

MINUTES

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

Date: November 2, 2017

Chair: Matthew Keuten

Members Present:

Jeremy Brieve	E	Sheerin Siddique	P
Martha Boonstra	E	Patricia Stamler	E
Mercedes Dordeski	P	Nicole Stratton	E
Timothy Gutwald	P	Louis Szura	P
Cara Jansma	E	Dustin Wachler	P
Matthew Keuten	P	Rose Willis	E
Leslie Rojas	P	Andrea Lee for Cara Jansma	P
Christian Schafer	E		
Jeff Schroder	P		

Agenda Item	Discussion
Call to Order (Matthew Keuten)	Matt called the meeting to order at 4:33 p.m.
Roll Call (Matthew Keuten)	See above.
Conflict of Interest Disclosures (Matthew Keuten)	None.
Review and Approval of Minutes from October 5, 2017 (Sheerin Siddique)	The minutes of October 5 th were unanimously approved.
Treasurer's Report (Mercedes Dordeski)	The September financials had expenses of \$8,349.78 due to the September Annual Meeting. There were also expenses for Administrative Services and Teleconference calls. The ending Fund Balance for September was \$41,610.13 and at this time last year the Fund Balance was \$51,292.69, so \$10,000 less. Overall, the Section is in good shape. Mercedes has been working with Josh Moore learning and transitioning the Treasurer duties and is now up-to-date. Mercedes will be attending an Orientation phone call with the State Bar of Michigan on November 7 th .

Committee Reports

Legislative Committee Report (Jeff Schroder)	<p>The Legislative committee is monitoring twelve pieces of legislation as follows:</p> <ol style="list-style-type: none"> 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. Passed the Senate on 6/22/17. Referred to House Committee on Health Policy on 7/12/17. Reported out of committee with substitute H-2 on 10/4/17 and placed on order of Second Reading of Bills. 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. Referred to Senate Committee on Health Policy on 3/23/17. Currently Pending in Committee. 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. Passed Senate on 6/22/17. Referred to House Committee on Health Policy on 7/12/17. Reported out of committee without amendment on 10/4/17 and placed on order of Second Reading of Bills.
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	<ol style="list-style-type: none"> 4. Senate Bill 274 – This Bill prohibits prescribers from prescribing opioids under specified circumstances. Passed Senate on 6/22/17. Referred to House Committee on Health Policy on 7/12/17. Reported out of committee without amendment on 10/4/2017 and placed on the order of Second Reading of Bills. 5. House Bill 4404 – This Bill would regulate “pain management facilities.” Referred to House Committee on Health Policy on 3/23/17. Placed on the order of Third Reading of Bills on 6/7/17. 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 purpose. Passed House on 6/13/17. Referred to Senate Committee on Health Policy on 6/14/17. Currently pending in Committee. 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. Passed House on 6/13/17. Referred to Senate Committee on Health Policy on 6/14/17. Reported favorably from Committee on 10/11/2017 with recommendation of immediate effect. On 11/2/2017, reported by Committee of the Whole favorably with substitute and amendments, and placed on the order of Third Reading of the Bills. 8. House Bills 4425-4426 – These Bills would amend the Public Health Code and the Revised School Code to ease the process of obtaining a waiver from vaccinations for school children. Referred to House Committee on Education Reform on 3/28/17. Currently pending in Committee. 9. Senate Bill 86 – This Bill would extend the existing Penal Code statute mandating the reporting of knife, gun and other wounds, to include mandatory reporting of burns in specified circumstances when arson is reasonably suspected. Referred to Senate Committee on Judiciary on 2/1/17. Currently pending in Committee. 10. House Bill 4762 – This Bill would restrict the State and political subdivisions from taking certain enumerated actions infringing on the relationship between patients and health professionals except as provided by law, such as requiring a health care professional to furnish a medical service in a manner that is not evidence-based and appropriate for the patient. Introduced on 6/14/17. Referred to and currently pending before the Committee on Health Policy. 11. House Bill 4709 – This Bill would provide for the licensure and regulation of practice as a certified anesthesiologist assistant. Introduced on 6/7/17. Referred to and currently pending before the Committee on Health Policy. 12. Senate Bill 541- This Bill would provide for the licensure and licensure for practice as a dental therapist. The Bill establishes the scope of practice of a dental therapist and requires a supervising dentist with a written practice agreement. Introduced on 9/7/2017. Referred to Committee on Health Policy on 9/7/2017. Reported favorably from committee without amendment on 10/10/2017. Passed the Senate on 10/11/2017. Received by House and referred to House Committee on Health Policy on 10/11/2017.
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	<p>Jeff is working on an idea of a “Meet the Legislature Day” in Lansing in the spring, the day would involve introductions of Health Care Law Section members to the Health Policy Committee. This would help the HCLS get to know the State of Michigan Health Policy Committee. Two ideas presented were:</p> <ol style="list-style-type: none"> 1. The HCLS would sponsor a function with a keynote speaker followed by a mixer. 2. The HCLS would go to Lansing as a delegation and make appointments to visit Legislative members and invite them to a luncheon. <p>Discussion took place about having this open to the entire membership or council members only. A suggestion was made that it could be open to the entire membership and possibly limit it to the first 20-30 people that RSVP. If this event takes place in the spring it could be promoted at the ICLE conference in March. The idea is to have the event in May, but before spring recess. <u>Action Item: The committee will work on picking a date for the event.</u></p>
Substantive Law Committee Report (Jeremy Brieve)	No report.
Publications Committee Report (Louis Szura)	<p>The committee had their 1st meeting of the year and discussed topics for the “call for authors.” The topics are as follows:</p> <ol style="list-style-type: none"> 1. Current Corporate Practice of Medicine. 2. Guide for APRN's and APN's 3. Government Subpoena and Investigations 4. <i>Covenant</i> Issues – those seeking to get paid <p>Fraud and Abuse survey from Michigan to be updated on the website with current survey from AHA.</p> <p>HIPAA Matrix Update – <u>Action Item: Andrea Lee is charged with figuring out where this project stands and how much more work needs to go into it. She will report back to the group and Matt will work to find people to complete the tasks, if needed.</u></p> <p>Pandemic Taskforce discussion took place – Louis volunteered to be the liaison for this committee. <u>Action Item: Louis will contact Laura to see what is the future mission of this committee and what they are working on now.</u></p>
Pro Bono Committee Report (Nicole Stratton)	<p>Do the Council members have any ideas for Pro Bono projects that they would like to be involved in besides the Veterans Law Clinic project at University of Detroit Mercy? It has been hard to track how many people have participated and members may appreciate different project options. Tim suggested doing Living Wills and End-of Life discussions; working with an organization such as Hospice or nursing homes. <u>Action Item: Council members should think about possible ideas for Pro Bono projects to participate in.</u></p>
Fellow Committee Report (Martha Boonstra)	No report.
New Lawyers and Law Student Committee Report (Timothy Gutwald)	The committee is working on setting dates for the law school luncheons and social events. The goal is to have more concrete information next month.
Membership Committee Report (Andrea Lee for Cara Jansma)	The ArtPrize networking event was a great success. The Miller Johnson venue was very nice. ArtPrize will be a yearly event. The event will start earlier next year to give the group more time to tour the ArtPrize district. The committee is working on planning a Pistons/Red Wings game & Tigers Baseball game for the coming year.

Old Business	
Annual Meeting 2018 (Matthew Keuten)	The 2018 Annual Meeting will be held at the Detroit Athletic Club on Thursday, September 20 th . The contract has been signed and the 1 st deposit payment has been made.
New Business	
Advertising Health Care Job Postings (Matthew Keuten)	Discussion took place about advertising job postings. It was decided that this was not something that the Section wanted to start doing.
Committee Makeup (Matthew Keuten)	The Bylaws state that 2 Council members must be on each committee. <u>Action Item:</u> <u>Matt will make sure that at least 2 Council members are on each committee.</u>
Adjournment/Next Meeting (Matthew Keuten)	The meeting adjourned at 5:18 p.m.