

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

June 19, 2002

The Council meeting was held via telephone conference. The following Council members attended: Gerry Griffith, Greg Drutchas, Jennifer Kildea Dewane, Nancy Lukey, Phil Stoffan, Joy Berent, Donna Craig, Keith Soltis and Kathy Kudner.

1. Call to Order. The meeting was called to order by Greg Drutchas at approximately 3:10 p.m.
2. Minutes. The minutes of the May 8, 2002 Council meeting were approved, as revised, upon a motion duly made and seconded.
3. Old and Recurrent Business.

3.1 Reports on Special Projects and Work Groups.

3.1.1 HIPAA Work Group. Joy Berent reported that the HIPAA Work Group is working on template forms and continues to meet on a regular basis. Kathy Kudner suggested using the HIPAA Work Group as a group in which other attorneys can pose common questions regarding HIPAA and Nancy Lukey suggested that that listserve would serve as a good avenue in which such questions are posed. There was discussion about other HIPAA work groups in other states.

3.1.2 Fraud Manual. Keith Soltis reported that he had only received one reviewer's comments regarding edits to be made to the Fraud Manual. However, it was indicated that others had submitted their comments directly to Dave Haron. It was suggested that one last review be conducted to ensure that previously suggested revisions were made to the Manual.

3.1.3 Pro Bono Work Group. Nancy Lukey reported that Monica Wilkinson is rescheduling the next upcoming meeting. The Pro Bono Work Group seminar will be held during Health Care Decision Week, which is the week of October 20, 2002 to October 26, 2002.

3.2 Subcommittees. Gerry Griffith reported that he will be meeting on June 10, 2002 with the co-chairs and David Rogers regarding programs that have been completed during the year and possible future projects. Gerry Griffith announced that the Elder Law and Health Care Law Section joint in-service training at Cooley on dealing with red tape issues had an attendance of about 30 people.

- 3.2.1 Providers. The Providers Subcommittee is planning on holding a seminar on the physician licensing statute, Public Act 402. The seminar will be a teleconference seminar held sometime during the summer.
- 3.2.2. Payors. The Payors Subcommittee is preparing a seminar sometime in the fall regarding OFIS regulatory issues.
- 3.2.3. Consumers. The Consumers Subcommittee has not yet planned an upcoming seminar.
- 3.2.4 Technology. The Technology Subcommittee has discussed the idea of holding a non-HIPAA privacy program and having someone speak regarding computer crimes.
- 3.2.5 Medical Legal. Greg Drutchas reported that he had assembled three people who are interested in serving on the new Medical Legal Subcommittee.
- 3.2.6 Miscellaneous. Gerry Griffith also discussed next year's subcommittee co-chairs and the potential nominees for the additional subcommittee vice chair.
- 3.3 ICLE Health Law Institute. There was nothing to report on this matter.
- 3.4 Membership Directory Update. Phil Stoffan reported on the feasibility of updating the Membership Directory on an annual basis and whether this document should be placed on the website. There was discussion on whether the Directory should be updated in either a list format or in a database format. There will be a one time charge of setting up a list format ranging from \$5,000 to \$7,000. There was discussion on how to monitor updates of necessary changes. Phil Stoffan thought because this would cost some money that the Council should defer this issue to the website committee for its consideration. Kathy Kudner will bring up this issue at the next website subcommittee meeting. Upon a motion duly made and seconded, the Council moved to post the Membership Directory on the Member's Only section of the website.
- 3.5 Section Bylaws. Nancy Lukey reported that everyone on the Council should have received an e-mail with the revised Bylaws attached. The revised Bylaws will be published in the August Bar Journal so that members have the appropriate 30-day notice before the Annual Meeting to review the most recent changes to the Bylaws. Nancy Lukey reported that both a clean and blacklined version will be contained within the August 2002 Bar Journal.
- 3.6 Website. Kathy Kudner reported that the Council members should be receiving an updated version of the Section's website sometime in July.

- 3.7 Michigan Health Law Report. Gerry Griffith reported that the first edition of the Michigan Health Law Report would be in proof format by June 21, 2002. Gerry Griffith will have 100 extra copies made for distribution at the Annual Meeting and subcommittee seminars. The Michigan Health Law Report will be mailed to all members. Gerry Griffith reported that he is having great success in getting volunteers for articles. In fact, he had received more than enough offers to draft articles for the next edition of the Health Law Report. The deadline for the next draft is on July 31, 2002.
- 3.8 Annual Meeting. Donna Craig reported that she sent a letter to both Dr. Porter and David Coats regarding the Annual Meeting. Eric Wexler is to post an advertisement on the Section's website. Donna reported that it will cost \$2200 for muffins and juice to be served at the Annual Meeting.
- 3.9 Awards Recognition Dinner. Phil Stoffan reported that he had tentatively reserved the Pinnacle Room which is on the 29th floor of the Amway Grand Hotel and seats 40-45 people. There was discussion of the invitee list for the Awards Recognition Dinner.
- 3.10 Social Function. Nancy Lukey reported that the scheduled social function for July 11, 2002 at Kensington Metro Park has been cancelled.
- 3.11 State of Law Outline for Annual Meeting. Jennifer Kildea Dewane reported that the State of the Law Outline is moving along and that Nancy Lukey, Kathy Kelly and Jennifer expect to have it done within a few weeks.
- 3.12 Bar Section Summit. Gerry Griffith reported that the Bar Section Summit was much like the Bar Leadership Forum previously held by the State Bar. There were suggestions on State Bar services, information on membership, etc. In terms of our membership numbers, the Section is in the middle of the pack and there was discussion of other sections' memberships. Gerry Griffith reported with a summary of issues discussed at the summit (State Bar positions, the survey of lobbying regulations, etc.).
4. New Business.
- _____ 4.1 MSMS/HCLS Seminar. It was reported that MSMS seminar is scheduled for October 29, 2002. There will be a presentation on Blue Cross Blue Shield Michigan reform legislation.
5. Next Meeting Date. Greg Drutchas announced that the Chairperson's Grill would take place on June 20, 2002 at 7:00 p.m. at his home. The next meeting of the Council will be held via telephone conference on July 31, 2002 at 3:00 p.m.
6. Adjournment. There being no further business, the Council meeting adjourned at 4:30 p.m.

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