**Elder Law and Disability Rights Section [ELDRS]of the State Bar of Michigan**

**Section Meeting – February 6, 2021**

**Webinar / Conference Call Only**

Attendance by Phone: Christine Caswell\*, Susan Chalgian\*, Howard Collens\*, Shannon DeWall\*, Raymond Harris\*, Antonia Harbin-Lamb\*, Angela Hentkowski\*, Catherine Jacobs\*, Maria Messina Wiersma\*, Erin Mortenson\*, Amanda Murray\*, Theresa Orlaske-Rich\*, Kelly Quardokus\*, Tracey Rowens\*, Nick Ryan\*, Jacquelyn Rygiel-Sprague\*, Nadia Vann\*, Terri Winegarden\*, Todd Tennis, Jean Doss, Paul Sturgul, Don Rosenberg, Harley Manela, Robert Mannor\*, Sean Ziadeh, Sara Morey, James Steward, Jessica Kelly, David Kerr, David Lucas, David Sprague, Steven Dunn, and Beth Swagman

[\*ELDRS Council Member]

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Chair Christine Caswell called the meeting at approximately 10:03 AM.

**[A] ROUTINE BUSINESS**

1. Attendance / Roll Call

2. Agenda- Susan Chalgian moved, and Raymond Harris seconded, a Motion to adopt the Agenda. Motion passed.

3. Minutes- Theresa Orlaske-Rich moved, and Terri Winegarden seconded, a Motion to adopt the minutes. Motion passed.

4. Treasurer’s Report- Report by Maria Messina Wiersma. Budget approval – Howard Collens first, Terri Winegarden second.

Hearts & Flowers Fund eligibility – Maria Messina Wiersma reported that SBM stated we can fund this as long as our bylaws do not prohibit our funds being used this way. Motion – remove from Budget and have discretionary contributions to be held by an officer in their IOLTA account – Angela Hentkowski moved, Howard Collens second.

**[B] COMMITTEE REPORTS**

1. **Spring Conference** – Harley Manela led discussion on the Spring Conference re: sponsors and sessions. The conference will be held on March 19, 2021 by zoom, and will be 4 sessions from approximately 11:00 am – 3:00 pm.
2. **Fall Conference** – Susan Chalgian had no formal report, waiting to see if it looks like the conference will be held in person or virtual.
3. **Disability Rights Committee** – Nadia Vann gave update. Committee is working with the Bar’s Ad Hoc Committee on Diversity and Inclusion and will have a special program, featuring ELDRS members, on February 22 at noon. The committee will also be speaking at the ELDRS Spring Conference and do a webinar in September.
4. **Legislative Committee** -
	1. Todd Tennis gave the Capitol Services Legislative Report, still working on remote witnessing and notarization to make it a permanent change.
	2. Todd Tennis provided a history on SB 77 – Cameras in the Nursing Home.
	3. Catherine Jacobs gave an update on the Legislative Committee, asking members to contact her if a member would like to join a subcommittee.
	4. Kelly Quardokus moved, and Angela Hentkowski seconded a motion for ELDRS supporting SB 0033 in concept for allowing electronic monitor devices in nursing homes as resident rights but ELDRS opposes SB 0033 in its present form as it is substantially unchanged from 2020’s final version of SB 0077 regarding cameras in nursing homes. SB 0033 does not allow for the effective use of cameras in resident’s rooms or for such video recordings to be used as evidence in a court proceeding. In its present form, the SB 0077l better serves the nursing home industry than the residents. ELDRS proposes amendments. Roll Call – motion passes with 19 voting in favor, there were no votes opposed or abstaining. Motion passes.

1. **Litigation** – Angela Hentkowski had no report.
2. **Membership and Education** – Amanda Murray reported that they will be having a webinar every other month. Next webinar is March 10 on Elder Mediation. The committee will be planning a “social hour” after the Spring conference.
3. **Administrative** **Law** – Erin Mortenson reported on the letter to CMS and others regarding our issues. Erin Mortenson made a motion, and Terri Winegarden seconded, to approve draft letter to CMS and allowing the administrative committee to make modifications to the formatting and attachments, the committee will not make substantive changes. Roll Coll - motion passes with 19 voting in favor, there were no votes opposed or abstaining. Motion passes with 19 voting in favor, there were no votes opposed or abstaining. Christine Caswell noted that the previous letter to DHHS had been sent and been given to Todd Tennis to discuss with Director Elizabeth Hertel.
4. **Bylaws –** Howard Collens will try to get the Bylaws updated this year.

Meeting adjourned at approximately 12:31 PM.