

**Dawn M. Drobnich**  
Executive Secretary

**Board of Managers**

**University of Michigan**  
Kathleen M. Rychlinski  
Chair

**Kelly Services, Inc.**  
Sandra DiCicco  
1<sup>st</sup> Vice Chair

**Ford Motor Company**  
Kathryn Mason  
2<sup>nd</sup> Vice Chair

**Ilitch Holdings, Inc.**  
Michael J. Niehaus  
Treasurer

**AT & T Michigan**  
Lisa M. Bruno-Herline

**City of Grand Rapids**  
Craig Coulson

**Consumers Energy Company**  
Doug Wright

**DTE Energy**  
Jerome Hooper

**General Motors LLC**  
Shannon Gedert

**Marathon Petroleum Company  
LP**  
Kimberly Benson

**Meijer**  
Theresa Hileman

**Spectrum Health**  
Lorraine Climer

**Trinity Health**  
Ellyse Sites

**Wayne County Airport Authority**  
Heather Day

**Wayne State University**  
Pamela Galloway

**MINUTES OF BOARD OF MANAGERS' MEETING**  
August 8, 2019  
VIA TELECONFERENCE

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:**

BRUNO-HERLINE, L., AT&T Michigan  
COULSON, C., City of Grand Rapids  
EDDY, C., Consumers Energy  
DICICCO, S., Kelly Services  
HILEMAN, T., Meijer  
HOOPER, J., DTE Energy  
NIEHAUS, M., Ilitch Holdings, Inc.  
RYCHLINSKI, K., University of Michigan

**Chairperson's Council:**

SUSSER, D., Charfoos, Reiter Herbert PC

**Not Present:**

BENSON, K., Marathon Petroleum  
BLOCK, W., Michigan Chamber of Commerce  
DAY, H. Wayne County Airport Authority  
GALLOWAY, P., Wayne State University  
GEDERT, S. (General Motors)  
CLIMER, Lorraine, Spectrum Health  
McKINLEY, D., Michigan Manufacturers' Association  
MASON, K., Ford Motor Company  
PENZ, M., HSA WCF (representing the Group Funds)  
SITES, E., Trinity Health  
WHITE, D., FCA US LLC

The Chairperson, Ms. Rychlinski, called the meeting to order at 11:42 a.m. to address the following Agenda:

**Presiding: Kate Rychlinski, Chairperson**

1. Minutes of Board of Managers' prior Board Meeting
2. Old Business
  - a. Board meetings/date/location
  - b. 2019 Committee Assignments
2. New Business
  - a. Retreat subcommittee
  - b. Retreat agenda
  - c. Conference locations
3. Treasurer's Report
  - a. Financial Reports April-June 2019
4. Legislative Committee Report
5. 2019 Spring Conference Committee Report
6. 2019 Fall Conference Committee Report
  - a. October 15-16, 2019 – Laurel Manor – Livonia, MI
  - b. Hotel accommodations/Annual Board Meeting
7. 2020 Spring Conference
  - a. June 10-11, 2020, Grand Rapids
8. Technology Committee Report
9. Membership Committee Report
  - a. Dues/Constitution
10. Nominating Committee Report
  - a. Vacancy on the Board
12. *Amicus Curiae* Committee Report
  - a. *Iesha Fisher v Kalamazoo Regional Psychiatric Hospital*
  - b. *William Mark Reidenbach v City of Kalamazoo*
  - c. *Kyle Scheuneman, et al v Kent Power, Inc.*
13. Health Care Committee Report
14. Funds Trustee Report

The **Minutes** were approved upon motion by Mr. Coulson and seconded by Ms. DiCicco.

Under **Old Business**, there was a continued discussion as to how the Board wants to proceed with scheduling meetings in 2020. Specifically, the past year has involved rotating locations and meetings done via teleconference. The Board was in agreement that meetings went more smoothly in person than via teleconference. Additionally, it was agreed it was easier for planning to have one central location. There was discussion surrounding that location with ideas being discussed of Brighton and Howell. Ms. Drobnich will contact various facilities and will discuss dates and locations for the 2020 calendar year.

Next, the Board discussed the retreat agenda. Ms. Rychlinski specifically indicated that the agenda topics will include what direction the Board envisions for MSIA in the next year, five years, and ten years. The current mission statement of MSIA will be evaluated. Questions to be discussed will include whether MSIA will

continue to have one or two conferences and the locations for same. Discussions at the retreat will include membership benefits and a membership drive, an indepth financial analysis, review of the MSIA Constitution, and dues structure. The meeting will be held from 10:00 am to 4:00 pm on September 13, 2019. The Board will be provided with an agenda and packet to review all issues before the outset of the retreat.

The **Treasurer's Report** was submitted by Mr. Niehaus. He stated there had been a positive cash flow in April and May. He stated the influx of cash was related to the income from the Spring Conference. He stated that annual dues notices have been sent out to the membership. Therefore, he expected an increase in cash flow for the months of August and September. Mr. Niehaus indicated the goal will be to replenish the money market account.

Financially, the Spring Conference did make a profit. There were 218 attendees. The golf outing at the Spring Conference was also a success. Mr. Stubbs' help was greatly appreciated.

Mr. Niehaus indicated that the contract for the 2020 Spring Conference had been signed after approval by the Contract Committee. He also noted that the annual maintenance fees had been paid for AKEA Web Solutions. Additionally, the annual insurance premiums for MSIA had been paid as well in April 2019. The subscription to Survey Monkey had been paid in June. Mr. Niehaus will bring the financial information for the September retreat.

The **Legislative Committee Report** was deferred in the absence of Ms. McKinley and Ms. Block.

The **Spring 2019 Conference Committee** report was submitted by Ms. DiCicco. She indicated that the surveys had come back and were favorable regarding the Spring 2019 Conference. She stated that the vendors were well received, as well as the location of the Conference. The golf outing got favorable reviews. She did indicate that the entire Board should get the survey results and not just the Committee so the results could be discussed.

The **Fall 2019 Conference Committee** report was submitted by Ms. DiCicco. She indicated that the Conference will be held on October 15-16, 2019 at the Laurel Manor in Livonia, Michigan. The Committee is working on the theme. Ms. Lisa Smart will be the guest speaker. Additionally, Mr. Long will represent the Agency at the Conference. There will be a 3:00 pm annual Board Meeting held at the Laurel Manor on October 15, 2019.

The **2020 Spring Conference Committee Report** was submitted by Ms. DiCicco. She indicated the dates have been changed to June 10-11, 2020 in Grand Rapids, Michigan. As to the Fall Conference, additional details will become available.

The **Technology Committee Report** was submitted by Mr. Hooper. He indicated that the Committee is trying to get a meeting with AKEA Web Solutions so that changes to the website can be discussed in further detail. Mr. Hooper stated the website needed some refreshing. Ms. Rychlinski indicated that any Technology Committee recommendations would be appreciated in advance of the September 13, 2019 retreat.

The **Membership Committee Report** was submitted by Ms. DiCicco. She indicated that there were no new members who had applied for membership. The General Membership dues had been mailed out on July 26, 2019.

The **Nominating Committee Report** was submitted by Ms. Rychlinski. She stated that the most recent addition to the Board, Mr. Krichbaum from McKinley Companies had resigned. She indicated there had been previous responses to the email blast for self-insureds interested in a seat on the Board. She received two responses. She is following up to determine whether those parties are still interested in a seat on the Board. She will keep the Board closely advised.

The **Amicus Curiae Committee Report** was submitted by Ms. Droblich. As far as the status of *Iesha Fischer v State of Michigan*, there was no action to take until the Court of Appeals schedules oral argument that was requested by the State of Michigan.

Ms. Droblich indicated that MSIA did request leave to file an *amicus curiae* brief in the case of *Reidenbach v City of Kalamazoo* from the Michigan Supreme Court. Same was granted and the brief was submitted on July 2, 2019. The MSIA argued that the administration of workers' compensation is problematic given the conflicts between *Reidenbach* and existing authorities. There were six conflicts in the decision that were pointed out to the Supreme Court. Ms. Droblich will keep the Board advised of all developments.

Finally, as it pertains to *Kyle Scheuneman, et al v Kent Power*, the preparation of the *amicus curiae* brief was suspended, as the Michigan Supreme Court was expected to reject the application for leave to appeal for a late filing by the defendant Kent Power. When this decision is made by the Michigan Supreme Court, we will advise accordingly.

The **Health Care Committee Report** was submitted by Ms. Hileman due to the absence of Ms. Mason. She indicated the Health Care Committee met on May 15, 2019 to discuss the proposed changes to the HealthCare Service Rules for the upcoming year. The process for getting the changes approved has already been started and will be effective some time in 2020.

The significant changes deal with Section 418.10108, "the definition of a designated agent"; and Section 418.10109 "definition of network". Additionally, Section 418.10117, "carriers' responsibilities", were discussed. Under this Section, a carrier or its agent or network shall record payment decisions on the carriers' explanation of benefits form using a format approved by the Workers' Compensation Agency and send a copy to the provider and the injured worker. The injured worker may now waive their right to receive the Explanation of Benefits (EOB) when both of the following occur: (1) The carrier provides certain notification to the injured worker of the prohibition on balance billing; and (2) The carrier with the consent of the injured worker waiving the right to receive the carriers' explanation of benefits form. The injured worker or their representative may, at any time, make a request in writing to the carrier to receive copies of all EOB's.

MICHIGAN SELF-INSURERS' ASSOCIATION

Page 5

September 5, 2019

The other significant change is under Section 418.101204, the “carriers’ healthcare review program”. Now a list of all designated agents, including the names, phone numbers, and e-mail addresses, of the contact for each designated agent and network must be supplied. The next scheduled meeting is in October 2019.

The **Funds Trustee Report** was submitted by Mr. Hooper. He received word from the Governor’s office that his application had been accepted. He filled out the appropriate paperwork and signed the oath. He will be eligible to go to vote at the August 2019 meeting. He will keep the Board closely advised.

Upon motion by Ms. DiCicco and seconded by Mr. Coulson, the meeting was adjourned at 4:02 pm.

Respectfully submitted,

Dawn M. Droblich  
Executive Secretary