

MONTANA SELF INSURERS' ASSOCIATION

Board Meeting Minutes

January 16, 2025 11:00a MST

Zoom Meeting ID: 881 9412 4899

Passcode: 527451

Members Present: D Haeder (Chair) NorthWestern Corp, D. Walcheck (V Chair) Logan Health, M. Marsh (Secretary/Treasurer) Midland Claims Service, K. Bartsch MT Schools Group Interlocal Authority, C. Cude Rosauers, V. Evans Montana Contractor Compensation Fund and P. Strauss (Exec Dir) ex-officio and non-voting member.

1. Approval of 12/19/2024 Board Meeting Minutes

We forgot to review and approve the 12/19/2024 meeting minutes. We will do so at the next scheduled meeting.

2. Director's Report:

Financials

The December monthly statements from our Valley Bank operations checking account, our Wells Fargo Advisors money market account, and our DADCo Savings and Investment accounts were attached to the meeting invitation sent January 10. An updated Financial Transactions spreadsheet, which is more current, was also attached to the meeting invitation.

Valley Bank Balance	= \$26,203.38
DA Davidson Bond Fund Balance	= \$10,245.80
DA Davidson Investment Acct	= \$26,851.49
WFA Money Market	= \$27,741.31

December expenses included the usual CardSetter and Squarespace (formerly Google) domain name charges – this time with the increase of \$1.20 from Squarespace. We also paid for my registration at the Univ of Montana Bureau of Business & Economic Research Seminar on Jan 28 and the CE Credit application charge from NAIC for the 24 people who attended the 12/5 Webinar and wanted the MT Insurance Producer license credit. We pay to register the course for CE credit and to apply the credits to the individuals.

As of now, January expenses are expected to include the usual CardSetter and Squarespace fees, the \$154.97 charge to register as a lobbyist with the Commissioner of Political Practices and a charge for coffee and parking for a meeting with Jason Swant and Nick Poole (new Plan 1 Administrator for DOLI). We will also have the CE credit application charges for the Feb 12 Webinar from DOLI and NAIC. This

Webinar will feature Lisa Fitzpatrick with MSIA member XcelABLE who will be talking about FCEs, and the new technologies being utilized to create objective medical evidence and applying that information for additional safety after return to work. Fitzpatrick also has a compelling personal story. We have received approval from DOLI for the WC Claims Examiner license CE and are waiting to hear from the NAIC about the MT Insurance Producer license CE application. We have two sponsors who have already paid their sponsorship fees for this webinar and have already sold at least four seats. We had budgeted to sell 32 Webinar seats for the year and have met that goal already with the first two Webinars of the fiscal year.

3. Membership

We have added a new Associate member to the January cycle, Collage Rehabilitation/Learning Services. They provide rehabilitation services for TBI patients. I have recently generated a new list of self insured interested parties – including national self insured employers in the state and have begun to solicit them for membership.

We have sent out a more personal January dues notice to the remaining January cycle Associate members and have had positive response from the renewing members.

MSF has chosen MSIA members, and incumbents MyMatrixx and Rising Medical Solutions as a result of their recent RFP process for pharmacy benefit manager and bill review work.

4. Legislative Issues

Strauss has sent out the Week 1 UPDATE which included the exhaustive list of bills we are tracking. The new legislative on-line system is much more difficult to work with than the old. Strauss continues to try to figure it out and does not yet know how to identify a preference list, nor if the system will automatically identify when a bill status has changed (like when it is scheduled for hearing). As a result, Strauss is in manual mode for figuring it out and tracking our bills. There remains almost no language publicly available yet.

Added to the disfunction in the Senate (which currently works in our favor), the session will get off to a slow start.

Our transportation bill, LC 1353 remains in draft form. Strauss is working with the sponsor, Ed Buttrey (R-GTF) and his Legislative Counsel Jameson Walker to refine the language a little bit to try to tie the act of driving to the course and scope of work. Strauss has touched base with a number of business advocates and the remaining insurance advocates to let them know of the bill, the background on it and our efforts.

We generally reviewed the legislation Strauss had identified:

SB 109 permits PTs to be Treating Providers. I have spoken with the sponsor (Hertz, R-Polson) and the lobbyist as well as the APTA-MT to let them know of our opposition to the bill. MSF will be an informational witness – not taking a formal position in favor or opposed. Here too, I have contacted the business and insurance communities for support for our position. Given a personal issue, I asked the sponsor and the Chair of the Senate Business & Labor committee to postpone a hearing at least until the week of Jan 20 and they had no issue with the request.

HB 143 by Etchart (R_BIL) permits PAs with 8000 hours of supervised experience to be treating physicians. We support this bill – which is a change in position for us. It is scheduled to be heard in House Business & Labor on Thursday 1/16. If I cannot attend in person, we will have a proxy for us supporting the bill. The Board discussed the need for more providers to be willing to do Impairment Ratings and IME costs to get them done currently. If this proposal provides more access for IRs we should more vigorously support it.

LC 2254 (Nicastro R-BIL) overturns the *Rainey* decision which required the 14 day notice even when someone is fully and finally discharged from medical care to full duty. While the bill has not been formally introduced yet, it is likely to be scheduled for hearing in House B & L that same day, Thursday, Jan 16.

LC 458 (Kassmier R-Ft Benton) is the Departments clean up bill. It changes the definition of employer in a borrowed employee situation, makes reporting for Administrative charges annual, instead of quarterly and eliminates some of what is considered private information from the Medical Status Form, so that one form can be used by all, instead of two – one for the employer and one for the injured worker and insurers. One relatively active member indicated they would like to oppose that last change.

The Senate remained a mess as of Friday night. The Dems are sitting back and taking it all in, waiting for the majority to figure out how to talk to each other. It is somewhat fascinating to see this play out. I attended the MT Chambers' Business Days at the Capitol. Their annual 'Eggs & Issues' breakfast features the four leaders – and this year's event was really, really interesting. It was moderated by former Chamber President, former Gianforte Chief of Staff Glenn Oppel. I will tell you about it when we meet.

Medicaid Expansion is going to remove oxygen from the Capitol. This is likely to be nasty, all-consuming and relatively unpleasant. It is the top priority for the MT Chamber as well as one of the highest priorities for most, if not all, other business organizations. I have been approached as well to wade in – a measure of how tough this is likely to be. Everyone knows I am WC – and only WC – my role is not on the health care side.

We will again be meeting with the MT Chamber Business Caucus on Mondays. This is a good opportunity to learn other business issues and garner broader support for our efforts.

We discussed whether MSIA as a business organization could support the MT Chamber position on Medicaid Expansion. Walcheck commented that in her industry there is the generally accepted position that if it does not get extended, rural hospitals will shut down. She shared that other hospital systems have sent notice to employees already that if not extended to expect reductions in staff, closure of services offered and likely higher prices.

The Board agreed MSIA should support the MT Chamber of Commerce position on Medicaid Expansion. We should not be a lead proponent but work with the Chamber as a supporter.

We discussed trading off the 4-day waiting period delays, for someone who is off for at least 21 days after an injury and concluded if there was something worth trading this issue for, we should consider it.

We discussed trying to modernize the statutory language regarding 'sick leave,' and 'vacation time' versus 'personal leave' or 'personal time off.' While it is cumbersome and somewhat confusing, that kind

of change would have broad statutory title and chapter impacts and is not something that should be a priority.

Strauss reported on his acceptance of a legislative monitoring contract from four employers interested in Multiple Employer Welfare Arrangement (MEWA) legislation. The work is monitoring and reporting with the potential of occasional opposition testimony for the record. Strauss is not anticipated to be a lead opponent and there is no advocacy involved. One of the employers is MT Health Network, an MSIA member. The contractual language provides for primacy of MSIA issues should a conflict arise.

5. Old Business / New Business

None known at this time.

6. Adjourn –

The meeting adjourned at 12:00 MST. We are next scheduled to meet February 20 at 11a MST.