

Dawn M. Drobnich
Executive Secretary

Board of Managers

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DTE Energy
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Ford Motor Company
Kathryn Mason

General Motors LLC
Susan R. Azar

**Marathon Petroleum Company
LP**
Lina Lee

Meijer
Barb Pelak

Perrigo Company
Lorraine Climer

Spectrum Health
Stephen Ohman

Trinity Health
Mark G. Schneider

Wayne County Airport Authority
Heather Day

Wayne State University
Pamela Galloway

MINUTES OF BOARD OF MANAGERS' MEETING

March 9, 2018

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
BRUNO-HERLINE, L., AT&T Michigan
CLIMER, L., Perrigo
COULSON, C., City of Grand Rapids
DICICCO, S., Kelly Services
GALLOWAY, P., Wayne State University
HOOPER, J., DTE Energy
LEE, L., Marathon Petroleum Company LP
MASON, K., Ford Motor Company
NIEHAUS, M., Ilitch Holdings, Inc.
OHMAN, S., Spectrum Health Occupational Services
PELAK, B., Meijer (by phone)
RYCHLINSKI, K., University of Michigan
SCHNEIDER, M., Trinity Health
WRIGHT, D., Consumers Energy Company

Chairperson's Council:

BLOCK, W., Michigan Chamber of Commerce
PENZ, M., HSA WCF (representing the Group Funds)
SUSSER, D., MacArthur, MacArthur & Associates, P.C.
WHITE, D., FCA US LLC (by phone)

Not Present:

McKINLEY, D., Michigan Manufacturers' Association
DAY H., Wayne County Airport Authority

The Chairperson, Mr. Coulson, called the meeting to order at 11:40 a.m. to address the following Agenda:

Presiding: Craig Coulson, Chairman

1. Minutes of Board of Managers' prior Board Meeting
2. Treasurer's Report
 - a. Financial Reports January 2018
3. Funds Trustee Report
4. Legislative Committee Report
5. Membership Committee Report
6. Nominating Committee Report
7. *Amicus Curiae* Committee Report
 - a. *McQueer v Perfect Fence Company*
8. Technology Committee Report
9. Health Care Committee Report
10. 2018 Spring Conference Committee Report
11. 2018 Fall Conference Committee Report
12. Old Business
 - a. Vendor contract renewals
 - b. Magistrate appointment – John Sims
13. New Business
 - a. Winter MSIA Board Meetings/Holiday Inn

The **Minutes** were approved upon motion by Mr. Schneider and seconded by Ms. Rychlinski.

The **Treasurer's Report** was submitted by Mr. Niehaus. He stated that February was a low volume month as far as dues being collected and expenses. Mr. Niehaus indicated he would be looking at refreshing the financial spreadsheet that had been provided to the Board. Additionally, he indicated that the Contract Committee had reviewed the insurance renewals as part of the Board's fiduciary responsibilities to the membership, and all were in order.

The **Funds Trustee Report** was submitted by Ms. Pelak. She indicated the Trustees have not met since January 29, 2018. The next Trustee Meeting is scheduled for April 23, 2018.

The **Legislative Committee Report** was submitted by Ms. Block. She indicated that the budget is currently the legislative focus. Regarding workers' compensation issues, there have been discussions regarding the First Responder Presumed Coverage Fund to add breast cancer and part-time, as well as on-call firefighters to the presumption. The revenue stream for the Fund are fees on medical marijuana. Ms. Block will continue to keep us closely advised as to whether these additional classifications will be considered.

Ms. Block also discussed the current legislation being driven by the Michigan Chamber of Commerce regarding asbestos tort reform. The House had approved the legislation which limited businesses liability in asbestos lawsuits. The Bill is currently on its way to the Senate.

Additionally, there was discussion regarding the Workers' Compensation Appellate Commission. Several Commissioners are up for reappointment in July 2018. The Board continued to express its concern regarding the length of time it is taking the Commission to render decisions. The concern being that lengthy delays on appeal cost employers money while these cases continue to pend.

The **Membership Committee Report** was submitted by Ms. DiCicco. She indicated there were no new issues to report, as well as no requests for membership to consider.

The **Nominating Committee Report** was presented by Ms. Rychlinski. There was discussion pertaining to a candidate interested in the vacant seat on the Board of Managers. Ms. Rychlinski will contact the potential candidate and get further information to provide to the Board for consideration. Again, any other self-insured employers who are interested in a seat on the MSIA Board are invited to contact the Executive Secretary who will relay the interested to the Nominating Committee.

The **Amicus Curiae Committee Report** was submitted by the Executive Secretary. Ms. Drobnich relayed that Mr. Critchell had submitted an *amicus curiae* brief on behalf of MSIA to the Michigan Supreme Court. The Board had felt it important to file an *amicus* brief regarding this decision and its potential impact upon the law as it pertains to intentional torts, as well as Section 418.171 of the Workers' Compensation Act. Mr. Critchell advised that the case is likely to be scheduled for argument in mid-April. A decision is expected by the end of the term on July 31, 2018.

The **Technology Committee Report** was submitted by Mr. Ohman. He stated that the website has been updated with updated pictures and biographical information on the newest Board members. He indicated that an e-mail blast would be sent out shortly pertaining to all Members that registration for the Spring Conference was open. He stated that once the Conference brochure was completed, the registration would be open online.

Additionally, Mr. Ohman will follow up with AKEA Web Solutions pertaining to the renewal of the contract and what is to be expected as it pertains to any monthly payments.

Mr. Ohman indicated that should any Board Member have relevant news or information to pass on to the Membership to please advise so it can be posted on the website.

The **Health Care Committee Report** was submitted by Ms. Mason. She indicated the next meeting was scheduled for April 18, 2018. Moreover, there was a teleconference sub-committee meeting scheduled for March 21, 2018. Ms. Mason will continue to keep the Board closely advised.

The **Spring Conference Committee** report was submitted by Ms. Rychlinski. She stated the theme is: "New Absence Management Landscape – Integrated Disability, FMLA, Workers' Compensation, and Alternative Treatment". Ms. Rychlinski stated that the Committee is trying to encompass other areas that overlap and are interconnected with workers' compensation issues as an opportunity to reach out to potential new and current members with various interests. The Committee felt by widening the scope of topics discussed at the Conference that new vendors may be interested in attending, such as FMLA service providers, massage therapists, physical therapists, and other licensed professionals in the health arena, as well as alternative medicine providers and ADA vendors.

There has also been a request by certain attendees to ascertain educational credit for attending the Conference. A request was made by attendees looking for Certified Case Manager (CCM) credit. The Board will ask Ms. Baker to file the necessary paperwork with respect to same.

Additionally, at the current time, there are five gold sponsors, nine general exhibitors, and a breakfast sponsor. The Committee is looking for a lunch sponsor, as well as a reception sponsor.

The **Fall Conference Committee** report was submitted by Ms. Rychlinski. She indicated that the Fall Conference will be October 9-10, 2018 at Marriott Eagle Crest in Ypsilanti, Michigan. More details will follow after the completion of the Spring Conference.

Under **Old Business**, MSIA Board meeting locations were discussed. The locations for the remainder of the Board meetings have been cancelled at the Ann Arbor Holiday Inn. The April 20, 2018 meeting will be hosted by Mr. Schneider at the Trinity Health System office. Mr. Schneider and his company were thanked for their generosity in arranging same. The Board will be updated on the remainder of the meeting dates at the April Board Meeting.

In other Old Business, the vendor contract renewals and insurance contracts had been discussed in the Treasurers' Report. All fiduciary responsibilities have been met and vendor contracts reviewed by the Contract Committee and recommendations made with respect to same.

Under **New Business**, Ms. Droblich advised that there are three workers' compensation appellate commissioners up for reappointment in July 2018, as had been mentioned in the legislative update. Further discussion was held amongst the Board with respect to same.

In other New Business, Ms. Azar indicated that Kids' Chance is looking for silent auction items for the Spring Conference. Any member wishing to donate should contact the Executive Secretary or Ms. Azar with respect to same.

Upon motion by Ms. Bruno-Herline and seconded by Mr. Niehaus, the meeting was adjourned at 4:24 p.m.

Respectfully submitted,

Dawn M. Droblich
Executive Secretary