Bruno-Herline and Ms. Galloway indicated they reviewed the contract. They indicated while the contract lacked certain provisions, overall, they were satisfied.

Per Ms. Azar, the 2018 Spring Conference dates will be decided after the national Workers' Compensation conference dates have been announced."

The **Treasurers' Report** was submitted by Mr. Green due to the absence of Mr. Niehaus. In reviewing the financial statements that had been submitted by Mr. Niehaus, the overall assessment was that October had been a "profitable month" due to the Conference registration fees.

The **Funds Trustee Report** was submitted by Ms. Pelak. She indicated that the new Trustee Board Members were appointed. The next meeting will be October 17, 2016.

The **Legislative Committee Report** was submitted by Ms. McKinley. She stated that from a legislative perspective, the election is the main focus in Lansing. She indicated that the Senate is not up for re-election, and therefore, the make up will remain the same. However, in the House, there will be a big shift due to term limits. She indicated that as of the present time none of the workers' compensation bills have had any major movement.

Ms. McKinley discussed the Bill regarding the Agency's request pertaining to the Self Insured Security Fund's reporting requirements. Currently, for audit purposes, the SISF is reporting on a calendar year, and the Agency would like this to be changed to a fiscal year.

Other issues still pending pertain to the legislation regarding the Amish. Ms. McKinley indicated that the Timberman's Fund have been arguing that the Amish have a competitive advantage. This legislation is being watched carefully by the Michigan Manufacturers Association and the Chamber of Commerce as it may have unintended consequences. There is some concern about certain definitions contained within the legislation.

Pertaining to the Health Care Service Rules, Ms. McKinley advised there is a Public Hearing on October 15, 2016. She advised that both the Michigan Manufacturers Association and the Chamber of Commerce have expressed their support for the Service Rules. MSIA will likewise be doing a letter of support for the Health Care Services Rules. The next step would be for the Rules to go to the Joint Committee on Administrative Rules (JCAR) wherein a waiver would be requested to get the Health Care Services Rules passed this year.

The **Membership Committee Report** was submitted by Ms. Smith. She stated that on August 1, 2016, renewals for the 2016-2017 calendar year were sent to 166 members. She stated that the second notice went out on September 1, 2016, and the final notice went out on October 3, 2016. As of October 4, 2016, 58% of the members had paid, with 60% being paid at the same time last year. She stated that so far the renewals include: 21 employers, 4 groups, 11 public entities, 32 associates, and 29 attorneys. Ms. Smith indicated that no new members have applied for membership since the last meeting.

The **Nominating Committee Report** was submitted by Ms. Susser due to the absence of Ms. Rychlinski. She indicated that the slate of officers to be presented at the Fall Conference for the general

membership's approval were as follows: Mark Schneider as Chairman; Craig Coulson as First Vice Chair; Tracy Flynn as Second Vice Chair; Mike Niehaus as Treasurer; and Dawn Droblich as Executive Secretary. Upon motion by Mr. Wright, seconded by Ms. Azar, the slate of officers was approved by the Board.

The ***Amicus Curaie* Committee Report** was submitted by the Executive Secretary. Ms. Droblich advised that in the case of *Arbuckle vs. General Motors*, Plaintiff will not be filing a Petition for a Writ of Certiorari to the U.S. Supreme Court. Accordingly, the Michigan Supreme Court's ruling in favor of General Motors is the final decision.

The **Technology Committee Report** was submitted by Mr. Ohman. He indicated that subsequent to the meeting with enPower Technology Solutions, the problems with the website have been handled quickly and efficiently. Accordingly, registration for the Fall Conference online was proceeding nicely. Mr. Wright indicated he would like to meet with the Technology Committee and determine the Board's needs and subsequently then discuss same with enPower Technology Solutions. Mr. Wright indicated he believed an internal discussion would be helpful before meeting with the vendor, and recommendations could be made to the full Board in January.

The **Health Care Committee Report** was submitted by Ms. Azar. She indicated that the hearing on the Health Care Service Rules was to be held on October 14, 2016. The Board will be advised following the meeting.

The **Fall Conference Committee Report** was submitted by Mr. Schneider. He indicated that last minute details were being worked on pertaining to the cocktail reception to be held on October 12, 2016 at the Lansing Center. The final discussion was held pertaining to various issues which needed to be addressed for the Conference to be held on October 13, 2016. Mr. Schneider again thanked his Committee for all of their hard work pertaining to the upcoming Conference.

The **2017 Spring Conference Committee** has confirmed the dates at the Amway Grand in Grand Rapids, Michigan for May 31, 2017 through June 1, 2017. Additional work will be done after the completion of the Fall Conference.

The **2017 Fall Conference Committee** report was submitted by Mr. Schenider. He indicated there has been an executed contract with the Atheneum Hotel in Detroit, Michigan. The Conference will be held October 11, 2017 through October 12, 2017.

Under **Old Business**, the Executive Secretary submitted the proposal for the dates for the 2017 Board Meetings. Discussion was held regarding meeting sites, with two meetings to be held in Lansing, Michigan, and the remainder in Ann Arbor, Michigan. The finalized meeting list will be submitted at next month's meeting.

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Under **New Business**, Mr. Ohman discussed recent articles in various journals pertaining to Federal oversight of workers' compensation. There was discussion as to how this may affect Michigan's workers' compensation law.

Upon motion by Mr. Wright and seconded by Ms. Pelak, the meeting was adjourned at 3:58 p.m.

Respectfully submitted,

Dawn M. Droblich
Executive Secretary