

Council Meeting Minutes

October 8, 2009 - 4:30 p.m.

Council Officers: Joanne Lax (Chair), Monica Wilkinson (Chair-Elect)
Robert Iwrey (Treasurer), Marta Hoffman (Secretary)

- I. Call to Order and Welcome (Joanne Lax)
- II. Roll Call (Suzette Allen):

Present: Janice Anderson, John Anderson, Amy Barkholz, Steve Bender, Jennifer Benedict, Richard Bouma, Beth Derwin, Rob Iwrey, Joanne Lax, Joan Lowes, Tom McGraw, Laura Napiewocki, Donna O'Connor, Monica Navarro, Carol Tarnowsky, Monica Wilkinson

Excused: Marta Hoffman, Ann Hollenbeck
- III. Conflict Disclosures (Joanne Lax): None reported.
- IV. Review and Approval of Minutes of September 10 and September 24, 2009 Council Meetings (Suzette Allen for Marta Hoffman): The minutes were unanimously approved upon motion and second with one change. Laura Napiewocki needs to be added as in attendance at the September 24 meeting.
- V. Treasurer's Report (Robert Iwrey): Mr. Iwrey will be meeting with Ms. Marchak soon to officially pass the torch. Several invoices were submitted recently to meet the fiscal year deadline. Mr. Iwrey requested that any outstanding invoices be submitted as soon as possible. Joanne Lax mentioned that dues should be coming in soon and we should have a report next month.
- VI. Updates
 - A. Substantive Law Committee Report (Tom McGraw)
 - 1. The first teleconference of the year on Flu Preparedness was held today with 31 registrants. It was very informative and has been recorded for playback.
 - 2. The next teleconference will be on November 12, 2009 on Negotiating and Drafting Information Technology Contracts
 - 3. Suzette has done a good job with the teleconference process and has it very well organized.
 - 4. Discussion was held regarding posting the records on the Section Web site. It was decided that this option will be pursued for the previous teleconferences

that we have audio files for and any upcoming programs. Suzette expressed that speakers are not returning their speaker release forms which would be needed prior to posting on the Web site. Suzette to follow-up with Tom regarding obtaining speaker releases for past programs.

- B. Law School Events (Amy Barkholz, Rob Iwrey, and Marta Hoffman): No events planned yet.
- C. Technology and Access Committee (Rich Bouma): Ms. (Monica – Joanne not sure which one) gave kudos to the e-Newsletter and the education programs. She made a suggestion to put more substantial information into the e-Newsletter. Make a call to members to write articles, use the Web site as a collective for them, and allow publicity for the contributing members. Discussion was held that it should be only internal publications and that we should include a disclaimer statement that says “it is the opinion of the author, not the Health Care Law Section.” We also need to be sure that permission to publish is obtained prior to posting or use. Mr. Buoma will take care of the project and work with Billee Lightvoet Ward.
- D. Legislation Committee (Jan Anderson) – Discussion was held regarding public policy advocacy by sections. Ms. Wilkinson said that the State Bar asked what was being done in the area. Currently no advocacy is being conducted. Some believe that each section should have this as part of their work. Some have hired lobbyists. So much is happening currently in health care but the section is silent. Ms. Anderson shared that it is hard to take a position due to the diversity of member representation. Ms. Wilkinson stated others do it by not deciding on whether legislation is approved to pay or not but to look at the legislation critically and find things that need to be fixed to keep it from messing up the system. Someone should be watching and advising what is happening. Ms. Wilkinson to work with Legislation Committee to explore possibilities.
- E. 2009 Annual Meeting Committee (Joanne Lax): Discussion was held debriefing the Annual Meeting. Suzette recapped the results of the Evaluation Summary with most responses being very positive. Ms. Barkholz commented that Suzette was a pleasure to work with. She continued that some of the meeting rooms at Cranbrook were a tight fit. Mr. Iwrey shared that he felt the service staff was excellent and that the tours were fantastic and offered an extraordinary opportunity to see areas of the museum not normally open to the public. It was decided that a similar venue and format (1/2 day) should be used for the next meeting. Ms. Lax shared that the Annual Meeting Committee will form soon.
- F. Pro Bono Work Group (Rob Iwrey):
 - 1. Physician Rights and Obligations Regarding Domestic Violence – Working on a brochure which will include reporting requirements for hospitals, nursing homes, etc. for distribution via hard copy and electronic distribution. Planning to work with other organizations to help get it out (MHA, OMA, and MHS). Discussion was held regarding whether distribution would be strictly

electronic or if hard copy printing would be necessary. The committee will make that determination.

2. Ms. Tarnowsky will take over as chair of this committee since Mr. Iwrey now has additional duties as Treasurer.

G. Publications Committee (Donna O'Connor, Monica Navarro):

3. Reorganization of the resource links on the Web site will wrap up this year.
4. Fraud and Abuse Manual – The manual was completed in August.
5. Health Law Index – A couple of people have volunteered to for this project.
6. TeleMedicine White Paper – Plan to discuss what Boards are doing in Michigan.
7. Update of HIPAA Matrix – Plan is to address this in connection with the HI TECH issues. May work with the Technology Committee to produce a series of how-to papers with checklists (primers that are Michigan specific).

VII. Other Business

- A. Thomas J. Trenta Student Writing Competition (Monica Wilkinson): Ms. Trenta and family attended the annual meeting and the competition has been officially renamed. It was a very nice recognition of Tom's efforts on behalf of the Section.
- B. State Bar Section Orientation (Monica Wilkinson) – Ms. Wilkinson attended the annual section orientation held at the State Bar on October 2, 2009. She received information regarding section demographics which will be shared electronically with the Council at a later date. The Section currently has 848 members which puts it in 14th place out of 36 for size. County statistics show that 32% are located in Oakland County, 23% Wayne County, and 11% in Ingham County. One-half of the Section is engaged in private practice. She also advised that there is a Section Handbook online now which has many helpful resources and is available to everyone.
- C. State Bar Journal Feature Publication (Joanne Lax) – The Council will work with the State Bar to plan a “theme” edition of the monthly State Bar Journal dealing with health care. Mr. Iwrey will work with the State Bar.
- D. Affiliation with Wayne State University student health law association (Joanne Lax) – It was decided not to move forward with a proposal to create a formal affiliation with them. Instead, we will encourage the members of that student group to join the State Bar of Michigan Health Care Law Section (HCLS) as a student member. The HCLS will try to send them notices of upcoming events that they may benefit from.
- E. Web Site Enhancement Initiative (Joanne Lax) – Ms. Lax suggested that it was time to clean-up the Web site. Outdated information should be removed and the content should be beefed up to enhance benefits. Possibly we could establish links to member Web articles. This will be done with the help of Mr. Buoma.

- F. HCLS Directory Initiative (Joanne Lax) – Ms. Lowes will work with the State Bar to get a member directory established that will include basic contact information for all section members.
 - G. Community Service Initiative (Joanne Lax) – Ms. Lax commented that an idea for a new community service project came up at the annual meeting. It would be to participate in the Susan Komen Race for the Cure being held at Comerica Park and establish a team and raise funds for the Susan Komen Foundation. A motion was made, seconded and having no objections passed. Team Co-Captains will be Ms. (Monica – Joanne I'm not sure which one) and Mr. Iwrey. Registration is due by May 22, 2010. It will be a commitment of the morning only.
 - H. Golf Outing Initiative (Joanne Lax) – Discussion on the golf outing was tabled in the interest of time.
 - I. Monthly Meeting Date and Time (Joanne Lax) – There is a conflict for officers with the current meeting schedule so a new day and time needs to be selected. Ms. Lax asked Suzette to send out a matrix via e-mail that members can indicate times they are not available to due to standing meetings. Options will be Monday-Friday at noon or 4:30 p.m. Once the information is tallied, a new meeting time will be announced and will begin in November.
- VIII. Next Meeting Date: **Tuesday, November 3, 2009 at 4:30 p.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 6:00 p.m.