

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

Wednesday, November 17, 2004

The Council meeting was held via telephone conference. The following Council members participated: Cindy Wisner, Kathy Kudner, Marge Marchak, Lisa Panah, Jennifer Kildea Dewane, Art DeVaux, Donna Craig, Eric Wexler and Michael Fraleigh

1. Call to Order. The meeting was called to order by Cindy Wisner at approximately 4:00 p.m.
2. Conflict Disclosures (if any - specific agenda items). There were no new conflicts of interest to report.
3. Minutes. The revised Minutes of the October 27, 2004 Council Meeting of the Health Care Law Section of the State Bar of Michigan were approved upon a motion made and seconded. The annual meeting Minutes of the Health Care Law Section were reviewed and approved for submission at the next annual meeting of the Health Care Law Section.
4. Old and Recurrent Business.
 - 4.1 Treasurer's Report. Report deferred to December 15, 2004 meeting.
 - 4.2 Budget (2004-2005). Report deferred to December 15, 2004 meeting.
 - 4.3 2005 Annual Meeting Committee. Report deferred to December 15, 2004 meeting.
 - 4.4 Special Projects and Workgroups.
 - 4.4.1 HIPAA Task Force. Jennifer Kildea Dewane submitted a report from Andrea Hool on the status of the HIPAA Task Force. The HIPAA Task Force continues to meet every other month and is functioning primarily through subcommittees to create work products. Projects include completion of the preemption matrix on the Michigan Medical Records Access Act, and a guidance sheet on disclosures permitted under Michigan law and HIPAA regarding law enforcement. Kathy Kudner added that a new group on clinical research and HIPAA is being put together. Ms. Dewane reported that the co-chairs of the HIPAA Task Force hope to continue the Task Force for another year, but the Council may need to reconsider continuing it after April 2005 if participation continues to dwindle.

- 4.4.2 Law School Writing Competition. Kathy Kudner reported that she has contacted the Deans of various Michigan law schools to coordinate the law school writing competition.

5. November Reports.

- 5.1 Council Biographies on Website. There was discussion on whether or not to post the Health Care Law Section Council member biographies on the website. Cindy Wisner asked the Council to visit the State Bar of Michigan website along with a few other State Bar websites for ideas on what should be included on the website and to identify member needs.

- 5.2 Substantive Law Subcommittee Report. Marge Marchak reported that the legislative update will be held in February. Speakers are being selected and contacted. Ms. Marchak and Cindy Wisner reported that they have been having discussions with the Consumers Substantive Law Subcommittee regarding whether or not to continue the group as subcommittee of the Health Care Law Section or as an independent, outreach group.

- 5.3 Planning for ICLE 2005. Kathy Kudner reported that speakers are set and the brochure for the ICLE program has been sent. Ms. Kudner, Cindy Wisner and Marge Marchak discussed the planning process and method for selecting speakers and topics.

- 5.4 Pick a Workgroup.

- 5.4.1 Possible New Workgroups.

- 5.4.1.1 Communications Workgroup. A new workgroup will be formed to work on promoting Health Care Law Section programs and activities.

- 5.4.1.2 Legislative Review. There was discussion on whether or not to create a new workgroup to review Michigan health care related bills. It was decided that instead of creating a workgroup, bills would be posted on the Health Care Law Section website.

- 6. Update on Email Distribution List. Cindy Wisner reported that all Council members can now send messages to members using the email distribution list.

- 7. Next Meeting. Cindy Wisner reported that the next Council meeting will be held on December 15, 2004 at the corporate offices of Trinity Health in Novi, Michigan, with the Christmas Cookie Exchange. She asked that the Council hold certain dates for future Council meetings.

- 8. Adjournment. There being no further business, the meeting adjourned at approximately 4:45 p.m.