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One Nashville Place, Suite 2200 • 150 Fourth Avenue North • Nashville, Tennessee 37219  
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**TERRY HILL**  
**EXECUTIVE DIRECTOR**  
Manier & Herod

**BOARD OF MANAGERS**

**General Motors Corporation**  
Susan Azar  
Chairperson

**Ingram Industries Inc.**  
Don Rickenbaugh  
Treasurer

**Ajax Turner Company**  
Todd Williams

**Averitt Express, Inc.**  
David McDowell

**City of Knoxville**  
Gary Eastes

**Cracker Barrel Old Country Store, Inc.**  
Rob Behnke

**Fisher & Company**  
Joe Ratta

**Goodyear Tire and Rubber Company**  
Randy Triplett

**Johnson Controls, Inc.**  
Tina Fee

**McKee Foods Corporation**  
Diann Morshead

**Nissan North America, Inc.**  
Mike Berger

**Parker Hannifin Corporation**  
Curtis Gross

**Thompson Machinery**  
Michael White

**Tyson Foods, Inc.**  
Allyn Tatum

**Wasco, Inc.**  
Paul Kneidler

**MINUTES OF BOARD OF MANAGERS' MEETING**  
**July 17, 2008**

**Present:**

General Motors Corporation	Susan Azar
Manier & Herod	Terry L. Hill
Averitt Express, Inc.	David McDowell
City of Knoxville	Gary Eastes
Cracker Barrel Old Country Store	Rob Behnke
Fisher & Company, Inc.	Joe Ratta
Ingram Industries, Inc.	Don Rickenbaugh
Johnson Controls, Inc.	Tina Fee
McKee Foods Corporation	Diann Morshead
Parker Hannifin Corporation	Curtis Gross
Wasco, Inc.	Paul Kneidler

**Absent:**

Ajax Turner	Todd Williams
Thompson Machinery	Michael White
Tyson Foods, Inc.	Lynn Tatum
Tenn. Chamber	Bradley Jackson

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The Board of Managers of the Tennessee Self-Insurers' Association met via teleconference on Thursday, July 17, 2008. The meeting was called to order by Susan Azar at approximately 10:05 a.m. CT.

**DISCUSSION:**

1. **Minutes** of the June 12, 2008 meeting were approved.
2. **Treasurer's Report** was presented by Don Rickenbaugh and approved, reporting a balance of \$48,508.51. We have one new member, along with 3 new associate

## TENNESSEE SELF-INSURERS' ASSOCIATION

members. The PayPal account is working, although there are some logistics involving the transferring of funds to our checking account, which needs to be resolved. Don reported a total of 34 registrations so far (this includes vendors) for a total of \$2,200 paid. Don indicated we need to get serious about his replacement. He will only be available through the October meeting.

3. **Membership/Nomination.** Nissan is now a member, and Mike Berger has agreed to be a Board member, but was unable to attend today. Goodyear has joined, and Randy Triplett has also agreed to accept a Board member position. Goodyear is a high-deductible employer. We welcome both gentleman to our Board, and look forward to their contributions to our organization.
4. **Amicus.** Terry talked to Kent Krause and he has agreed to do the amicus brief on the issue of the presumption of the validity of the MIR doctor's opinion. The Board voted to pay \$1,250 for his efforts.
5. **Technology.** Nothing to report. Some membership and Conference registrations are coming through the website. Eight Conference registrations have come via PayPal.
6. **Conference Committee.**
  - a. Tina reported that all 16 vendor tables are reserved and paid in full. Gary Eastes will contact Willis of Knoxville re: sponsorship since no booth space is left. Terry advised the lanyard/flash drives came in, and they are very nice.
  - b. Diann advised that Commissioner Newman wants to meet with some members of the Board prior to the September Conference. Terry, Rob, and Don agreed to meet with her. Terry will try to set up lunch in early August.
  - c. Reminder that there will be a Conference Committee meeting at 9:00 CDT on August 14<sup>th</sup> prior to the regular Board meeting at 10:00.
7. **Legislative.** Terry met with several difference groups recently. We are well on our way to making significant progress in getting several bills from this year passed in the 2009 session.
  - a. Regarding the bill on definition of "injury," Terry asked Linda Hughes at the TDOL to pull together definitions from other states. Within that definition, we want to address: (1) the work at home situation; (2) recreational activities; and (3) repetitive motion. The definition of injury has been the same since 1918 and we need to tweak it to make clear what types of situations would and would not be covered. Our adversaries are willing to discuss this and are open to making changes. He hopes to have a rough draft within 45 days.
  - b. Bill on closing medicals – Terry is to discuss this with the administration.
  - c. *Overstreet v. TRW Steering* decision – This is the case re: no ex parte communication between defense attorneys/employer/case managers and their own doctors. Plaintiff's bar realizes it is a problem. Terry will prepare a bill, and at the request of employee representatives, he will put in there that the other side is to get copies/documentation of whatever we send the doctor. He doesn't see that as a huge deterrent if they will agree to this as a compromise.
  - d. Terry has discussed the venue issue with both sides, but neither side can come up with a consensus on this issue. There is conflict there based upon which county

## TENNESSEE SELF-INSURERS' ASSOCIATION

you are in. We need to have some clear-cut rules, but cannot come up with something to please everyone.

- e. Susan mentioned interesting cases out of SC & NY on illegal immigrants.
  - f. Terry indicated the Legislature will be back in session the second week in Jan. and he hopes to have something in place by the middle of October.
  - g. Rob led a discussion on the new MSA rule changes that Insurance companies, self-insureds, and everyone has an obligation to report claims on anyone eligible for Medicare. A penalty of \$1,000 per day would be assessed if not reported.
  - h. Terry reported on the Guaranty Fund situation. He will attend the conference call on July 31<sup>st</sup> with Marsh.
8. **Old Business.** Terry sent out a case update to all members following the June meeting. Susan asked if anyone has received feedback from other members not on Board. Gary talked about doing a survey of members and what they want. Terry will plan to present our list of accomplishments at the Conference.
9. **New Business.**
- a. TNSIA Board Dinner 9/10/08, invite Mike Piggott – It was agreed to have a Board member dinner the night before the Conference to meet the new Board members in person. Terry will take care of setting that up. We will invite speakers and the State people, but no spouses.
  - b. Tour of Spring Hill Assembly – Susan will check with the plant to see if they are in production, and will set up a tour depending upon the number of people that express an interest.
  - c. *Overstreet v. TRW Steering* – See Legislative section.
10. **Other:**
- a. Board Member Profile. All were in agreement to skip the profile this month.
11. **Open Discussion.**

There being no further business, the meeting was adjourned at approximately 11:05 a.m.

The next Board of Managers meeting will be held via teleconference on **Thursday, August 14<sup>th</sup> at 10:00 a.m.**

Respectfully submitted,

Susan R. Azar, Chairperson  
Terry Hill, Executive Director