

## MINUTES

**Meeting:** State Bar of Michigan – Health Care Law Section Council

**Date:** June 1, 2017

**Chair:** Timothy Gutwald

### Members Present:

Martha Boonstra	A	Trish Schabath	P
Mercedes Dordeski	P	Sheerin Siddique	P
Timothy Gutwald	P	Nicole Stratton	E
Patrick Haddad	P	Louis Szura	P
John Hazewinkel	P		
Cara Jansma	E		
Matthew Keuten	P		
Mark Kopson	P		
Josh Moore	P		

### Guests Present:

Agenda Item	Discussion
Call to Order (Timothy Gutwald)	Tim called the meeting to order at 4:32 p.m.
Roll Call (Timothy Gutwald)	See above.
Conflict of Interest Disclosures (Timothy Gutwald)	None.
Review and Approval of Minutes of May 4, 2017 Council Meeting (Patrick Haddad)	The minutes were unanimously approved.
Treasurer's Report (Josh Moore)	The year-to-date financials are tracking with where we were last year. There are, however, several outstanding funding requests.
Technology Report (John Hazewinkel)	No report.

### Committee Reports

Legislative Committee Report (Patrick Haddad)	<p>The following Bills are still in Committee and the Legislative Committee will continue to monitor them.</p> <ol style="list-style-type: none"> <li>1. Senate Bill 270 – This Bill prohibits a prescriber from prescribing a Schedule 2-5 controlled substance unless the prescriber is in a bona fide prescriber-patient relationship with the patient for whom the controlled substance is being prescribed.</li> <li>2. Senate Bill 272 – This Bill provides that before prescribing a controlled substance that is an opioid, the prescriber must provide information to the patient and the patient must sign a DHHS form.</li> <li>3. Senate Bill 273 – This Bill provides that prescribers must provide information on substance use disorder services to patients being treated for opioid-related overdoses.</li> <li>4. Senate Bill 274 – This Bill prohibits prescribers from prescribing opioids under specified circumstances.</li> <li>5. House Bill 4404 – This Bill regulates “pain management facilities.”</li> <li>6. House Bill 4405 – This Bill provides qualified immunity to a pharmacist who refuses to dispense Schedule 2-5 controlled substances if the pharmacist has a reasonable and good-faith belief that the prescription was not written by a prescriber in good faith or is being filled for an illegitimate medical</li> </ol>
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	<p>purpose.</p> <p>7. House Bill 4408 – This Bill mandates parental consent and certain disclosures when prescribing a controlled substance containing an opioid to a minor, subject to certain exceptions.</p> <p>The committee is watching new bills on the following topic areas.</p> <ol style="list-style-type: none"> <li>1. Immunization</li> <li>2. Burn Injury Reporting</li> <li>3. Pain Clinic Licensure</li> </ol>
Substantive Law Committee Report (Nicole Stratton)	<p>The May 23, 2017 Medicare Advantage Compliance Requirements webinar received favorable reviews. The webinar received mostly 4's and 5's from attendees, with 5 being Excellent.</p> <p>There are two (2) upcoming Webinars:</p> <ul style="list-style-type: none"> <li>• June 20 - Midlevel Provider Scope of Practice Updates</li> <li>• June 28 or June 29 - Pitfalls of EMR Systems and the Impact on Facilities</li> </ul>
Publications Committee Report (Louis Szura)	<p>The committee is on track for the following June publications:</p> <ul style="list-style-type: none"> <li>• <u>Corporate Integrity Agreements</u> - Gina Marie Geheb and Kim Commins-Tzoumakas of Hall Render. Due to be published in early June.</li> <li>• <u>A Provider's Guide to the Audit Process</u> - Jessica C. Forster of Wachler &amp; Associates, P.C. Due to be published in mid-June.</li> <li>• <u>Representing Physicians in Fair Hearing Proceedings</u> - Fatima M. Mansour and Theresamarie Mantese of Mantese Honigman. Due to be published in the end of June.</li> </ul>
Pro Bono Committee Report (Trish Schabath)	<p>The committee is continuing to pursue new pro bono opportunities.</p> <ul style="list-style-type: none"> <li>• Neighborhood Legal Services of Michigan - Trish had a conference call with two people from this clinic, and they are putting together information for the HCLS to distribute about the needs of the clinic.</li> <li>• Wayne State University Disability Law Clinic - Trish learned that this clinic was put on hiatus for this year and next year while the professor establishes a civil rights clinic. However, they do have a Legal Advocacy for Persons with Cancer Clinic, and Trish now has the contact information for the director of that clinic. Trish will move forward with gathering information about the Legal Advocacy for Persons with Cancer Clinic, publicizing it to the membership, and gauging interest.</li> </ul>
Fellows Committee Report (Martha Boonstra)	No report.
New Lawyers and Law Students Committee Report (Matthew Keuten)	The committee is continuing to process Academic Achievement Awards. Michigan State University College of Law and Wayne State University Law School have identified their recipients. Thomas M. Cooley Law School and the University of Detroit Mercy School of Law will make their decisions this month. There has been no word from the University of Michigan Law School.
Membership Committee Report (Mark Kopson)	<p>Upcoming Events:</p> <ul style="list-style-type: none"> <li>• Tigers Game - The Tigers game will be on June 15, 2017, against the Tampa Bay Rays, which includes a pre-game event hosted by Bodman at its Ford Field office. There are 17 people registered as of today.</li> <li>• Grand Rapids Event - Cara is working on a request for funding. The committee would like to do a tour of Art Prize with stops downtown at the law offices featuring art from Art Prize.</li> </ul>
<b>Old Business</b>	
Flyer for HCLS Sponsored Events (Timothy Gutwald)	A template of an informational HCLS flyer was sent to the State Bar of Michigan for design approval. Tim is waiting for a quote, but has received no word from the State Bar of Michigan.
<b>New Business</b>	

Nomination Committee and New Members (Timothy Gutwald)	The Nomination Committee met today and is working on soliciting individuals for Council positions as well as soliciting new HCLS members for the 2017-18 year. Five (5) Council members will be terming off the Council and therefore need to be replaced.
Adjournment (Timothy Gutwald)	The meeting adjourned at 4:46 p.m. The next meeting is scheduled for July 6, 2017, at 4:30 pm. Tim will send an email to see if Council members will be available. If not, the meeting will be moved to July 13, 2017, at 4:30 p.m.

Minutes recorded by: Susan Stokes