



**STATE BAR OF MICHIGAN  
HEALTH CARE LAW SECTION ANNUAL REPORT FOR 2013-2014**

Dear Section Members:

I am pleased to report that the Section has had another busy and successful year. Please allow this report to serve as a summary of Section activities over the past year.

**Section Purposes:**

Serve as an educational resource for members of the Section for the purpose of fostering professional development and understanding of health care laws and issues; and

Provide education to members of the State Bar, members of the health care community and the general public with regard to health care laws and related issues; and

Advocate, comment on or provide input with respect to state and federal legislation, regulations and public policy that affect the practice of health care law, consistent with the Bylaws of the State Bar of Michigan; and

Establish and maintain working relationships with attorney organizations and organizations of health care professionals, providers, consumers and other members of the health care community in this State and other states for the purpose of fostering better communication and understanding of health care laws and related issues and advocating Section interests; and

Promote awareness of the purpose and work of the Section among State Bar members, the health care community and the general public and encourage their participation in Section activities.

**Officers and Council Members:**

Officer	Name	Address	Telephone	E-mail
Chair	Laura Napiewocki	Hall Render Killian Heath & Lyman PLLC 28000 Dequindre Rd. Warren, MI 48092	(586) 753-0459	lnapiewocki@hallrender.com
Chair-elect	Jennifer Benedict	Honigman Miller Schwartz & Cohn LLP 660 Woodward Ave. Detroit, MI 48226	(313) 465-7326	Jbenedict@honigman.com
Treasurer	Thomas McGraw	Spectrum Health Medical Group 444 Michigan St NE Grand Rapids, MI 49503	(616) 486-6651	Thomas.McGraw@spectrum-health.org
Secretary	Mark Kopson	Plunkett Cooney, P.C. 38505 Woodward Ave., Suite 2000, Bloomfield Hills, MI 48304	(248) 901-4061	mkopson@plunkettcooney.com

Council Members	Term Expires
Patrick Haddad	2014
John Hazewinkel	2014
Joshua Moore	2014
Abby Pendleton	2014
Trish Schabath	2014
Steve Bender	2015*
Timothy Gutwald	2015
Cara Jansma	2015
Thomas McGraw	2015*
Laura Napiewocki	2015*
Monica Navarro	2015*
Donna O'Connor	2015*
Jennifer Benedict	2016*
Mercedes Dordeski	2016
Matthew Keuten	2016
Mark Kopson	2016*
Deborah Williamson	2016*

\* Council member is term limited and not eligible for re-election.

**Council Meetings:** Council meetings are held monthly on the first Thursday of each month via teleconference.

**General Budget Information:** The Section received approximately \$34,000 in member dues during Fiscal Year 2014. The funds are used for the following purposes: (1) educational opportunities via teleconferences and an in-person Annual Meeting; (2) in support of the annual ICLE Health Law Institute; (3) scholarships for law students interested in a health law career; (4) in support of the Section's commitment to diversity by providing support to the Michigan pipeline program offered by the Just the Beginning Foundation; and (5) in support of the Section's commitment to diversity by providing financial support to the Michigan pipeline program offered by the ABA-affiliated Council on Legal Education Opportunity. See attached unaudited interim financial report for the month ended March 31, 2014.

**Events and/or Seminars:**

Date:	Event:
November 20, 2013	Teleconference: Changes to the Hospital IPPS: Two Midnights and More
January 29, 2014	Teleconference: Meaningful Use, Patient Portals and Exchanges
February 26, 2014	Teleconference: Anatomy of a HIPAA Breach (jointly sponsored with MCACHE)
March 6-7, 2014	20th Annual Health Law Institute, jointly sponsored with ICLE, Plymouth
March 26, 2014	Teleconferences: Software Licenses: What You Don't Know Can Hurt You
April 16, 2014	Teleconference: Michigan's Evolving Health Care Land Scape
April 30, 2014	Teleconference: Partner Benefits in the Aftermath of U.S. v. Windsor and DeBoer v. Snyder
May 14, 2014	Teleconference: Michigan Health Professional Licensing – An Overview of the Investigation and Complaint Process

May 28, 2014	Teleconference: Reimbursement and APRNs: What Every Practitioner Should Know
September 23, 2014	HCLS Annual Meeting and Educational Session at Detroit Athletic Club

**Section Committees:** The Health Care Law Section features a Substantive Law Committee with four subcommittees consisting of the Medical Legal Subcommittee, Payors Subcommittee, Providers Subcommittee, and Technology Subcommittee. These Substantive Law Subcommittees are responsible for organizing various educational programs, which typically are given as teleconferences and benefit the Section's membership. In addition, the Health Care Law Section Council has a Publications Committee, a Students and New Lawyers Committee, a Law School Achievement Award Committee, a Legislative Committee, a Technology Committee, a Pro Bono Committee, an Annual Meeting Committee, a Nominating Committee, and a Fellows Committee.

**Publications Committee:** The Committee has engaged in the following whitepaper projects this year: (1) Basics of Starting a Medical Practice from Scratch; (2) Closing a Medical Practice in Michigan; (3) Responding to Subpoenas and Warrants for Protected Health Information in Michigan – Do's and Don'ts; (4) Healthcare Trifecta: Non-Compete, Non-Solicitation and Confidentiality Agreements; (5) CON Basics; and (6) Corporate Practice of Medicine. In addition, the Committee repaired and rebuilt the Section's Legislative Index links and continued to maintain existing publications.

**Students and New Lawyers and Law School Achievement Committees:** The Committee offered "lunch and learns" regarding the practice of health law at all Michigan law schools. These programs were well attended. Each year, the Section provides scholarship awards for the best health law student at qualifying Michigan law school programs. These awards are presented during the Annual Meeting. A "meet and greet" for young lawyers is planned as part of the Annual Meeting.

**Legislative Committee:** The Committee monitored the Michigan health care legislative and regulatory developments on an as needed basis, reporting on such matters to the Section Council. The Committee's activities included monthly updates on the Public Health Code Review Project, an assessment of the Section's interest in HB 5560 (governmental notices), and an assessment of the Section's interest on furnishing comments regarding the proposed amendments to MCR 3.602 concerning arbitration.

**Technology Committee:** The Committee assessed the accuracy of the Section's web page, including quality of scanned materials and timeliness of information. The Committee recommended review of the Publications Policy.

**Pro Bono Committee:** The Committee met with several community groups and organizations that provide pro bono services in an effort to understand their needs and assess potential partnerships with interested members of the Section. The Committee also conducted a membership survey to assess particular pro bono interests of Section members and current member participation in pro bono efforts. Following the survey, the Committee determined to partner with the Veteran's Law Clinic at the University of Detroit-Mercy on a Pro Bono activity. An informational teleconference is planned for June 10, 2014.

**Fellows Committee:** The Section established a Fellows Program in 2011 to honor former Health Care Law Section leaders who have made sustained, outstanding contributions to the Section and the practice of health care law in Michigan. Fellows are recognized each year at the Section's Annual Meeting. The 2013-2014 class of fellows will be selected this Summer 2014.

**Recommendations for 2014-2015 Council:** Continue to provide educational and networking resources to the Section's membership, via programs and written materials. Continue to pursue the Section's support of the Michigan Pledge to Achieve Diversity and Inclusion. Continue efforts to attract new lawyers and further enhance affiliations with Michigan law schools. Continue to work on jointly sponsored educational programs with other sections and associations to reach members with cross over practices. Continue to support the Fellows Program. Continue with Pro Bono efforts.

**Closing Remarks:**

It has been a pleasure to serve as Chair of the Section this year. The Health Care Law Section is one of the more active sections of the State Bar of Michigan. Its size, programs, and success are due to the countless hours of hard work by section members. In particular, I would like to thank my fellow Council members, officers, Substantive Law Committee and subcommittee members, all committee members and chairs, our dedicated Section Administrative Assistant, Adrienne Nutter, and last but not least, the many volunteers who have contributed so much of their time and talent to the Section. I know our Section will be in good hands this coming year as we welcome Jennifer Benedict as our new Chair.

Laura Miron Napiewocki  
Chair, Health Care Law Section  
State Bar of Michigan  
2013-2014