**MONTANA SELF INSURERS’ ASSOCIATION**

**November 17, 2021 Board Meeting Minutes**

**11:00a Mountain**

**Zoom Meeting ID: 856 5329 5295 Passcode: 991864**

Members Present: A. Komac (Chair) MMIA, J. Haun (Vice Chair) Rosauers, M. Marsh(Sec’y/Treas) Midland Claims, D. Haeder Northwestern Energy, D. Walcheck Logan Health, P. Strauss (Exec Dir) ex-officio and non-voting.

1. **Approval of 10/21/2021 Board Meeting Minutes**

**Komac moved and Haeder seconded a motion to approve the 10/21/2021 Board Meeting Minutes as presented. Motion passed unanimously with no abstentions.**

There was a brief discussion regarding having the Secretary/Treasurer sign the Board meeting minutes as approved and how that might be accomplished electronically. Strauss will work with Komac and Marsh to see what can be done. Absent an audit, since every meeting starts out with documenting adoption of the minutes this is not a significant issue.

1. **Director’s Report**:

**Financials**

The October 2021 monthly statements from First Interstate Bank, the DA Davidson Savings and Investment accounts were provided to the Board members with the formal invitation to the meeting on 10/15/21. Strauss apologized for failing to provide a copy of the most recent financial transactions spreadsheet prior to the meeting and reviewed the transactions. We had income from two Associate members, one a renewal and one new since our last meeting. On the expense side, we wrote a check to JCCS for our tax filing preparation, paid the monthly expenses incurred by Strauss for the meeting room at the Governor’s Conference for the Business and Annual Meeting and mileage, along with our usual website and domain name charges. Strauss’s retainer was also paid. Strauss provided a copy of the Financial Transactions spreadsheet electronically after the meeting.

First Interstate Balance                               = $48,943.99

DA Davidson Bond Fund Balance        = $9,719.07

DA Davidson Investment Acct                   = $25,553.59

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In addition, we have the Valley Bank 12-month CD deposit of $10,240.

Our bond fund investment has lost money since we opened it – perhaps not surprising given the bond market. The investment account gains have more than made up for those losses.

Association expenses incurred in October included the website maintenance charge and the Google domain name charge for $55, the Business & Annual meeting breakfast charge of $485.56, mileage to attend that meeting ($199.36) and $2.32 for stamps. The hotel included our room charge in the overall charge for hosting the Governor’s Conference and there was not break-out for our room charge. As a result we did not incur a charge for the use of the room.

Anticipated November expenses will include the domain name and web site maintenance fees. We know of no other expenses at this time. We paid the $100 fee for the NCSI Virtual Annual Conference by check. We will be getting a refund as that Conference was cancelled. We paid our state minimum income tax of $50 and our accountant charges of $705 by check, countersigned by Komac.

Strauss reported he is actively looking for a new accounting firm to provide us tax filing services. He reported it feels like we are paying a higher rate than necessary and is disappointed in the customer service we are getting from JCCS, the current accounting firm we use for tax filing preparation. There is no reason to think the work is sub-standard, but their customer service is poor. Strauss reported similar experience with BBBS-Helena had with JCCS.

In searching for another accounting firm, the Board agreed to have a CPA to handle our account, as we are dealing with other people’s money and want the firm to be big enough to be able to provide service should we be approved for tax exempt status. The Board provided one recommendation for consideration and Strauss has another. A Z provided an estimate higher than we are currently paying.

Strauss reported he finally spent enough time on the phone with the IRS to learn that our application was assigned for review on Nov. 1. We also received a notice from the IRS seeking additional information to support our application. In speaking with the IRS reviewer about our application, the attachments explaining what MSIA does, how we do it and how members are charged were lost in the IRS electronic document processing system. The reviewer requested we provide the information again, directly to him via fax. Strauss will follow up and anticipates getting that information out via the MMIA fax system tomorrow, 11/19/21. The reviewer indicated based on his understanding of the material to be sent there should not be an issue in approving our request.

**Membership**

There has been no change in our membership roles this month. We will get another Associate member, MSQ, in January.

1. **Web Site**

The Web Site has been updated with the most recent MSIA Update and Strauss anticipates submitting the AMA Guides Update Extra for website publication as well this week.

1. **LBWCCC/LMAC**

We had minor changes to the original Labor Business Communications Council Charter. First, there was the suggestion to change the name to the Labor Business Workers Compensation Communications Council (LBWCC) As well, we included electronic attendance to the meetings, and limited electronic voting on issues.

LBWCCC is planning the first meeting to be held on December 6 at 1p at which we will formally adopt the Charter, elected labor and business co-chairs and discuss the AMA Guides updates. We will invite Jean Branscum, Executive Director of the Montana Medical Association to attend the meeting.

The Board discussed whether we should take the position of adopting updates to the Guides as a legislative position. While all agreed the system has an obligation to keep up with the most recent evidenced based medical positions, there is little if any medically based changes in the 2021 or 2022 updates. They appear to be more based on an AMA desire to sell more subscription-based services. There is no free access to the updated Guides and they will not be available other than as a subscription based service from the AMA at $275 per year. Physicians and the MMA have reported they are difficult to use, the new format is confusing and they do not provide any advantage to either injured workers nor the system. With the Montana physicians identifying no advantage, additional costs based added time to provide an impairment rating based on the current formatting and no new medical thinking represented in the updates, we may not take a position to adopt these updates.

Strauss will touch base with the National Council of Self Insurers to see what kind of experience others may have had with the 2021 updates. State of Montana Medical Director Dr. Cook-Shimanek will be touching base with psychological treatment professionals to see if there is a significant difference in adopting the DSM-V rather than continuing to reference the DSM – IV. Cook-Shimanek will also check with the IAIABC to see what experience WC regulators might be able to share from states where the law automatically update to the latest version.

1. **Old Business / New Business**

**Tax Status** No change – although the IRS has requested additional information and upon receipt may approve our request. The IRS request was provided to Board members as part of the meeting invitation provided on November 15.

**NCSI** – Strauss has been invited to join the Executive Committee of the National Council of Self Insurers as a representative of the MSIA. NCSI reports there are only a couple of meetings per year which should not take up too much time. One meeting is in conjunction with the Annual Meeting, so we would not incur additional costs for that effort. The other is dedicated to creating the Annual Meeting agenda and review of administrative documents for the Council, such as the bylaws and operating agreemtns. Recently, this meeting and has been held electronically. The additional work may add two days to Strauss’s workload. NCSI picks up the expenses for at least that meeting, so any additional expenses we may see are minimal, if any.

**Komac moved and Marsh seconded a motion to have Strauss accept the NCSI Executive Committee membership invitation. The motion passed unanimously with no abstentions.**

1. **Adjourn**

The next meeting is scheduled for December 16 at 11:00a Mountain.

Approved as submitted, Mike Marsh

MSIA Secretary 12/16/2021