

***State Bar of Michigan***  
***Health Care Law Section***  
***Council Meeting Minutes***

Thursday, February 12, 2009  
9:00a.m. – 10:00a.m.

Teleconference: Call-In Number is: **1 800-270-1153, Pass Code is 123999#**

Council Officers:     Ann Hollenbeck (Chair), Joanne Lax (Chair-Elect)  
                             Margaret Marchak (Treasurer), Marta Hoffman (Secretary)

- I. **Call to Order** (Ann Hollenbeck) 9:01a.m.
- II. **Roll Call** (Ann Hollenbeck): **Present:** Rob Iwrey, Donna O'Connor, Joanne Lax, Lisa Panah, Joan Lowes, John Anderson, Richard Bouma, Ann Hollenbeck, Eric Wexler, Monica Wilkinson, Beth Derwin, Carol Tarnowsky, Marge Marchak.  
**Excused:** Marta Hoffman, Thomas Trenta, Jan Anderson
- III. **Conflict Disclosures** (Ann Hollenbeck): There were none.
- IV. **Review and Approval of Minutes of January 15, 2009 Council Meeting** : The Minutes were unanimously approved upon motion and second.
- V. **Treasurer's Report** (Margaret Marchak): Marge reported approximately \$29,000 in revenue, approximately \$24,000 in net income, and expenses approximating \$5,000. The fund balance is almost \$92,000. The section continues to operate within budget.
- VI. **Updates**
  - A. **Substantive Law Committee Report** (Joan Lowes)
    1. **Speaker Release Form.** The council discussed and approved the speaker release form. It will be used going forward.
  - Primer Series of Providers Subcommittee:**
    - a) **Past Programs:** i) The HIPAA Security program in December was successful however negative comments were received about the lack of written material. The Committee will require written material from all speakers in the future. ii) Several concerns were raised about the registration process for teleconferences. On line registration is no longer an option. Registrations must be faxed or mailed to the State Bar which has been unable to consistently process them on a timely basis. Ann Hollenbeck and Joan Lowes will follow up with the State Bar about these issues.
    - b) **Future Programs:** i) Several programs are scheduled. A follow up teleconference to the December patient safety and quality program will be held on March 16<sup>th</sup>. The topic will be privileges and confidentiality under the patient

- safety act. ii) A program on the basics of Certificate of Need will be held on March 25<sup>th</sup>. Phyllis Adams and Larry Horvath will be the speakers. iii) A two part series on Medicare Advantage will be held on May 6<sup>th</sup> and on May 20<sup>th</sup>. The first part will be a fundamentals program. The second program will be more advanced and will address marketing rules for agents and insurers. The speakers will be from Blue Cross Blue Shield.
2. **Legislative Update:** The Legislative Update will be held on April 23<sup>rd</sup>. Senator Tom George will be the keynote speaker. The Location has not yet been confirmed. Possibilities include MSU or Cooley Law School however the program may conflict with exam week.
  3. **Future Programs:** as above.
- B. **Law School Events** (Amy Barkholz, Rob Iwrey, Marta Hoffman) Marta has scheduled the Ave Maria Program for March 25<sup>th</sup> and University of Michigan on April 2d. Ann Hollenbeck and Marta Hoffman will present at both programs. Eric Wexler will also present at Ave Maria and Kristine Galien, from BCBS will also present at University of Michigan. Rob Iwrey has scheduled the Wayne State University program for March 12<sup>th</sup> with the same speakers as last year.
- C. **Technology and Access Committee** (Rich Bouma) There was nothing to report.
- D. **Legislation Committee** (Jan Anderson, Eric Wexler, Amy Barkholz, Marta Hoffman, Tom Trenta)
1. **2009 Law School for Legislators** ( Jan Anderson) This program is scheduled for March 24<sup>th</sup> and will be 90 minutes in length. The State Bar plans on continuing this program annually for freshmen legislators.
  2. **Medical Marijuana Regulations** (Marta Hoffman): There was no report.
- E. **2009 Annual Meeting Committee** (Ann Hollenbeck) The program is tentatively scheduled for September 24<sup>th</sup> at Cranbrook Institute of Science. It will be the same length and format as last year with the annual meeting followed by lunch, the educational session, and ending with a networking session. A new approach of calling for speakers will be tried this year. There have already been two responses and Donna O'Connor has recommended addressing the impact of the stimulus package on health care. This year's program will have a more traditional educational session in the afternoon.
- F. **Pro Bono Work Group** (Rob Iwrey, Carol Tarnowsky) The group is following up with MSMS, MOA, and Carol has discussed printing with MHA. MHA has an in house print shop that is reasonably priced. The group is also checking to see if one of these entities can do an electronic version which would be easier to distribute.
- G. **Redesigned IRS Form 990 Task Force** (Ann Hollenbeck) There was no report.
- H. **Publications Committee** (John Anderson, Donna O'Connor)
1. **Health Law Index:** John Anderson has worked on this.
  2. **Planned Publications for 2009:** a) Monica Navarro, David Haron, and Greg Nowakowski are working on a combined state and federal fraud laws publication, b) The record retention manual was last updated in 2002 and is in need of an update, especially given the stimulus provisions relating to EMR. Donna is working with Susan Patton, Deborah Marine, James Heath and Greg Nowakowski on that. Donna advises that all publications will be consolidated in

one place on the HCLS web site. Sandy Barger from the State Bar advises that there is no additional charge for this and it should be easy to do. The committee will make recommendations to the Council on how the redesigned resources will look.

- I. **Charitable Donations Policy** (Monica Wilkinson) The policy has been drafted but Monica wants to discuss it with Ann before sending it to the Council for review at next meeting.
- J. **Student Writing Competition** (Joanne Lax) Carol and Monica will participate. According to the law students, the due date was one of the factors impacting participation. This is being considered. Potential topics and format were discussed and council recommendations will be considered by the committee.

K. **New Business:** None.

VII. **Next Meeting Date: Thursday, March 5, 2009: Dinner at Little Italy**

**Thursday, April 2, 2009 was discussed as an alternative to the regular date since the 2d would not conflict with school break.**

VIII. **Adjournment** (Ann Hollenbeck): 9:40 a.m.