

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

Wednesday, February 20, 2008

The Health Care Law Section Council meeting was held via telephone. The following Council members participated: Amy Barkholz, Rich Bouma, Beth Derwin, Marta Hoffman, Ann Hollenbeck, Rob Iwrey, Joanne Lax, Lisa Panah, Carol Tarnowsky, Tom Trenta and Monica Wilkinson.

Excused absences: Jan Anderson, Margaret Marchak, Donna O'Connor, David Rogers and Eric Wexler.

1. Call to Order. Lisa Panah called the meeting to order at 3:06 p.m.
2. Conflict Disclosure. There were no conflict disclosures.
3. Approval of Minutes. Joanne Lax presented the minutes of the January 16, 2008 council meeting and asked for comments or corrections. Upon motion made and seconded, the minutes as presented were unanimously approved.
4. Treasurer's Report. The formal Treasurer's report will be deferred until the March Council Meeting.
5. Updates.
 - 5.1 Substantive Law Committee Report.
 - 5.1.1 Monica Wilkinson reported that the 2nd and 3rd parts of the Stark III programs were extremely well attended. Notices will be sent for the fourth part to be held at ICLE in March. The fifth Stark III program will be held on April 23rd. There will be no in-person component, given poor in-person attendance at the 2nd program.
 - 5.1.2 The Medical Legal Subcommittee is currently working on a program concerning the Learned Professions and corporate practice of medicine issue. The date for this program is not yet confirmed.
 - 5.1.3 The Legislative Update will be held on April 29th at the Foster Swift firm in Lansing. Six speakers are confirmed. A save the date notice will be sent out in early March.

- 5.1.4 Monica Wilkinson further reported that the Antitrust Section would like to do a joint in-person program on antitrust and health law issues. The program is scheduled for the afternoon of May 7, 2008. The Antitrust Section is looking for the following help: 1) speakers, 2) planning, 3) marketing, and 4) financial. The Substantive Law Committee discussed the idea and the Payors Subcommittee is willing to take the lead on the program planning if the Council supports the idea. Discussion was held and the Council recommended that the Health Law Section move forward to jointly host the program with the Antitrust Section as long as the Health Law Section is involved on the planning and marketing and is able to include some speakers. Upon motion made and seconded, the Council voted to work with the Antitrust Section with the above-described provisos, and voted to provide financial support for the program up to \$1,000.00 as long as the Antitrust Section contributes an equal or greater amount toward the costs of the program.
- 5.1.5 Ann Hollenbeck and Lisa Panah reported that they plan to meet in March to discuss possible joint programs with the Alternate Dispute Resolution Section. The earliest such programs could be scheduled would be fall 2008.
- 5.1.6 Discussion on the speaker release form will be deferred until the March Council meeting.
- 5.2 Health Law Schmooze Committee. This report was deferred until the March Council Meeting.
- 5.3 Law Student Events.
- 5.3.1 Amy Barkholz reported she is working on possible dates for events at MSU and Cooley Law Schools.
- 5.3.2 Marta Hoffman reported that an event is scheduled at Ave Maria Law School on March 27th. She and Marie Paratto will present different practice options to the students. Marta is looking for a third speaker.
- 5.3.3 Ann Hollenbeck reported that an event is scheduled at University of Michigan Law School on March 26th. Ed Goldman and Walt Wheeler will present different practice options to students.
- 5.3.4 Rob Iwrey reported that an event is scheduled for WSU and U of D Law Schools at WSU on March 20th. He, Art DeVaux, Monica Wilkinson, and Michigan Assistant Attorney General Virginia Trascoma will present different practice options to the students.

5.4 Technology and Access Committee.

5.4.1 Health Law Wiki. Rich Bouma reported that he will speak with Amy Barkholz, Marge Marchak and Lisa Panah offline to discuss options for this initiative. They will make recommendations at the March Council Meeting.

5.4.2 HCLS ListSrvs. Lisa Panah reported that there are no new developments regarding this initiative.

5.4.3 Electronic Newsletter. Lisa Panah reported that there are no new developments regarding this initiative.

5.5 Health Law Index. Lisa Panah reported that Maribeth Dickerson will update the index soon.

5.6 Legislation Committee.

5.6.1 Amicus Curiae Invite. Lisa Panah reported that Hall Render has taken the lead on preparation of the amicus brief. They have submitted issues to HCLS for comments.

5.6.2 Corporate Practice of Medicine Legislation. The report on this topic is deferred until the March Council Meeting.

5.7 HCLS Appreciation Dinner after ICLE. Rob Iwrey reported that over 34 people plan to attend this event. Menu was confirmed with Little Italy for appetizers and dinner.

5.8 2008 Annual Meeting Committee Update. Lisa Panah reported that the Annual Meeting is scheduled for September 23rd at the Detroit Institute of Arts. Tom Trenta reported that he is attempting to secure Rick Boothman, Chief Risk Officer at U of M or Jeff Driver, Chief Risk Officer at Stanford, to speak on the legal aspect of the medical error topic. The topic may be kicked off by showing the Film “What To Do When Things Go Wrong”, produced by Harvard. Tom Trenta is working on procuring a copy of the film for review by the sub-committee.

5.9 Pro Bono Work Group. Rob Iwrey reported that a current draft of the domestic violence brochure was sent to Amy Richards and the Elder Law section for review. Rob will incorporate their changes and then send a draft to the council before final production and distribution.

5.10 Michigan Stark Law. Ann Hollenbeck reported that there are no new developments on this subject.

5.11 Section Survey Report. Tom Trenta reported that he will work with Dave Rogers and Amy Barkholtz offline.

- 5.12 Revised IRS 990 Form. Ann Hollenbeck reported that there are no new developments on this subject.
- 5.13 Law Student Writing Competition. Carol Tarnowsky reported that Joanne Lax drafted a letter to be sent directly to the Deans of all Michigan law schools explaining the competition. The letter requests that the Deans' offices disseminate information about the writing competition to students.
- 5.14 Website Password-Protected Section Directory. Rich Bouma made a motion to drop this initiative. Upon being seconded, the motion passed unanimously.
- 5.15 Bylaws Amendment-Law Faculty Membership Category. The discussion on this issue was deferred until the March Council Meeting.
- 5.16 MSU Journal of Medicine Symposium. The discussion on this issue was deferred until the March Council meeting.
- 6. New Projects/Initiatives. Discussion on this subject was deferred until the March Council meeting.
- 7. List of Individuals Interested in Participating in Section Activities. Lisa Panah noted the individuals who have expressed an interest in participating in Section activities and asked Council members to keep them in mind.
- 8. Other Business. There was no additional business to discuss.
- 9. Calendar of Meetings.
 - 9.1 Lisa Panah reported that the HCLS Appreciation Dinner will be held Thursday, March 6, 2008 at 7:00 p.m. at Little Italy Ristorante in Northville.
 - 9.2 The next meeting of the Council will be held on Wednesday, March 19, 2008, 3:00-5:00 p.m. via call-in only.
- 10. Adjourn. The meeting was adjourned at 4:01 p.m.