

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

January 21, 2004

The Council meeting was held via telephone conference. The following Council members participated: Kathy Kudner, Gerry Griffith, Cindy Wisner, Jennifer Kildea Dewane, Art De Vaux, Donna Craig, Keith Soltis, Phil Stoffan, Joy Berent, David Rogers, and Marge Marchak.

1. **Call to Order.** The meeting was called to order by Kathy Kudner at approximately 3:05 p.m.
2. **Minutes.** The Minutes of the December 17, 2003 Council Meeting of the Health Care Law Section of the State Bar of Michigan were approved upon a motion duly made and seconded.
3. **Old and Recurrent Business.**
 - 3.1 **Treasurer's Report.** Donna Craig presented the Treasurer's Report to the Council and the Council discussed the invoice for the MSMS co-sponsored program.
 - 3.2 **Updates on Special Projects and Work Groups.**
 - 3.2.1 **HIPAA Work Group.** Cindy Wisner announced that Andrea Hool and Elizabeth Callahan are the new co-chairs of the HIPAA Work Group. Cindy reported that the Work Group had a great call earlier in the month.
 - 3.2.2 **Website Task Force.** Kathy Kudner explained that Jennifer Kildea Dewane is compiling all of the Section policies for Kathy and Eric. Kathy and Eric will then review the policies to determine which policies should be posted on the Section's website.
 - 3.2.3 **Specialty Certification.** Phil Stoffan reported that the Specialty Certification Task Force continues to work on various issues. A tentative meeting among section leaders is scheduled for March 23, 2004 from 1:00-4:00 p.m. The purpose of that meeting will be to determine whether Specialty Certification is a viable option and to explore any further issues and get feedback. The Council also discussed obtaining feedback at the 2004 ICLE Seminar.

- 3.2.4 Law Student Reception.** Jennifer Kildea Dewane reported that she has been in contact with Michigan State University Detroit College of Law and they are interested in having the Section host a reception there. Further steps with MSU-DCL will be to track down some dates. Jennifer Kildea Dewane is to send an e-mail to Council members to determine who is interested in attending these receptions. David Rogers reported that due to some changes in staff at Wayne State University, there has been a delay in the planning steps for Wayne State University's reception. There was further discussion regarding offering the same type of program in Ann Arbor at the University of Michigan Law School.
- 3.2.5 Law Student Writing Competition.** There was discussion regarding the timing of the competition and suggestions on when and where to present the winner of the competition with their prize. One suggestion made was to invite the winner to the Section's annual dinner and then present them with a certificate to attend the next ICLE Seminar.
- 3.2.6 Updating Index to Michigan Health Law Regulations.** Jennifer Kildea Dewane reported that Lisa Panah and Jennifer continue to work on the update.
- 3.3 Sub-Committee Reports and Calendar of Events.** David Rogers reported that on January 15, 2004, there was an EMTALA program sponsored by the Medical/Legal Subcommittee which was well received and had about 23 attendees. The Legislative Update is planned for February 12, 2004. It is expected that there will be a tele-medicine program sometime in late April or early May of 2004. In addition, in May, the Insurance Commissioner Roundtable may take place and focus on small group insurance reform. The Consumers Subcommittee is also planning to do its Legal Aid Clinic program sometime this year. There was further discussion on whether the Section should awarded CLE credits for the Section's programs.
- 3.4 Update on Michigan Health Law Report.** There was no discussion on this issue.
- 3.5 Budget (2003-2004).** Donna Craig reported that she had e-mailed Council members the revised final budget which included revisions to the annual Section luncheon line item.
- 3.6 Other Special Projects (2003-2004 Bar Year).**
- 3.6.1 Publication of Michigan Public Health Code.** Cindy Wisner reported that the Work Group continues to meet.

- 3.6.2 First Annual Section Luncheon. Kathy Kudner reported on behalf of Ann Hollenbeck that Ann is looking into options and will provide a report to the Council at the next meeting.
- 3.6.3 Review of Corporate Practice of Medicine Doctrine. Kathy Kudner reported that she is working with Ann Baker on possible dates for a meeting.
- 3.6.4 ADR Program for Health Care. Donna Craig had nothing to report on this issue.
- 3.6.5 Glossary of Health Definitions. Cindy Wisner and Jennifer Kildea Dewane reported that they are working on the Glossary. There was discussion on whether this should continue to be a project and whether there was a market for such a Glossary.
- 3.7 Report on Proposed Amendments to Non-Profit Corporation Act. Arthur de Vaux stated that there was nothing to report at this time.
- 3.8 National Conference of Commissioners on Uniform State Laws. There was no report on this matter.

4. New Business.

- 4.1 MSHA 2003 Annual Meeting. It was discussed that there are no plans yet for the MSHA Annual Meeting.
- 4.2 ICLE 2004. The Council discussed having its March Council Meeting during the ICLE 2004 Seminar. Art de Vaux and Joy Berent will work on planning the meeting and determining the location of the meeting.
- 4.3 Council Biographies. This item will be taken off the Agenda.
- 4.4 Annual Meeting of the Section. The Council discussed that the Annual Meeting is planned for September 30, 2004 and October 1, 2004 in Lansing. There was discussion regarding a 2 ½ hour Section program. Gail Pabarue would be interested in working on this Committee, as would Phil Stoffan, Gerry Griffith, and Kathy Kudner.

5. Next Meeting. The next meeting of the Council will take place at the Corporate Offices of Trinity Health in Novi, Michigan on February 18, 2004 from 3:00-5:00 p.m.

6. **Adjournment.** There being no further business, the meeting was adjourned at approximately 4:00 p.m.

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