

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

February 18, 2004

The Council meeting was held at the corporate offices of Trinity Health in Novi, Michigan. The following Council members participated: Donna Craig, Jennifer Kildea Dewane, Mike Fraleigh, Joy Berent, Lisa Panah, Kathy Kudner, Cindy Wisner, Art De Vaux, Eric Wexler, Ann Hollenbeck, and Phil Stoffan.

1. **Call to Order.** The meeting was called to order by Kathy Kudner at approximately 3:05 p.m.
2. **Conflicts of Interest.** There were no conflicts of interest disclosed by any Council members.
3. **Minutes.** The Minutes of the January 21, 2004 Council Meeting of the Health Care Law Section of the State Bar of Michigan were approved upon a motion duly made and seconded.
4. **Old and Recurrent Business.**
 - 4.1 **Treasurer's Report.** Donna Craig presented the Treasurer's Report to the Council.
 - 4.2 **Updates on Special Projects and Work Groups.**
 - 4.2.1 **HIPAA Work Group.** Cindy Wisner reported that the HIPAA Work Group continues to do a great job. The Section's website is being updated with new HIPAA information.
 - 4.2.2 **Website Task Force.** Eric Wexler reported that the Website Task Force Group met. The Website Task Force is considering, with the help of Lisa Panah, whether the Michigan Health Law Index can be more interactive. The Task Force is determining whether links to various websites should be updated. Eric Wexler is also going to review the Section's policies to determine whether certain policies need to be posted on the website, and he will report back his preliminary thoughts to the Council. There was also discussion regarding the State Bar charging \$1.00 per member for listserve messages. Mike Fraleigh will follow up on this issue.
 - 4.2.3 **Specialty Certification.** There was discussion regarding the Specialty Certification issue and how the Council will solicit feedback from Section

members on whether Specialty Certification is an issue that the Section should pursue.

4.2.4 Law Student Receptions. Jennifer Kildea Dewane reported that she had sent an e-mail solicitation for attorney volunteers to assist in hosting a law student reception at Michigan State University Detroit College of Law. This reception would also include Cooley Law students. She reported that within a few hours of sending the e-mail, she had received interest from ten potential volunteers. She reported that the interest level appears to be high. The format suggested by the MSU Detroit College of Law is to have a short panel of speakers followed by a networking reception.

4.2.5 Law Student Writing Competition. Kathy Kudner reported that a package on the law student writing competition will soon be sent to the Council Members for the Council's comments. It was also mentioned that we would invite the winners of the law student writing competition to the Council's annual dinner in September.

4.2.6 Updating Index to Michigan Health Law Regulations. Lisa Panah reported that she and Jennifer Kildea Dewane continue to work on the Michigan Health Law Index.

4.3 Update on Michigan Health Law Report. Cindy Wisner reported that the Michigan Health Law Report has not been published yet.

4.4 Other Special Projects (2003-2004 Bar Year).

4.4.1 Publication of Michigan Public Health Code. Cindy Wisner reported that there was discussion on whether there needs to be an index created for the Michigan Public Health Code.

4.4.2 First Annual Section Luncheon. Ann Hollenbeck reported that she had investigated various locations in which to hold the First Annual Section Luncheon. It appeared that some time in early June would be a good time for this event. The possible format for the meeting was discussed, including ideas regarding roundtable discussions with box lunches. Ann will present a prototype invitation at the next Council Meeting and will book the Laurel Manor for either June 1 or June 2.

4.4.3 Review of Corporate Practice of Medicine Doctrine. Kathy Kudner reported that Ann Baker is still interested in having a meeting on this issue.

4.4.4 ADR Program for Health Care. Donna Craig suggested that this item be taken off the Agenda until she has something specific that needs to be brought to the Council's attention.

4.4.5 Glossary of Health Definitions. Cindy Wisner and Jennifer Kildea Dewane reported that they continue to work on the Glossary.

4.5 Report on Proposed Amendments to Non-Profit Corporation Act. Arthur De Vaux stated that the recent draft proposes to codify the corporate practice of medicine.

4.6 National Conference of Commissioners on Uniform State Laws. Cindy Wisner indicated that there was nothing to report on this issue.

5. New Business.

5.1 Planning for ICLE 2004. Kathy Kudner reported that Debbie Stabenow can no longer attend the ICLE Update. Joy Berent and Art De Vaux then discussed the Council's dinner meeting that will take place on March 4, 2004 at Charlie's Crab House at 6:30 p.m.

5.2 Discussion of Future MSMS Co-Sponsored Program. Upon a motion duly made and seconded, the Council decided not to continue the Section's future participation in the MSMS co-sponsored program.

6. Agenda Items for Subsequent Meetings.

6.1 2004 Michigan Bar Annual Meeting. Various topics for the Annual Meeting were discussed, including responding to the Medicaid underfunding crisis. The Planning Committee will have a conference call in several weeks. Jennifer Kildea Dewane will coordinate the Council's Annual Dinner in Lansing which will correspond with the Annual Meeting date.

6.2 Monthly Meeting. There was then discussion regarding monthly meetings and whether they were still necessary. It appeared to be the consensus of the Council to continue its monthly meetings.

7. Next Meeting. The next meeting of the Council of the Health Care Law Section of the State Bar of Michigan will be held at 6:30 p.m. as a dinner meeting at Charlie's Crab House.

8. Adjournment. There being no further business, the meeting was adjourned at approximately 4:15 p.m.

S:\211\HEALTH\COUNCIL\MINUTES\feb18-04.wpd