

Dawn M. Drobnich
Executive Secretary

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Ford Motor Company
Jonathan R. Parker

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 14, 2015
Suburban Collection Showplace
Novi, 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:

ALBAUGH, T., Kellogg Company
AZAR, S., General Motors LLC
CLIMER, L. Perrigo
COULSON, C., City of Grand Rapids
DICICCO, S., Kelly Services
FLYNN, T., Johnson Controls
GREEN, D., DTE Energy
LEE, L., Marathon Petroleum Company LP
NIEHAUS, M., Ilitch Holdings, Inc.
OHMAN, S., Spectrum Health Occupational Services
PARKER, J., Ford Motor Company
RYCHLINSKI, K., University of Michigan
SCHNEIDER, M., Trinity Health
SMITH, C., Wayne County Airport Authority
WRIGHT, D., Consumers Energy

Chairperson's Council:

BLOCK, W.
McKINLEY, D., Michigan Manufacturers' Association
PELAK, B., Meijer
PENZ, M., HSA WCF (representing the Group Funds)
SUSSER, D., MacArthur, MacArthur & Associates, P.C.
WHITE, D., FCA US LLC (by phone)

Not Present:

BRUNO-HERLINE, L., AT&T Michigan
CHILD, L.
GALLOWAY, P., Wayne State University

The Chairperson, Mr. Ohman, called the meeting to order at 4:07 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
 - a. H.B. 4712
 - b. Evidence Based Medicine
5. Membership Committee Report
6. Nominating Committee Report
7. *Amicus Curiae* Committee Report
 - a. *Arbuckle v General Motors LLC*
8. Technology Committee Report
9. Health Care Committee Report
10. 2015 Fall Conference Committee Report
11. Member Roundtable Committee Report
 - a. Discussion pertaining to next MSHIA Connection Event
12. Old Business
 - a. Potential venues for Spring Conference
 - b. MCSIGA Fall Meeting 9/25/15
13. New Business
 - a. Discussion of locations for 2016 Board Meetings
 - b. Appointment of Michigan Supreme Court Justice Joan Larsen
 - c. WCAC Statistics Summary August 2015
 - d. Magistrate Disposition Statistics July 2015

Additionally present at the meeting from MHSIA were Keeli Baker and Patrick Harrington.

The **Minutes** were approved with changes to reflect the proper company name for Ms. White, as follows: FCA US LLC. Upon motion by Mr. Schneider and seconded by Mr. Coulson, the Minutes were approved.

The **Treasurers' Report** was submitted by Mr. Niehaus. He provided the Board with the banking statements and Quick Book report. Additionally, Mr. Niehaus distributed various graphs pertaining to the 2016 MSIA Income and Expense Projection. Continued analysis will be done by the Treasurer to assist the Board pertaining to the financial picture for MSIA for the new fiscal year.

Mr. Niehaus indicated that he is going to evaluate Conference expenses for the Spring versus Fall Conferences and how they line up accordingly. Mr. Niehaus indicated that membership dues are starting to be received and further updates will be forthcoming. The fiscal year for MSIA runs from September 1, 2015 to August 31, 2016. There was discussion as to whether the Board should increase membership dues or increase fees for the Conferences. Ms. Susser noted neither Conference fees nor renewals fees have increased in several years. The Board debated various incentives to offer potential new members to join MSIA, as well as ideas for new networking opportunities at the Conferences.

The **Funds Trustee Report** was submitted by Mr. Green. He indicated the Trustees met on October 14th. He stated that all but two of the open award Delphi cases pertaining to the Self Insured Security Fund litigation have resolved. He stated the next step is to resolve the disputed cases.

The **Legislative Committee Report** was submitted by the Ms. McKinley. She discussed House Bill 4712. In this Bill, chiropractors are seeking authority to write prescriptions for physical therapy. The Michigan Public Health Code does not currently authorize physical therapists to accept prescriptions written by a chiropractor. While chiropractors often refer patients to physical therapy, they cannot write prescriptions requiring the services they do provide to their patients. Currently, the Michigan Manufacturers' Association, the Michigan Chamber of Commerce, and Blue Cross Blue Shield are opposed to the Bill. The Bill reflects the ongoing battle between physical therapists and chiropractors. The opponents of the Bill feel that patients already have access to physical therapy care, and the limited chiropractor's scope of practice does not allow prescribing of any kind. This could affect workers' compensation costs because of the issue of utilization. MSIA will continue to monitor HB 4712.

Additionally, Ms. Block reported that pure premium rates in Michigan are down in large part due to the legislative reform of 2011. She also discussed Senate Bill 492 which seeks to amend the Workers' Disability Compensation Act dealing with franchisors and franchisees. The Bill seeks to allow a franchisee to be considered the sole employer of workers for whom it provides a benefit plan or pays wages. MSIA will be monitoring this Bill as well.

Additionally, Ms. Block indicated there have been discussions with Director Long regarding Evidence Based Medicine. Ms. Block stated Director Long is interested in still seeing something done on this issue and believes that it is a way to save costs. He discussed Evidence Based Medicine at the Health Services meeting. The goal with respect to same is to get employees back to work safely and efficiently after getting the care they require. Ms. Block indicated Director Long is to draft a proposal in the next couple of months, and then discussions will begin.

The **Membership Committee Report** was submitted by Ms. Flynn. She stated that 116 of the 192 members have paid their renewal dues. She stated of the 116 paid, 26 were self-insured employers. She encouraged all Board Members to seek new members, as well as to discuss membership with high deductible employers. There was general Board discussion as to what MSIA can provide to the employer community. Ms. Rychlinski indicated it would be helpful to have talking points to talk to potential new members about what MSIA can do for them. She stated there are certainly advantages to

joining versus just coming to the Conferences, and would like to have a handout where these benefits can be discussed in further detail. Ms. Flynn, Ms. Lee, and Ms. Smith will put together a handout that can be used to solicit new members.

Ms. Flynn presented four potential new members to the Board for membership. They are: Ringler Associates; Dental Works USA; Chariot Transport; and NovaCare Rehabilitation. Pursuant to a motion by Ms. Rychlinski, seconded by Mr. Wright, the four applicants were approved to be new members. Ms. Flynn also indicated that one more e-mail will be sent out to get in membership renewals. As of November 1, 2015, those who have not paid will be dropped off the rolls.

The **Nominating Committee Report** was submitted by Ms. Susser. She indicated there will be a full complement of the Board when the general membership confirms the recommendation made by the Board to the general membership for Ms. Lorraine Climer of Perrigo to be a Board Member.

The **Technology Committee Report** was presented by Mr. Parker. He stated that the MSIA website has been updated and requests all to please refer to same concerning MSIA information. Mr. Wright, Mr. Schneider and Mr. Parker will meet to discuss how periodic updating of the website will be performed. Additionally, Mr. Parker is to look into information pertaining to whether there is a risk to members to use their credit card for membership renewal. Mr. Parker will talk to Authorize.Net about cyber security.

The **Health Care Committee Report** was deferred by Ms. Azar. It was her understanding, however, that Evidence Based Medicine was discussed as submitted previously by Ms. Block.

The **Fall Conference Committee Report** was submitted by Ms. Albaugh. The Agenda for the meeting, as well as the slate of new Officers to be presented to the general membership was discussed. The proposed new Board of Managers: Executive Committee include: Douglas Green as Chairperson, Tara Albaugh as First Vice-Chair, and Mark Schneider as Second Vice-Chair. The Fall Conference Committee was thanked for all their hard work, especially Ms. Albaugh in making the Fall 2015 Conference a success.

Under **Old Business**, potential venues for the Spring Conference for 2017 were discussed. Ms. Baker, Ms. Albaugh, and Mr. Schneider were to meet with the event coordinator for the Radisson in Kalamazoo for potential quotes to determine whether the venue would be appropriate.

In other Old Business, Ms. Droblich discussed her attendance at the MCSIGA Fall Meeting on September 25, 2015. Their Board has requested that MSIA entertain potentially coordinating with MCSIGA on a Fall Conference date, as we share many joint speakers and agendas. The Board discussed potentially having a social event the night before the October 2016 Fall Conference. More details are to be worked out when the October Fall Conference venue is finalized.

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Under **New Business**, there was a discussion as to potential dates and locations for the 2016 Board meeting. Additionally, there was discussion of the appointment of Michigan Supreme Court Justice Joan Larson and her credentials. Further discussion involved the WCAC Summary for August 2015 and the Magistrate Disposition statistics for July 2015.

Additional discussion was held pertaining to the Medicare Secondary Payor Act and information provided by Dr. Doug Holmes.

Upon motion by Ms. Flynn and seconded by Ms. Azar, the meeting was adjourned at 8:28 p.m.

Respectfully submitted,

Dawn M. Droblich
Executive Secretary