President’s Message  
*Jim Craig, MIPRIMA President*

On Wednesday, June 13, Michigan PRIMA will hold its annual golf outing at the Glen Oaks County Golf Course in Farmington Hills. This event for Michigan PRIMA members and supporters generates funds to support the educational mission of the organization including conferences, student scholarships, and support for professional training.

The annual Spring Conference was held in late March at Schoolcraft College. Informative presentations were made on timely topics relevant to the risk management professional. The morning sessions focused on the cyber risks faced by both individuals and organizations in the area of cyber crime. An FBI agent presentation focused on steps individuals can take to protect themselves and their organizations in the face of cyber threats.

Charlie Stevens, Michigan Municipal Risk Management Authority, presented an overview of the cyber coverage protections that his organization provides in the event of a cyber attack on a member organization. The cost of mitigating a loss and providing monitoring for affected individuals can be expensive.

Having enough funds to carry out projects or events is always a challenge in the public sector. Dawn Dayton, Dayton Consulting, presented ways to make funding efforts more effective in generating the resources to carry out initiatives. Her tips of planning the “ask”, being clear about the benefits and objectives of the project, and ways to find possible funding sources were informative on how to have a positive result for a fund-raising effort.

The afternoon sessions were focused on mental health issues in law enforcement and protecting youth from sexual abuse.

Washtenaw County Sheriff Jerry Clayton presented steps being taken in Washtenaw County to ensure that individuals with mental health issues do not become unnecessarily entangled in the criminal justice system. Sheriff Clayton’s enthusiasm and passion for his work and the benefits to the community of an enlightened law enforcement practice demonstrated the benefits to the community of a compassionate approach to mental health issues.

Elizabeth Smith, Washtenaw Child Advocacy Center, presented tips on how to develop and implement policies, practices, and procedures to prevent the sexual abuse of youth. The harm to a child, the damage to the reputation of the organization, and the loss of public trust have enormous negative impact that can be prevented by developing and enforcing organizational policies designed to protect youth.

In addition to the funding provided by the golf outing to support educational activities, the contributions of our corporate sponsors support the educational mission of Michigan PRIMA.

I look forward to seeing you on the course on June 13.
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Useful Resources
Stay informed on the latest national and local events.

- Educational Resources
  - The Institute  
    [www.thelinstitutes.org](http://www.thelinstitutes.org)  
    Offering professional designations in Insurance and Risk Management
  - CPCU Society  
    [www.cpcusociety.org](http://www.cpcusociety.org)  
    5 CPCU chapters located in Michigan
  - PRIMA Institute
  - Public Entity Risk Institute (PERI)  
    E-Training Center
  - Risk and Insurance Management Society (RIMS) – Education

- National PRIMA
  - [www.primacentral.org](http://www.primacentral.org)  
  - Offering National Membership and Webinar Series
  - Olivet College  
    [www.olivetcollege.edu](http://www.olivetcollege.edu)

- Other Resources
  - AM Best Rating Center
  - Dept. of Treasury’s Listing of Approved Sureties

- Michigan Office of Finance and Insurance Services Search Criteria for Insurance Entities

- Michigan BWDC Employer Insurance Coverage Inquiry
  - Current Workers Comp Insurance Coverage Lookup
  - Risk Management Library
  - Library and Resource Directory

Visit MIPRIMA online and scan the QR code!
MIPRIMA 2018 Spring Conference

Dawn Drayton, Dayton Consulting
Dawn’s presentation focused on Grant Writing; Know Your Mission, Know Your Story & Locating the Funding

Jim Craig, President MIPRIMA & Bill Brown, Program Chair
Elizabeth Smith, MS, Forensic Interview Specialist Presented:
Protecting Youth from Sexual Abuse

Charlie Stevens, CPCU, Claims Operations Manager MMRMA Presented:
Cyber Exposures, coverages and trends

Elizabeth Smith, MS, Forensic Interview Specialist Presented:
Protecting Youth from Sexual Abuse
Sheriff Jerry L. Clayton, Washtenaw County Sheriff’s Department
Presented: Mental health in the community; planning, leadership and CIT training. He shared his vision & making a difference with focused team training.
Michigan Public Risk Management Association (MIPRIMA)
2018 Scholarship Program

I. Purpose
MIPRIMA is offering scholarships in order to promote and support study in fields associated with the practice of Risk Management and related disciplines.

II. Criteria
a. An applicant must be at least a junior level undergraduate upon enrollment for the fall of 2017.
b. An applicant must have a minimum of a 2.8 or higher Grade Point Average. Master Level applicants must have at least a 3.2 GPA.
c. An applicant must demonstrate a financial need. Preference will be given to students who are working part-time during the school year and full-time in the summer (if they are not attending summer classes).
d. Students enrolled in Risk Management, Insurance, Public Administration, Occupational and Public Safety, and Community Health are eligible to apply for scholarships and as determined by the Scholarship Committee.
e. Applicants must register for the Fall Term as soon as the College or University opens registration. If the applicant does not register or withdraws, the College or University must return the scholarship to MIPRIMA.
f. Previous recipients may also re-apply.

III. Procedures
The applicant must submit the following items to the Financial Aid office or Departmental Advisor at the respective institutions:
- Copy of their latest transcript
- Brief resume
- Statement of career goals
- Explanatory statement of their reasons for requesting the scholarship

The Financial aid officer or Departmental Advisor will forward all submissions to the Chairperson of MIPRIMA’s Scholarship Committee, including:
- Summary of the applicants courses related to the practice of Risk Management or a related field and any comments deemed appropriate;
- Comments regarding eligibility and recommendations, including reasons for recommendations.

IV. Application Deadline & Selection
All procedures must be completed and application materials submitted to the Chair of the Scholarship Committee by April 30.
• The Scholarship Committee of MIPRIMA will review the applications, make selections, and submit recommendations to the MIPRIMA Board of Directors for approval.
• The Chairperson of the Scholarship Committee will announce its decisions immediately thereafter. The Scholarship recipient(s) and their respective institution will be notified upon MIPRIMA Board of Directors approval of the scholarship(s).
• Checks will be mailed to the respective institution in July.

V. Award
• MIPRIMA Scholarship:
  o MIPRIMA Scholarship –Provided through funds raised at the annual MIPRIMA Scholarship Golf Outing.
    ▪ Recipients of this scholarship will be invited to attend an annual MIPRIMA Golf Outing.

The amount of the scholarship award will be a minimum of $750.00. The number of qualified applicants and the amount of funds available will determine the amount of the scholarship(s). The monetary award will be made payable to the scholarship recipient and to the College or University for the recipient’s 2018 Fall Term tuition costs.

Questions concerning the scholarship, and the Scholarship applications, are to be directed to the Chair of the Scholarship Committee:

Judith A. Thomson-Torosian, CPCU, CIC, ARM, MIPRIMA Scholarship Chair
248-204-6137 or jthomson@meadowbrook.com
Nassar Backlash
The public backlash against Larry Nassar and his crimes against young female gymnasts has manifest itself in new legislation that may reduce Governmental Immunity in certain circumstances. While this specific legislation is limited, the idea that the legislature’s response is to fiddle with the existing immunity is scary to those in Public Risk Management. Any attempt to shift the status quo may have unintended consequences once the new statute is fully litigated and pushed to its extreme limits which is always the eventual case with new law.

There is a “package” of Bills that are moving together and each Bill has a specific area of impact.

According to the official analysis, SB 877 would “specify that a governmental agency would not be immune from tort liability for sexual misconduct that a member, officer, employee, or agent of the governmental agency engaged in while employed by or acting on behalf of the agency if it were negligent in hiring, supervising, or training the individual, or if the agency knew or should have known of the sexual misconduct and failed to report it to a law enforcement agency.”

Thus, the agency would not be immune if it “should have known” of the sexual misconduct. It is one thing to say the agency should have known about a pothole that is in the middle of the street for everyone to see and another to say the agency should have known about sexual misconduct that by its very nature is carried out in secret. The most recent MIPRIMA seminar in March featured an excellent speaker, Elizabeth Smith from the Washtenaw Child Advocacy Center who explained how predators “groom” their victims and what to watch for. If you have staff or volunteers who work with children and missed this timely training, you will want to figure out what “grooming” looks like because under HB 877 it appears that you and your agency will be responsible for spotting this in the future.

Also, SB 876 appears to retroactively extend the reporting period for this type of case. It appears that this applies retroactively to January 1, 1997. Those concerned about Public Risk Management will want to read these bills and probably consult with their chosen counsel for full review of the implications. These bills can be found on line at the site HERE.

House Bill 5488: Legal Fees Incurred by Public Universities, Colleges and Community Colleges
House Bill 5488 was introduced on January 30, 2018 by State Rep. Jim Runestad, R-White Lake. The Bill would amend the State School Aid Act, using the legislature’s appropriations authority to require public universities, colleges, and community colleges that receive funding from the state school aid fund to annually report “all costs … in connection with any civil or criminal case, filed or anticipated” against the entity or any of its staff to the senate and house appropriations subcommittees on community colleges and the senate and house oversight committees. In addition to attorney fees and other costs, such as those incurred during MSU’s internal Nassar investigations, entities would also be required to report the amounts of court judgments or settlements against the school.

House Bill 5405: Settlement of Sexual Harassment Lawsuits
State Rep. Gary Glenn, R-Williams Township, introduced a bill on January 11, 2018, that would prohibit the use of taxpayer dollars to settle sexual harassment lawsuits against elected state officials. Specifically, the Bill proposes that: “A public entity shall not make an expenditure of public funds to settle a claim or action involving sexual harassment in which a public official is the alleged perpetrator or defendant.”

House Bill 5397: Settlements Involving Gross Negligence and Intentional Misconduct
On January 11, 2018, Representative Lucido introduced House Bill 5397, which is intended to prohibit the expenditure of state and local funds on the settlement of certain claims and actions or on certain judgments. The Bill would ban tax dollars from being used to settle lawsuits involving gross negligence, intentional misconduct, or criminal behavior by elected officials. Additionally, the Bill requires that, if a court finds that a public official was grossly negligent or engaged in intentional misconduct, or the public official is convicted of a crime, the public official shall, within 30 days after the finding or conviction becomes final, reimburse the public entity for any public funds that were expended in the defense of the public official.
Michigan Court of Appeals holds that ELCRA is available to Prisoners
The Appeals Court has held that prisoners have ELCRA protection and the previous exclusion of prisoners is invalid. The Detroit Free Press reports “In a 2-1 opinion, the court ruled that a 1999 amendment that excluded prisoners from coverage under the Elliott-Larsen Civil Rights Act is unconstitutional.” The full article can be read at HERE.

The case is Doe v Department of Corrections which makes it somewhat hard to find. The full decision can be read HERE.

The State will undoubtedly seek leave to appeal before the Michigan Supreme Court and Public Risk Managers would be well advised to follow this case.

Oxford comma suit settled
The rather famous case involving overtime for milk truck drivers, commonly called the Oxford Comma Lawsuit since it hinged on the use of a serial comma (referred to by grammarians as an Oxford comma) has been settled for $5 million dollars according to the ABA Journal. A lesson for those who do not think that proper punctuation is important. The full text of the article can be found HERE.

RBG Update - Ruth as a rock star
Those easily distracted by click bait will already know, but for the rest of our readers, a debate has developed about whether Ruth Bader Ginsburg should be treated like a rock star. Conservatives concede that they began the trend with their treatment of Antonin Scalia, but now that the shoe is on the other foot – the shoe seems too tight. More HERE.

RBG is not put off by the debate and seems to have fanned the flames by appearing on The Late Show with Stephen Colbert where she shared the secrets of her personal exercise program wearing a black “Super Diva” sweat shirt. The episode can be viewed at HERE. (after a commercial.)

RBG #MeToo
While on the topic of Ruth Bader Ginsburg and the US Supreme Court, according to an article in the ABA Journal, RBG was recently interviewed by NPR and had her own #MeToo story. The full article can be read HERE.

MCCA charges increased
Notices are out that the MCCA charges for this year have increased to $192. This is a 13% increase according to the Lansing State Journal. The complete article can be found HERE.

Opioid lawsuit by Michigan public entities
If you have missed the news, several Michigan communities have filed suit against opioid producers (Big Pharma) seeking damages to offset the public costs of treating the opioid epidemic. Several groups including the Government Law Section of the State Bar of Michigan have hosted E. Powell Miller, the lead attorney on this lawsuit as speaker, apparently seeking other communities to join in this suit. Whatever your position on this issue Public Risk Managers should have this issue on their radar.

Fox News     Michigan Live     Lansing State Journal

English as “official” language?
House Bill 4053 was passed on Feb 22, 2018 by the Michigan House. This bill would make “English” the official language of the State of Michigan. The official analysis by the Senate Fiscal Agency (published on 3-21-18) states that “The bill would have no fiscal impact on State or local government.”

News coverage from last year when this bill was introduced may be found HERE.

It is unclear what impact this bill will have on the work of Public Risk Managers, but this bill just passed the House and seems on the way to the Senate. Since risk management is heavily dependent on forms and printed material this is a bill to watch and consider the possible consequence of passage.
THE ANNUAL MICHIGAN PRIMA SCHOLARSHIP GOLF OUTING

JUNE 13, 2018

WE’VE MOVED TO A NEW LOCATION:
Glen Oaks Golf Course
30500 Thirteen Mile Road
Farmington Hills, Michigan 48334

Mark your calendars, and plan to join us for the 18-hole scramble event with a shotgun start at 9:30 a.m. and lunch at the turn.

Two Lucky Golfers will get one shot at making a Hole-In-One for $1,000,000

Registration and coffee/donuts begin at 8:00 a.m. and the Hole-In-One event at 9:00 a.m.

****FULLY PAID FOURSOMES ONLY****
$400 per Team

Teams should submit one check for the team.
PLEASE PROVIDE THE NAMES OF ALL FOUR GOLFERS ON YOUR TEAM.

Send your check now to reserve a spot for your team; we are limited to 144 golfers.

Price includes: Golf with cart, coffee/danish, lunch, dinner, skins game and prizes.
(Beverage cart on course is cash only.)

If attending for Dinner only: $45.00 Per Person

Make all checks payable to MIPRIMA
Send to: Tim McClorey, Risk Manager
        c/o Michigan Municipal Risk Management Authority
        14001 Merriman Road
        Livonia, MI 48154
        (734) 513-0300
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