

Minutes of the Elder Law and Disability Rights Section Meeting on February 2, 2008

Attendance: Present at the meeting were: John Payne, Caroline Dellenbusch, Dolores Coulter (Chair), Amy Tripp (Vice Chair), Rachel Holmes, Douglas Chalgian, Patrick Bond, Kristina Barsch, Josh Ard, Mike Fraleigh, Erick VanSteel and Konrad Hitner.

Attending by telephone conference were: Don Rosenberg (Secretary), Sanford Mall, Arthur Malisow, Brad Vauter, Harley Manela, Paul Sturgul (Treasurer), Susan Wideman, Brad Geller, Roxanne Chang, Harley Manela, Honorable Allen Nelson and Patti Dudek.

Also attending was Ellen Hoekstra and Todd Tennis from Capitol Services.

Approval of Minutes

The minutes from the previous meeting were approved.

Treasurer's Report

As of December 31, 2007, there was \$95,000.00 in the account. There was an issue that was discussed about \$3,000.00 being listed as a travel item. This charge was actually a deposit for the fall conference. The treasurer will have it reclassified to "seminars."

Legislative Update: Capitol Services

The Legislative report was posted on February 1, 2008. The highlights were the issues concerning the State of the State, the fact that the budget for the State of Michigan was being released on February 7, 2008, at 11:00 a.m. in a joint meeting, which includes the budget for DHS and DCH.

The Council decided that they would like to send a statement in support for expanding funding for the Michigan Home Based Community Waiver Program. The motion was brought by John Payne and seconded by Amy Tripp. All members present agreed. No one opposed or abstained.

The next issue discussed at length was the proposed changes for Blue Cross Blue Shield. In the particular situation, the Blues are non-profit and the bills before the Legislature state that they would like to remain a non-profit and but act like a for profit company. Rumor has it the pending bill maybe all but a formality.

Ellen suggested a sub committee be formed. UAW is opposed to the bill. Some other groups opposed are HMO and private insurance industry. Key questions: where is senate leadership and what kind of deal is going to be cut. Ellen is asking what steps the council should take. Dolores appointed a committee: Dolores, Doug and Mike Fraleigh. Ellen indicated that she could send a letter.

5. Old Business

A. 2008 Spring Conference

The Spring Conference is to be held on March 14, 2008, in Plymouth.

B. 2008 Fall Conference

The Fall Conference is going to be at Homestead, Glen Arbor. The hotel requires a one night deposit upon making a reservation. Brad Geller is still looking for topic ideas, if anyone has any. Senator Allen and Representative McDowell were suggested for speakers.

C. House Bill 5186

Dolores was to post this on the list serv after the meeting.

D. Meeting with DCH/DHS

Don Rosenberg summarized the meeting and advised we now have a contact person to discuss issues and problems. The contact person at DHS has been provided a list of issues and discrepancies between the various DHS offices. They are supposed to have a response from DHS on Friday, February 8. There is no follow up scheduled at this time, however, a follow up meeting may be necessary once the written response from DHS is received.

Art reported that he has had three issues with Pooled Account Trusts and now DHS is considering the transfer of funds to Pooled Account Trusts to be a divestment.

E. Printing/distribution of Spanish Language Advance Directive

The motion was brought by Amy Trip and seconded by Rachel Holes to print 1,000 Spanish Advance Directive booklets, which will cost \$1,477.00. Motion carried, none opposed and no one

abstained. Brad Gelder is going to take care of the printing.

6. Committee Reports

A. Roxanne discussed the Elder Abuse Task Force Recommendations and House Bill 5499, which deals with the rights of the incapacitated. This Bill is still being reviewed by the House Committee. There is great opposition to the Bill by Judge Mack, who feels the bill is unnecessary. Work group meetings are being scheduled and they are looking to invite advocacy groups and additional stake holders.

B. Domestic Violence Brochures

The Section was asked by the Health Law Section to review their brochure and send any comments to Rosie and Caroline.

7. New Business

A. HB 5282-5285 re: Blue Cross:

A guest speaker spoke to the Section regarding this Bill and its advantages, disadvantages and the impact of the bill on the population of Michigan, in particular the people we serve as a section.

B. HB 4180 - Uniform Power of Attorney Act

Currently, this Bill is in Committee. The Committee reviewing the Uniform Power of the Attorney Act seriously consider any comments from our Section. The difficulty that we have with this Bill is that Uniform Laws are drafted by professors who do not have any real life experience. The probate section is against the Bill. The concern is that doing a uniform Bill of this nature is that it may not take into consideration the issues that could arise down the road due to special circumstances.

The next meeting is on March 1, at Mall, Malaise and Coney in Farmington Hills.

Meeting Adjourned.