

## **MINUTES OF THE COUNCIL MEETING OF THE HEALTH CARE LAW SECTION**

### **STATE BAR OF MICHIGAN**

January 12, 2000

The Council meeting was held in Farmington Hills, Michigan in the offices of Mercy Health Services. The following Council members attended: Gary McRay, Gregory Drutchas, Howard Marderosian, Gerald Griffith, Nancy Lukey (by telephone), Colleen McClorey, Keith Soltis, Andrew Wachler, Kathrin Kudner and Leslie Wizner (by telephone).

1. Call to Order. The meeting was called to order by Gary McRay at 3:15 p.m.
2. Minutes. The Minutes of the December 8, 1999 meeting were approved upon motion by Nancy Lukey and second by Colleen McClorey.
3. New Business.
  - a. Web Site Update. Kathy Kudner gave an update on the web site. She will provide the Council with a list of potential health care links for discussion at the next meeting.
  - b. Wachler Resignation. Drew Wachler submitted his resignation as a member of the Council effective immediately. Gary McRay proposed that the Council give Drew Wachler a plaque in appreciation of his service. A motion to purchase the plaque was made by Kathy Kudner, seconded by Keith Soltis and approved. Gary McRay will contact the members of the Nominating Committee to suggest new candidates for the Council.
  - c. 1999 Year in Review. Nancy Lukey discussed the status of the project. After discussion, Nancy Lukey agreed to explore the use of associates in her firm, law students and volunteers from the Section. Colleen McClorey made a motion to amend the 1999-2000 budget to reflect a cost of \$8,000 for the Year in Review. The motion was seconded by Howard Marderosian and approved. Nancy Lukey will report to Gary McRay prior to the next meeting.

d. Treasurer's Report. Greg Drutchas presented the Treasurer's report and the proposed 1999-2000 budget. The

Council discussed options for spending the surplus and/or reducing dues. The Council decided to postpone approval until discussion of other items on the agenda.

e. MSMS Bioethics Conference. Nancy Lukey reported that MSMS is seeking suggestions for topics and

speakers for the conference. Nancy Lukey will contact Dr. Brody for further discussion. There has been no

discussion yet as to whether the Section will participate financially in the conference.

f. Michigan Health Law Index Update. Gary McRay reported that he discussed the Update with Maria

Abrahamsen who reported that the Update should be available by the February 10 MSHA annual meeting. The

Council discussed the price for the Update. Nancy Lukey made a motion to sell the Update to members of the

Health Law Section for \$25.00 and to non-members for \$50.00. The motion was seconded by Howard

Marderosian and approved subject to approval of MSHA.

The Council discussed the procedures for sales of the update and who receives any profits after expenses are

met. Gary McRay will confirm in writing with MSHA and MHA our understanding that the Health Law Section will receive the surplus.

g. MSHA Annual Meeting. Gary McRay reminded the Council of the Annual Meeting.

h. Program Committee. The Council discussed potential topics and speakers for the Annual Meeting, including

the Attorney General or speakers on telemedicine.

i. Liaison Committee. Gary McRay will work to find a replacement for Drew Wachler.

j. Legislative Committee. Colleen McClorey will coordinate with Kathy Kudner on projects for the Committee.

4. Manual Updates. The Council discussed an update of the Confidentiality and Medical Record Retention Manuals using one

or more second year law students. Gary McRay and Howard Marderosian will explore use of DCL or Cooley students.

5. Subcommittees. Gerry Griffith distributed minutes of the last planning session of the Subcommittee Co-Chairs on January 7, 2000. He reviewed the potential subjects and speakers set forth in the agenda and reported that the Health Care Provider Subcommittee will host a meeting on February 17, 2000 at the offices of Foster, Swift, Collins & Smith, P.C. in Lansing with Senator Sugar, Laura Redoutey and Gregory Aronin to discuss legislation updates. The Payor Subcommittee will hold a meeting in early March with a speaker from HCFA, Region V to discuss Medicare + Choice and the BBA Refinement Act. There will also be a joint subcommittee meeting in May on managed care contracting. The Council discussed meetings/conferences on non-health care topics relevant to the health care lawyer.

6. Other Business.

a. MSMS Conference. Nancy Lukey and Leslie Wizner will contact Chuck Czudlo about another jointly sponsored program.

b. Correspondence from ABA Health Law Section. Gary McRay reported that the ABA would like a representative from the Health Law Section to attend the mid-year meeting in San Diego. The Council decided to publish a notice of the meeting on the web.

c. Michigan Protection & Advocacy Services Inc. Access to Mailing List. The Council discussed the request from Michigan Protection & Advocacy Services, Inc. to have access to the Section mailing list. The Council decided not to give access but that Gary McRay would notify Section members in his next mailing of Michigan Protection and Advocacy Services's request for volunteers.

d. Request from Phyllis Donaldson-Adams. Kathy Kudner reported on a request from Phyllis Donaldson-Adams for a letter of acknowledgment from the Section to the CON Commission relating to Ms. Donaldson-Adams serving as a liaison on a CON Task Force to revise CON standards. Gary McRay requested that Ms. Donaldson-Adams propose a letter for him to sign.

The meeting adjourned at 5:20 p.m.