



HEALTH CARE LAW SECTION

Council Meeting Minutes

June 18, 2009

Council Officers: Ann Hollenbeck (Chair), Joanne Lax (Chair-Elect)
Margaret Marchak (Treasurer), Marta Hoffman (Secretary)

- I. Call to Order (Joanne Lax)
- II. Roll Call (Suzette Allen, HCLS Administrative Assistant):

Present: John Anderson, Amy Barkholz, Rich Bouma, Beth Derwin, Marta Hoffman, Rob Iwrey, Joanne Lax, Joan Lowes, Margaret Marchak, Donna O'Connor, Lisa Panah, Carol Tarnowsky, Eric Wexler

Excused: Ann Hollenbeck, Monica Wilkinson
- III. Conflict Disclosures (Joanne Lax): None reported.
- IV. Review and Approval of Minutes of May 21, 2009 Council Meeting (Marta Hoffman):
The minutes were unanimously approved upon motion and second.
- V. Treasurer's Report (Margaret Marchak): Ms. Marchak reported it would be helpful if expenses for the annual meeting or other purposes are submitted during this budget year. Teleconference expenses have exceeded budget but other items are under budget and will offset. Current fund balance is approximately \$80,000.
- VI. Updates
 - A. Substantive Law Committee Report (Joan Lowes)
 1. The Medical Marijuana Teleconference was held June 11, 2009. Ms. Barkholz reported that Melanie Brim of the Michigan Department of Community Health did a great job and the materials provided were good.
 2. Ms. Lowes reported a fall program on licensing issues is being coordinated by Tom McGraw. It will be a roundtable discussion held in September.
 - B. Law School Events (Amy Barkholz, Rob Iwrey, Marta Hoffman): Beginning planning for next year.
 - C. Technology and Access Committee (Rich Bouma): No report
 - D. Legislation Committee (Jan Anderson, Eric Wexler, Amy Barkholz, Marta Hoffman): Ms. Barkholz attended a House Judiciary Committee meeting on HB4571 regarding medical liability statutes sponsored by Representative Mark Meadows. It involves notice of intent and other items related to medical liability. It is expected to pass the House but will probably meet with resistance in the

Senate. Ms. Barkholz believes that someone who gave testimony said that he was from The State Bar however she has not yet been able to verify this. Several council members expressed concern that the State Bar should be contacting the council for matters relating to health law before representing a position on behalf of the State Bar. Ms. Barkholz will follow up on this and report back to the council.

- E. 2009 Annual Meeting Committee (Joanne Lax): The committee has divided up various duties. Ms. Lax outlined the special opportunities that this venue offers the membership. Suzette is working on an enhanced new registration brochure which will be available soon and will be sent via e-mail blast four times before the program. Speakers have been sent deadlines for submission of material. This year's program does not have a "theme" as in previous years but is focusing instead, on comprehensive health law related issues since so many are unable to travel beyond this area to attend such programs given economic constraints. Members will be charged \$50 to attend. This amount will help to recoup only some of the cost of the program.
- F. Pro Bono Work Group (Rob Iwrey, Carol Tarnowsky): A clerk has been obtained for the summer to help push this project forward.
- G. Publications Committee (John Anderson, Donna O'Connor):
 - 1. Fraud and Abuse Manual: Ms. O'Connor reported that they are still working on updating the links but expect completion this summer.
 - 2. Health Law Index: Mr. Anderson reported that two clerks have been enlisted to update the administrative rules section of the Health Law Index. The project is expected to be completed yet this summer.
 - 3. Planned Projects for Next Year: The Committee will provide the Council with a list of possible projects for next year. Any suggestions for projects should be directed to Ms. O'Connor.
- H. Student Writing Competition (Joanne Lax, Carol Tarnowsky, Monica Wilkinson): Ms. Tarnowsky reported that participants are starting to write papers now that school is out. A question came from a student regarding the possibility of collaborating with others on a paper. This request was denied. Ms. Lax expects more entries this year than last. Ms. Hoffman is making contact with Tom Trenta's widow about renaming the law student writing competition after him. She will also invite Mrs. Trenta and family to attend the luncheon at the annual meeting which will be dedicated in Tom's memory.
- I. Nightingale Task Force (Ann Hollenbeck): No report
- J. Corporate Practice of Medicine Task Force (Marge Marchak) – No report

VII. Other Business

- A. HITECH Act (Joanne Lax): Discussion was held as to whether this is an area that we need to address. A HITECH Task Force was established after motion, second,

and unanimous vote. It was suggested that this would make a good topic for a series of teleconferences over the next year or so. It was recommended that the Providers and Technology Subcommittees would be good partners to collaborate on the teleconferences. Ms. Derwin, Ms. Marchak, and Ms. Panah volunteered to participate on this task force.

- B. Nominating Committee (Joanne Lax): Volunteers have been requested by Ms. Hollenbeck to serve on the Nominating Committee which is meeting next week.

VIII. Next Meeting Date: **Thursday, September 10, 2009, 9:00 a.m.** If anything needs to be addressed prior to the meeting, please communicate with the committee via e-mail.

IX. Adjournment (Joanne Lax): Meeting adjourned at 9:38 a.m.