

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

March 6, 2003

The Council meeting was held at Orchard Café in Troy. The following Council members participated: Gerry Griffith, Kathy Kudner, Maurice McMurray, Donna Craig, Lisa Panah, Phil Stoffan, Art deVaux, Nancy Lukey, Joy Berent, David Rogers, Cindy Wisner, and Greg Drutchas. Reginald Turner, President of the State Bar of Michigan, also attended as the Council's special guest.

1. Call to Order. The meeting was called to order by Gerry Griffith at approximately 7:10 p.m.
2. Conflict Disclosures (if any - specific agenda items). There were no conflicts of interest to report.
3. Minutes. The minutes of the February 19, 2003 Council meeting were approved upon a motion duly made and seconded.
4. State of the Bar and Working with Sections. Reginald Turner reported on recent Bar initiatives and the Bar's efforts to benefit and be more responsive to the members, including technology and electronic service initiatives, and improving administration of the Access to Justice program.
5. Old and Recurrent Business.
 - 5.1 Treasurer's Report. Donna Craig gave the Treasurer's Report and presented her notes from the Section Treasurer's meeting. She reported the Bar wants the Section to use APC, a new teleconference service, rather than Genesys, and to follow new expense procedures for meals, copying, telephone calls and labels.
 - 5.2 Update Reports on Special Projects and Work Groups.
 - 5.2.1 HIPAA Work Group. Joy Berent and Cindy Wisner reported that the subgroup is working with the State on resolving state law consent issues in connection with the HIPAA Notice of Privacy Practice. In addition, the HIPAA Work Group was asked to participate in a May meeting of the Michigan Trial Lawyers Association to educate on HIPAA forms and requirements for obtaining medical records. Monica Navarre and Mike Fraleigh have volunteered to explore doing this not only for MTLA but for record copy service companies and others as well. The Task Force has also developed an informal tool addressing state law impact on HIPAA-required policies, which will not be offered to the Section at large.

- 5.2.2 Pro Bono Work Group. There was nothing new to report.
- 5.2.3 Specialty Certification. Phil Stoffan reported the Certification Task Force will be meeting soon and will present their report at the next Council meeting. There was discussion on the pros and cons of specialty certification. Reginald Turner reported that the Michigan Supreme Court has expressed interest in specialty certification, but he does not believe the Bar is ready for certification programs at this point.
- 5.2.4 Law Student Reception. There was nothing new to report.
- 5.2.5 Law Student Writing Competition. There was nothing new to report.
- 5.2.6 Update Index to Michigan Health Law Regulations. Lisa Panah reported the index update is in progress.
- 5.3 Subcommittee Reports and Calendar of Events. David Rogers reported on upcoming subcommittee programs.
- 5.4 Report of Annual Meeting Committee. There was nothing new to report. Cindy Wisner solicited ideas for the annual meeting.
- 5.5 Update on Michigan Health Law Report. Kathy Kudner reported she is still waiting for one more article for the next publication.
- 5.6 Volunteer Code of Ethics. Cindy Wisner reported she will recirculate the revised Volunteer Code of Ethics to the Council for review and approval at the next Council meeting.
- 5.7 Other Special Projects.
 - 5.7.1 Senate Bill 51 Update. Joy Berent and Cindy Wisner reported the HIPAA Task Force is not interested in commenting on the proposed privacy legislation since it is not likely to be passed.
 - 5.7.2 Other Ideas for 2003 and Beyond. There was no discussion except that Gerry Griffith reported the ICLE/HCLS program attendance was very good.
- 5.8 Report on Proposed Legislation and Court Rule Amendments. Gerry Griffith reported the Medical-Legal Subcommittee will review and comment on the proposed legislation submitted to HCLS for comment.

6. New Business.
 - 6.1 Access to Justice Program. Upon a motion duly made and seconded, a \$1,000 contribution to the Access to Justice Program was approved, and Donna Craig was authorized to arrange for the contribution.
 - 6.2 Carol Isaacs' Resignation. Gerry Griffith reported on Carol Isaac's resignation from the Council and her vacancy will be filled at the annual meeting of the Bar.
 - 6.3 Appointment of Nominating Committee. Gerry Griffith reported that Maurice McMurray, Art DeVaux, Linda Ross and Greg Drutchas will serve on the Nominating Committee, which Greg Drutchas will chair. Gerry also solicited suggestions from the Council on nominees.
7. Next Meeting Date. The next meeting of the Council will be held at Trinity Health on April 16, 2003.
8. Adjournment. There being no further business, the meeting adjourned at approximately 8:40 p.m.