



Dawn M. Droblich
Executive Secretary

Board of Managers

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Kelly Services
Sandra DiCicco

Marathon Petroleum Company LP
Paulette Burghardt

Meijer
Theresa Hileman

Spectrum Health
Lorraine Climer

University of Michigan
Kathleen M. Rychlinski

Wayne County Airport Authority
Heather Day

Wayne State University
Pamela Galloway

MINUTES OF BOARD OF MANAGERS' MEETING

January 22, 2021

Present:

BRUNO-HERLINE, L., AT&T Michigan
BURGHARDT, P., Marathon Petroleum Company
CLIMER, L., Spectrum Health
COULSON, C., City of Grand Rapids
DAY, H., Wayne County Airport Authority
DICICCO, S., Kelly Services
FARMER, C., Consumers Energy
GALLOWAY, P., Wayne State University
HILEMAN, T., Meijer
HOOPER, J., DTE Energy
KOLBUSZ, W., General Motors
MASON, K., Ford Motor Company
NIEHAUS, M., Ilitch Holdings, Inc.
RYCHLINSKI, K., University of Michigan
SITES, E., Trinity Health

Chairperson's Council:

BLOCK, W., Michigan Chamber of Commerce
POOLE, L., Treeline
WHITE, D., FCA US LLC

Not Present:

PENZ, M., Human Service Association Workers Compensation Fund
SUSSER, D., MacArthur, MacArthur & Associates, PC
WORTHAMS, D., Michigan Manufacturers Association

The Chairperson, Ms. Mason, called the meeting to order at 11:38 a.m. to address the following Agenda:

Presiding: Kathryn Mason, Chairperson

1. Minutes of Board of Managers' prior Board Meeting
2. Old Business
 - a. Treeline Associates
 - b. Dates for 2020-2021 Board Meetings
3. New Business
 - a. Goals for MSIA 2021/Relaunch
 - b. Committee Restructure 2021
 - c. Historic MSIA materials at Lacey & Jones
4. Legislative Committee Report
5. Treasurer's Report
 - a. November 2020 Financial Report – Checking Account
 - b. November 2020 Financial Report – Money Market
 - c. December 2020 Financial Report – Checking Account
 - d. December 2020 Financial Report – Money Market
6. 2021 Spring Conference Committee
 - a. April 14-15, 2021 virtual conference
 - b. Theme/Speakers/Vendors
7. Technology Committee Report
 - a. MSIA website management – Akea/Treeline
 - b. Website forms (managing payments/contact form submissions)
8. Nominating Committee Report
 - a. Vacancies on the Board
9. Membership Committee Report
 - a. Processing new members
 - b. Dues structure
 - c. Membership survey/Treeline
10. *Amicus Curiae* Committee Report
 - a. *Omer v Steel Technologies, Inc.*
11. Health Care Committee Report
12. Funds Trustee Committee Report

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

Under **Old Business**, the Executive Secretary, Ms. Droblich, discussed all the work that had been accomplished thus far by Treeline Associates. Ms. Lori Poole was welcomed to the meeting as the Treeline contact as well as to further advise the Board of all developments.

In **New Business**, the goals for MSIA 2021 were discussed and how best to effectuate the “relaunch” of MSIA. Mr. Niehaus discussed the logistics of relaunching MSIA while currently balancing working with a new management company and utilizing a virtual platform for the Spring Conference. Mr. Hooper stated a relaunch might best be presented at the Spring Conference to all the members as a preview of the future MSIA. Ms. Rychlinski and Ms. Sites indicated that there might be break outs during the virtual conference of the various attendees according to classification, i.e., vendor, employer, assistant member, to hear from

them as to what benefits they were looking to receive as a member of MSIA. This would work nicely with the Spring Conference theme of "Facing the Future, Together."

In other New Business, Ms. White discussed an idea to offer new members that would be modeled after actions taken during COVID by the Ohio Self-Insurers' Association to engage members. Ms. White indicated that OSIA is offering free webinars every 4-6 weeks for its members. They are designed to last approximately one hour and holding them around lunchtime. Typically, a vendor or associate member will provide the content with OSIA hosting the webinar and setting it on their website. The Board agreed that this would be an idea to pursue as a benefit to members. Another idea is to send regular emails with to the general membership to keep them engaged with MSIA throughout the year. Once a new committee structure is determined, further marketing and member benefits can be explored.

The **Legislative Committee Report** was provided by Ms. Block. She stated that 2021-2022 legislative session has begun. All bills introduced prior to December 31, 2020 are now dead and the work has to begin again. She stated as of this time only a handful of those bills have been re-introduced. There have been no real issues presented as it pertains to Workers' Compensation. The primary focus in the legislature has been on COVID with the announcement that restaurants will be allowed to open with 25% capacity beginning February 1, 2021. Ms. Block noted that only one third of the other states have had bans as restrictive as Michigan. Additionally, Ms. Block advised that unemployment is also a big issue facing the legislature.

Ms. Block continued by stating that Michigan is expected to receive COVID relief money from the federal government and there will be much debate in the appropriations process as to where the money should go. Ms. Block indicated that the shift has gone from "why can't we get toilet paper on the shelf" to "why can't we get more vaccines in arms."

Finally, the legislative update was concluded with a discussion amongst the Board regarding the seven magistrates that are up for reappointment. The seven magistrates whose terms expire January 26, 2021 are: Keith Castora (Detroit), Dave Williams (Detroit, Pontiac), Jane Colombo (Detroit), Lisa Woons (Okemos, Grand Rapids), John Sims (Okemos, Escanaba, Sault Ste. Marie), John Housefield (Okemos), and Robert Timmons (Grand Rapids, Gaylord, Traverse City). The Board will be kept closely advised as to all developments as the magistrates are reappointed.

The **Treasurer's Report** was submitted by Mr. Niehaus. He indicated that overall the financial picture has been stable. He indicated that Ms. Hogg has been a helpful addition in keeping very good records and updating all of the financial information. He confirmed that the CPA firm has done all tax filings. Moreover, he stated that the December Profit & Loss Statements received from Ms. Hogg are very helpful and provide a more concise reporting. He stated this will give the Board a more expansive view every several months as to the overall financial picture.

Mr. Niehaus also indicated that he is looking into obtaining cyber insurance for MSIA. He indicated that MSIA's liability and property coverage insurance is due in April and will look to see if a cyber policy can be added.

The **2021 Spring Conference Committee** report was submitted by Mr. Hooper. He indicated that the theme was "Facing the Future, Together." He stated that this will merge nicely into the relaunch that the Board has been discussing. Mr. Hooper went through a timeline for the conference with there being a half day of presentations on April 14th and a full day on April 15th. He indicated that Treeline has been very helpful in discussing a timeline, budget and speakers for the conference. Ms. Mason added that the finalized sponsorship package will also be completed. All members will be receiving registration information in the upcoming weeks.

The **Technology Committee** report was submitted by Mr. Hooper. He indicated that this report would be deferred until further technology developments are explored between the Committee and Treeline Associates.

The **Nominating Committee** report was submitted by Ms. Rychlinski. She indicated that the two remaining vacancies on the Board could be further addressed at the upcoming virtual conference. Ms. Climer indicated it might be helpful at the Spring Conference to have the Board members discuss what is good about being on the Board, i.e., "testimonials." She indicated if the Board members could give examples as to what they have found to be beneficial about being on the Board, it might encourage others to join. Ms. Sites reiterated that she sent out questions to the Board about how certain employers were handling COVID claims and received very beneficial feedback. Ms. Sites and Ms. Climer both agreed that having a discussion about what is the best practice amongst various employers is an extremely helpful tool and one of the benefits about being a Board member. Again, any member interested in sitting on the Board is encouraged to contact the Executive Secretary.

The **Membership Committee** report was submitted by Ms. DiCicco. She stated that there had been one new candidate who had applied for membership: Insight Service Group. Upon motion of Ms. Mason and seconded by Ms. Galloway, Insight Service Group was welcomed as a new member.

The **Amicus Curiae Committee** report was submitted by Ms. Droblich. She advised that an *amicus* brief has been filed in the matter of *Omer v Steel Technologies* to the Michigan Supreme Court. MSIA argued that the Court of Appeals in *Omer*, a precedent setting case, ruled a physician can provide competent evidence on whether a medical condition satisfies the legal definition of "disability" in the Workers' Compensation statute. But, whether a person is legally "disabled" depends on the person's maximum earning capacity (in dollars and cents), the availability of work within his or her restrictions, and the person's transferable skills and job searches. These considerations are obviously beyond a doctor's expertise. MSIA argued for the Supreme Court to correct the Court of Appeals' misapprehension of the extent of physicians' expertise. We will keep the Board advised.

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The **Health Care Committee** report was submitted by Ms. Mason. She indicated that the January 2021 meeting had been canceled with the next scheduled meeting for April 21, 2021. She indicated that the Health Care Rules that had been presented in 2020 have still not been approved.

The **Funds Trustee Committee** report was submitted by Mr. Hooper. He stated there had been a meeting on January 11, 2021. He stated all affairs were in order. The next meeting was scheduled for April 12, 2021.

Upon motion by Ms. Climer and seconded by Mr. Hooper, the meeting was adjourned at 2:38 P.M.

Respectfully submitted,

Dawn M. Droblich
Executive Secretary