

MINUTES OF THE COUNCIL MEETING OF THE HEALTH CARE LAW SECTION

STATE BAR OF MICHIGAN

June 14, 2000

The Council meeting was held in Lansing, Michigan in the offices of Foster, Swift, Collins & Smith, P.C. The following Council members attended: Gary McRay, Maria Abrahamsen, Nancy Lukey, Gerald Griffith, Keith Soltis, Kathrin Kudner, Larry Burns, Joy Berent, Maurice McMurray, Colleen McClorey, and Greg Drutchas,

1. Call to Order. The meeting was called to order by Gary McRay at 3:15 p.m.
2. Minutes. The Minutes of the May meeting were approved, with a change noted by Keith Soltis that he participated by telephone.
3. New Business.
 - a. Web Site. Kathy Kudner reported that both the minutes and links should be posted to the web site by next week.
 - b. 1999 Year in Review. Nancy Lukey reported on the progress of the project and indicated that it would have to be done by August 1, 2000 to be distributed before the Annual Meeting.
 - c. Treasurer's Report. Greg Drutchas gave the Treasurer's Report. Greg reported that expenses are still below budget. Greg asked that \$1,500 be allocated to the dinner before the Annual Meeting. Maria Abrahamsen made a motion to that effect which was seconded by Nancy Lukey and approved by the Council.
 - d. MSMS Conference. Nancy Lukey reported that the conference is set for July 27, 2000 at the Kellogg Center from 11:30 to 3:00 p.m., with lunch from 11:30 a.m. to 12:30 p.m. The Health Section will get joint billing and split the costs and revenues. Colleen McClorey will serve as moderator of the panel discussion. The topic will be "Fatal Credentialing Syndrome and Death by Data Bank."
 - e. MSMS Bioethics Conference. Nancy asked that members try to attend.
 - f. Michigan Health Law Index Update. Gary McRay agreed to follow up with the individual performing the work.
 - g. Annual Meeting. Keith Soltis reported that Jay Sanders has agreed to be the speaker. Keith distributed an outline of the major components of the speech. The Council discussed other ideas for topic areas. Gary McRay and Nancy Lukey will be preparing an agenda for the meeting. Gerry Griffith reported that there will be dinner at the Rattlesnake Club on September 20, 2000.
 - h. Legislative Committee. Colleen McClorey reported on the status of the proposed HMO legislation. It is expected that the new legislation will be signed by the Governor before the end of the month with an effective date for most provisions of October 1, 2000. Colleen also discussed the status of prompt payment legislation.

4. Manual Updates. Greg Drutchas indicated that only a few Medical Record Retention Manuals have been sold.

5. Nominating Committee. Maria Abrahamsen reported on the recommendations of the Nominating Committee for the open positions on the subcommittees and the Council. Maria reported that Colleen McClorey, Nancy Lukey and Maurice McMurray all agreed to stand for re-election. Maria reported that the Committee looked at four criteria in making its recommendations. These were: (i) demonstrated past service to the Section, through committee, co-chair, or other methods; (ii) geographic diversity and practice setting; (iii) value of having a government attorney on the Council; and (iv) no overlap from same firm or in-house department.

Maria indicated that the Committee had not contacted the recommended individuals but would do so after approval by the Council.

Maria stated that the following persons were recommended as new members to the Council:

Art DeVaux

John Blanchard

Jennifer Kildea

Maria stated that the following persons were nominated to fill the open co-chair positions on the subcommittees:

Payor Subcommittee - Amy Broman

Provider Subcommittee - Lisa Panna

Phyllis Donaldson-Adams

The Council discussed the candidates. Gerry Griffith indicated that there may be an additional opening on the Provider Subcommittee and suggested that David Rogers be asked to continue to provide continuity and that Phyllis Donaldson-Adams would be held in reserve for another opening.

The Council discussed how to encourage people to get more involved. It was decided that each Council member would bring to the next Council meeting the name of someone willing to volunteer to help the subcommittee.

A motion by Nancy Lukey to endorse the recommendation of the Nominating Committee for Council members and to submit the names to the members at the Annual Meeting was seconded by Gerry Griffith and passed unanimously.

A motion by Gerry Griffith to appoint Amy Broman to the Payor Subcommittee, to appoint Lisa Panna to the Provider Subcommittee, and to request David Rogers to remain on the Provider Subcommittee was seconded by Colleen McClorey and passed unanimously.

Maria will communicate the results to the individuals and confirm their willingness to serve. The terms of the Subcommittee chairs begin on July 1, 2000.

Maria also requested that Council members indicate to her which officer positions, if any, they would consider.

6. Survey of Members. Kathy Kudner distributed copies of a survey used in 1998. Council members should provide suggestions for revisions to the survey form to Kathy Kudner.

7. Subcommittees. Gerry Griffith reported on the Subcommittees. The joint subcommittee meeting in May on managed care contracting has been postponed until Fall. The Council discussed potential topics for future subcommittee meetings. The Council discussed other seminar ideas such as negotiation and legal writing.

8. Other Business.

a. Gary McRay reported that he had received a request from Wayne State University to use the Section's mailing labels. The Council agreed to the request.

b. Gary McRay reported that MDCH has adopted a new position re: CON review of transfer of licensed beds requiring substantive review whenever there is a new licensed entity.

The next meeting is scheduled for July 12, 2000 in Lansing.

The meeting adjourned at 5:10 p.m.