



**STATE BAR OF MICHIGAN  
HEALTH CARE LAW SECTION  
COUNCIL MEETING MINUTES**

**December 1, 2009**

Council Officers: Joanne Lax (Chair), Monica Wilkinson (Chair-Elect), Robert Iwrey (Treasurer), Marta Hoffman (Secretary)

**I. Call to Order (Joanne Lax):** Ms. Lax called the meeting to order at 4:30 p.m.

**II. Roll Call (Suzette Allen): Present:** Joanne Lax, Monica Wilkinson, Robert Iwrey, Marta Hoffman, Jan Anderson, John Anderson, Steve Bender, Jennifer Benedict, Rich Bouma, Beth Derwin, Ann Hollenbeck, Joan Lowes, Tom McGraw, Monica Navarro, Donna O'Connor, Carol Tarnowsky. **Excused:** Amy Barkholz, Laura Napiewocki **Also attending:** Suzette Allen, Section assistant.

**III. Conflict Disclosures (Joanne Lax):** There were none to report.

**IV. Review and Approval of Minutes of November 3, 2009 Council Meeting (Marta Hoffman):** The minutes were presented and unanimously approved upon a motion and second.

**V. Treasurer's Report (Robert Iwrey):** The financials were forwarded electronically. There was nothing unusual to report.

**VI. Updates**

- A. Substantive Law Committee(Tom McGraw and Steve Bender): Two programs were recently completed. One concerned HIT contracting. There were over 30 in attendance. The second program concerned Changes to the False Claims Act affecting overpayment. Over 50 were in attendance. Both programs got very good reviews. The SLC has implemented a new appreciation gift consisting of Starbucks \$10 gift cards. Two new programs are being planned. On December 17<sup>th</sup>, Melanie Brim will be speaking on Healthcare Practitioner Licensing Investigations. A second program will likely be held in January on the Medicare Secondary Payor Act. A program on understanding professional liability insurance is also being planned.
- B. Publications Committee(Donna O'Connor, Monica Navarro): The Committee continues to meet and work on the same projects as in the past, including the records retention manual and updating the index. The telemedicine project is

expected to be completed by year end. A discussion was held about removing password protection from the preemption matrix so anyone can access it.

- C. State Bar Journal feature publication (Rob Iwrey): No discussion.
- D. Pro bono Committee (Carol Tarnowsky): Ms. Tarnowsky reported that she received a draft of a mockup from MHA. She and Mr. Iwrey are working with MHA on preparing a second draft mockup. The project is expected to be completed in early 2010. Discussion ensued on how to distribute among the counties.
- E. Race for the Cure (Rob Iwrey, Monica Navarro): Mr. Iwrey announced that the name the team contest has been posted and emailed. The team needs to get registered by the end of the year.
- F. Recreational outing initiative (John Anderson): Mr. Anderson contacted the Bocce ball facility. Court time for June cannot be reserved until March. The facility recommended 3 courts for 25-50 people for 3 hours at a cost of \$480. Food is generally priced ala carte. Approximate cost for 3 hours for 25-50 people would be \$40 per person based upon ala carte pricing. It was discussed that it might be cheaper and more reasonable to go with pizza since this is going to be a family centered event. There was considerable discussion about whether attendance would be a problem given past experience and it was decided to table the plans. Thought that race for cure might be better option in which to socialize and get good attendance.
- G. Technology Committee and web site re-design initiative (Rich Bouma, Jennifer Benedict, Joanne Lax): Ms. Benedict offered suggestions for improving the web, most of which are cosmetic. Examples included: cleaning up the home page which contains random postings and outdated program announcements. Tabs could be consolidated for section info to include policies, bylaws, etc. Tab on leadership-make up of council and committees. Lots of outdated information needs to be deleted. There was a suggestion to consolidate legal resources under one tab. There was discussion about whether the web site should include links to law firm web site publications. Mr. Bouma discussed creating a link accessing users to national law firm publications as well but concern was expressed over how to choose the representative law firms. This was tabled for now.

Ms. Allen, stated that the section can download programs as long as the section puts it in MP3 format on our front end, however permission must be received from speakers.

- H. HCLS Directory (Joan Lowes): Sandy Barger at The State Bar has indicated there is no problem with creating a password protected directory. Discussion was held about allowing members to opt out of providing demographic information especially since there is an understanding that the site is not highly encrypted.
- I. Legislative Committee (Jan Anderson, Monica Wilkinson, Amy Barkholz): Tabled until next month due to time constraints.
- J. Law student events (Amy Barkholz, Robert Iwrey, Marta Hoffman): Tabled until next month due to time constraints.

## **VII. New Business**

- A. Proposal to establish Labor/Employment subcommittee of SLC (Joanne Lax): Tom Barrow offered to write topics for e newsletter and wants to create labor and employment committee. A suggestion was made to invite him to participate in the Provider subcommittee to see if the commitment is there before making a recommendation to add an additional committee.
- B. Alternative provider for E-blasts and access to recorded educational sessions: An alternative provider, Constant Contact, was discussed. Constant Contact offers unlimited e-marketing per month for 500-2500 contacts which would easily accommodate our 850 members. It can also do a breakdown e-mail list for different groups/committees which can be customized for e-blasts, which is much cheaper than what the State Bar charges (\$75 per blast). Ms. Allen has been testing the service and is satisfied. Ms. Allen commented that Constant Contact also offers a number of other desirable features, including the ability of members/registrants to pay thru Pay Pal. All the above features cost \$50 a month. The Section would probably need to use a credit card with this vendor.
- C. Council Liaison for Nightingale Task Force: Discussion was tabled until next month due to time constraints. Volunteers were requested. Ms. Lax will contact Laura Napiewocki to see if she can participate.

## **VIII. Adjournment (Joanne Lax): 5:58 p.m.**