

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

Wednesday, April 19, 2006

The Health Care Law Section Council meeting was held via telephone. The following Council members participated: Jennifer Kildea Dewane, Cindy Wisner, Lisa Panah, Donna Craig, Eric Wexler, Marge Marchak, Beth Derwin, Joy Berent, Mike Fraleigh, Amy Barkholz, Joanne Lax, David Rogers and Jan Anderson.

1. Call to Order. The meeting was called to order by Jennifer Kildea Dewane at approximately 3:00 p.m.
2. Conflict Disclosures (if any - specific agenda items). There were no conflict disclosures made.
3. Minutes. The Minutes of the February 15, 2006 and March 9, 2006 meetings of the Health Care Law Section Council were approved on a motion made and seconded.
4. Treasurer's Report. Donna Craig presented the Treasurer's Report.
5. Budget. Donna Craig noted that the budget was approved at the February 15, 2006 meeting of the HCLS Council.
6. Updates.
 - 6.1 Substantive Law Subcommittee Report. Marge Marchak reported on upcoming programs. These include the Legislative Update, which will be held on April 26, 2006 at Foster Swift in Lansing. In addition, there will be a mental health and technology program.
 - 6.2 Law Student Reception Update. David Rogers had nothing new to report. Amy Barkholz reported that she spoke with Nancy Lukey regarding holding a law student reception at MSU. Ms. Lukey recommended late September or early October. Ms. Barkholz said that she would proceed with planning the reception.
 - 6.3 Revisions to the Nonprofit Corporation Act Update. Discussion on this was deferred until the next Council meeting.
 - 6.4 HIPAA Task Force. Joy Berent indicated that the Task Force is not currently working on anything.
 - 6.5 JCAHO/COP Task Force. Jennifer Kildea Dewane reported that she has had difficulty reaching Rachel Nosowsky to check on the status of the Task Force. She indicated that she would continue to try to reach her.

- 6.6 Updates to Website Regarding Council and Committees. Eric Wexler reported that he contacted Nancy Lukey to solicit law students to maintain the website. No one volunteered. Mr. Wexler indicated that he would pursue finding associates to maintain the website.
- 6.7 Michigan Health Care Regulations. Lisa Panah reported on the email that she sent to the Council with the link to the index. She indicated that Sandy Barger has completed the index and it is current through March 31, 2006. Ms. Panah acknowledged Ms. Barger's and Maribeth Dickerson's hard work on the index. She asked for volunteers to review the index and provide input before it is posted on the website. Jennifer Kildea Dewane, Joy Berent and Mike Fraleigh volunteered. Mr. Fraleigh indicated that he thought that the initial draft he reviewed was thorough and well-organized. Ms. Panah also mentioned that someone will need to take over responsibility from Maribeth Dickerson of keeping the index current after it is posted on the website.
- 6.8 2006 Annual Meeting. Jennifer Kildea Dewane reported that the planning committee will meet next week and she will report on the status of annual meeting planning at the next Council meeting.
- 6.9 List of Individuals Interested in Participating in Section Activities. Lisa Panah indicated that she would check if any of the persons who expressed an interest in participating in HCLS activities would be willing to take over responsibility for the web-based index after the index is finalized and posted on the website.
- 6.10 Lunchbox Series Work Group. Joanne Lax, Beth Derwin and Amy Barkholz reported on the status of planning the lunchbox meeting. It will be a lunch meeting held on May 18, 2006 at the Hotel Baronette in Novi. The topics have been selected. Around 14 people have registered so far. Additional notices will be sent out.
- 6.11 Pro Bono Work Group. Mike Fraleigh reported that the Elder Law Section does not appear to be interested in doing a joint outreach program on Medicare Part D. The Work Group will try to come up with other pro bono projects to do.
- 6.12 Michigan Stark Law. There was nothing new to report.
- 6.13 Section Survey. There was nothing new to report.
7. Other Business.
- 7.1 Attorney-Client Privilege Task Force. Eric Wexler reported that he has joined the State Bar of Michigan Task Force on Attorney-Client Privilege. The Task Force is sponsoring a program called "Compelled Waiver of Attorney-Client Privilege for Businesses: Issues and Practices for

Corporate Lawyers and their Clients,” which will be held on May 10, 2006 at Laurel Manor in Livonia. Mr. Wexler posted the program on the HCLS website and will also notify HCLS members via the listserv. Council members expressed their support for this course of action.

8. Next Meeting Date. The next Council meeting will be held via telephone on May 17, 2006 at 3:00 p.m.
9. Adjournment. There being no further business, the meeting adjourned at approximately 3:45 p.m.