

**Minutes of Council of the Workers' Compensation Section
May 8, 2015**

Present at Meeting via Fuze and in person:

In Person:

J. William Housefield

Tim Esper

Ella Parker

Via Fuze:

Chris Rabideau

Rosa Bava

Matt Conklin

Dennis Flynn

Jayson Chizick

Andrea Hamm

John Combs

Danielle Brown

Chairperson Bill Housefield called the meeting to order at 10:15 a.m. to address the following Agenda:

1. **Secretary's report:** Member Parker advised there were no corrections to the April 17, 2015 minutes that were proposed. Upon Motion by Member Rabideau, seconded by Member Bava, the Council unanimously approved the Minutes of the April 17, 2015 meeting.
2. **Treasurer's report:** Member Esper indicated he did not yet have the April Treasurer's Report from the State. However, there should not be a significant change from the prior month. (The next day, Member Esper submitted the official report from April 30, 2015 which showed an Ending Fund Balance of \$90,756.67). Upon Motion by Member Bava, seconded by Member Hamm, the Council unanimously approved the Treasurers Report.
3. **Director's report:** Director Long was out of state, but advised that he could be available by phone if needed. He will be reporting at our upcoming meeting in June.

4. **Chief Magistrate report: Lisa Klaeren:** Chief Magistrate Klaeren advised she would present her report at the June meeting as well.

5. **Chair of MCAC report:** Commissioner Wyatt presented his report via email to Chairperson Housefield: “There is little new to report from the MCAC since your last meeting. Pending WC appeals as of last Friday were 88. Several decisions are in the works. Garry Goolsby and Neal Young continue to await word as to whether they will be re—appointed. Their terms conclude July 31. Julie McMurdy has begun work as the chief deputy to Chris Seppanen, the director of MAHS. Her current priority with respect to us has been UC issues. But she is aware of and interested our WC responsibilities.”

6. **Old business:**
 - a. **Subpoena, Copying charges, proposed rule to submit to Health Service Rules Committee (Bava, Frame, and Hamm):** Chairperson Housefield indicated that emailed Director Long on April 16, 2015. Director Long advised him to look at R 792.11306 (4) to see if that met our needs. This is a new provision in the Administrative Rules about copying charges. Below is a copy of the rule (emphasis added to pertinent section):

“R 792.11306 Subpoena; provision to opposing party; submittal of subpoenaed records; disputes.

Rule 1306. (1) A subpoena shall be on a hearing system approved form and include all of the following:

 - (a) The party requesting a subpoena shall certify that the matter about which the subpoena is requested is pending before the hearing system.
 - (b) Magistrate signatures are not necessary for subpoenas. Magistrates may sign subpoenas. A subpoena shall be fully completed before submission to a magistrate for signing.
 - (c) The return date indicated on the subpoena shall provide a reasonable time for compliance.
 - (d) Magistrates may sign a subpoena for a case that is assigned to another magistrate.

- (2) A copy of a subpoena issued by a magistrate or attorney pursuant to section 853 of 1969 PA 317, MCL 418.853 shall be provided to all parties, or their legal counsel, at the time of issuance.
- (3) The party for whom a subpoena is issued shall immediately do either of the following:
 - (a) Provide a complete copy of the records to all parties when received.
 - (b) Make the records reasonably available for copying when received.
- (4) All subpoenaed records shall be returned directly to the party requesting the records. **The charges for copying records shall be limited to the charges permitted by the workers' compensation agency health care services in R 418.10118(1).**
- (5) Only those records admitted into evidence by a magistrate at a hearing shall be placed in the agency file or maintained by the agency.
- (6) Any dispute arising under this rule shall be brought by motion before the assigned magistrate and shall have a copy of the subpoena attached. A copy of the motion and the subpoena shall be served on all parties, or their counsel, and proof of service filed with the agency.

History: 2015 MR 1, Eff. Jan. 15, 2015.

- b. **Legislative Committee: (MacDonald, Chizick, and Combs):** Nothing new to report.
- c. **Chronological and alphabetized lists of past Chairpersons (Bava):** Member Bava advised the prior Hall of Fame members list has been alphabetized. She will send a copy of the list to Ella Parker for publication in the Newsletter and will upload it to our Website.
- d. **1 to 5 year plan:** the Members are hoping to have an opportunity to speak with each other about the plan at the upcoming annual meeting in Traverse City.

7. New Business:

- a. **Recommendations from Nominating Committee (Pollok, DeGraw, & Palmer) as to the officers and Council members for 2015 – 2016:** As of today's meeting, the Committee had not yet reported. Member Chizik and Member Sessi expressed an interest in being reappointed to the Council. Member Flynn expressed an interest in going up on the Executive Committee.

- b. Forming Nominating committee in January/February, publishing the names of members and what to do if anyone has interest in serving:** Chairperson Housefield recommended that we start seeking the names of those interested in participating in the Council at an earlier time frame to make participation more likely. The Council agreed to table this discussion with the new Chairperson.

- c. Council meeting 6/18/15 at 4:00 PM:** The meeting is actually at 4:30 PM.

- d. Videotaping/streaming HOF presentation:** Jim Reiter will be accepting the award for Myron. Unfortunately inductee Myron will not be able to be present personally. They were wondering if there was a way to Skype the presentation.

- e. Final headcount and adjustment of contract with Park Place. Contract 54 room nights, currently 26. Allowance of 15% (\$1348.20 or 8½ rooms) will be charged after 5/18/15!** Agreed to wait till next week for the final number. Chairperson Housefield will do another email blast regarding the conferences. He will also meet with Nell to finalize the issues she thinks will be relevant.

- f. Location & Party plan for Friday night:** the Council discussed funding an after dinner event on Thursday night and a get together on Friday night instead of having Council pay for it out-of-pocket. In regards to Friday night, we will select a location and advise at the Section Meeting. Council thought it would be best to have whatever executive member is present to pick up the tab and seek reimbursement from the Council afterwards. Member Esper moved that we follow this plan of action. Member Parker seconded and all voted in favor.

Next, member Chizik moved that we do the same and authorize up to \$500 for an after dinner event for Thursday evening after the Hall of Fame Ceremony. Member Esper seconded. The motion passed unanimously.

Member Esper then moved to make this a practice that the Section cover all of these type expenses and the after party in its entirety as a practice at future annual meetings. Member Chizik seconded. The Motion Passed unanimously.

- g. Approved expenditure for plaques for HOF and incoming Chairperson:** The invoice for the plaques was \$483. Member Esper moved and Member Bava seconded that the Council authorize payment for the plaques and the motion passed unanimously.
- h. Discuss approving up to \$250 towards the Wine Tour:** Chairperson Housefield that he discussed the Wine Tour with Mike Brenton and Mike advised that he would like to keep the tour to 40 people and keep it as affordable as possible. Therefore, he was requesting a contribution of \$250 from the Section to help finance the tour and the bus. Member Hamm moved and Member Bava seconded a motion for payment to Mike Brenton of \$250 to help finance the Tour. The motion passed unanimously.
- i. Leadership Forum:** Our Liaison Danielle Brown pointed out that the State Bar has a Leadership Forum on June 12, 2015 at 1:00 PM on Mackinac Island. She indicated this is a great time to meet other bar leaders and allows everyone to learn how to lead and innovate. The Council discussed how this would be a worthwhile event for the Section to pay for the Chairperson to attend on an annual basis. As the Forum occurs one week before our annual Section meeting, it may be beneficial for the anticipated new Chairperson to attend. This is something the Council would like to consider in the future.
- j. Hall of Fame criteria:** Member Esper indicated that he would like to revisit the qualifications in the future. He believes that there are a lot of good people who

have done a lot of good things for our Section and they do not or should not have to wait until they are retired or semi retired before they are inducted into the Hall of Fame. The Council agreed to table this discussion for future meetings.

Member Chizik, seconded by Member Parker, approved adjourning the meeting at 10:55 a.m. upon a unanimously supported motion. The next meeting is to be held on June 18, 2015 at 4:30 PM at the Park Place Hotel in Traverse City.

Respectfully Submitted,

Ella S. Parker,
Secretary, Workers' Compensation Section