

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

WEDNESDAY, MARCH 19, 2008

The Health Care Law Section Council meeting was held via telephone. The following Council members participated: Jan Anderson, Rich Bouma, Beth Derwin, Marta Hoffman, Ann Hollenbeck, Rob Iwrey, Joanne Lax, Margaret Marchak, Donna O'Connor, Lisa Panah, Eric Wexler and Monica Wilkinson.

Excused absences: Amy Barkholz and Carol Tarnowsky

Unexcused absences: Tom Trenta and David Rogers

1. Call to Order. Lisa Panah called the meeting to order at 3:04 p.m.
2. Conflict Disclosure. There were no conflict disclosures.
3. Approval of Minutes. Joanne Lax presented the minutes of the February 20, 2008 council meeting and asked for comments or corrections. Rob Iwrey called for correction to item 5.3.4 to delete speaker name Carolyn Bell Harmon. Upon motion being made and seconded, the minutes were unanimously approved with this correction.
4. Treasurer's Report. The formal Treasurer's Report was distributed via email and presented by Margaret Marchak. Margaret Marchak asked if there are any costs related to the annual meeting. Lisa Panah will request the \$5,000 deposit for the DIA directly from the State Bar.
5. Updates.
 - 5.1 Substantive Law Committee Report.
 - 5.1.1 Monica Wilkinson reported that the fifth Stark III program will be held on April 23rd. There will be no in-person component.
 - 5.1.2 The Legislative Update will be held on April 29th at the Foster Swift firm in Lansing. Six speakers are confirmed. A registration notice will be sent out in late March.
 - 5.1.3 The Medical Legal Subcommittee is currently working on a program concerning the Learned Professions and Corporate Practice of Medicine issue. This teleconference will be held on April 30th. Confirmed speakers are Michael Philbrick, Amy Barkholtz and the emcee will be Margaret Marchak.
 - 5.1.4 Monica Wilkinson further reported that planning for the May 7, 2008 Joint meeting with the Antitrust Section is going smoothly. Their budget is down. They have fewer speakers and they have re-configured the program. The only speaker from HCLS is David

Rogers, who will give an overview. Also scheduled to speak is someone from the FTC, two of the Anti-Trust section speakers and Prof. Hammer from WSU.

5.1.5 Monica Wilkinson further reported that a fifth program regarding e-prescribing with speaker Gladys Wheeler of CMS will take place in the fall.

5.1.6 Speaker Release Form. Margaret Marchak will review and report at the April meeting.

5.2 Health Law Schmooze Committee.

5.2.1 The Grand Rapids schmooze has been cancelled.

5.2.2 Detroit Tiger Game at Comerica Park, June 6th, 2008. A pre-game schmooze will be hosted by Bill Shipman at the Bodman law offices at Ford Field.

Rob Iwrey suggested that the schmooze events remain social while also containing some structure and substantive discussion.

5.3 Law Student Events.

5.3.1 Rob Iwrey reported that an event is scheduled for WSU and U of D Law Schools at WSU on March 20th. Mr. Iwrey, Art DeVaux, Monica Wilkinson, and Michigan Assistant Attorney General Virginia Trascoma will present different practice options to the students. He will circulate law school writing competition flyers at the event.

5.3.2 Ann Hollenbeck reported that an event is scheduled at University of Michigan Law School on March 26th.

5.3.3 Marta Hoffman reported that an event is scheduled at Ave Maria Law School on March 27th.

5.4 Technology and Access Committee.

5.4.1 Health Law Wiki. The report on this topic is deferred until the April meeting.

5.4.2 HCLS ListServ. Rich Bouma reported that there is nothing new to report on the topic.

5.4.3 Electronic Newsletter. Lisa Panah reported that there are no new developments regarding this initiative.

5.5 Health Law Index. Lisa Panah reported that the Health Law Index continues to be updated and that if anyone knows of anyone who can take over updating the index to please let her know.

5.6 Legislation Committee.

5.6.1 Amicus Curiae Invite. Margaret Marchak reported that a copy of the Brief went out to the council. Lisa Panah reported that she would like to thank Margaret Marchak and everyone who was involved in putting together this brief. Motion was made and second that the Health Care Law Section distribute \$5,000 to Hall Render for their work on the Amicus Brief. Motion was approved with the condition that Margaret Marchak report back to the Council if the amount needs to be revisited. Invoice will be submitted by Hall Render to the Treasurer.

5.6.2 Corporate Practice of Medicine Legislation. Lisa Panah reported that there will be a seminar on this subject.

5.7 HCLS Appreciation Dinner after ICLE. Lisa Panah would like to thank Rob Iwrey and Margaret Marchak for planning the appreciation dinner. The dinner was enjoyed by all.

5.8 2008 Annual Meeting Committee Update. Lisa Panah reported that she will be meeting with the DIA in the next week and the Annual Meeting committee will meet the first week of April.

Ann Hollenbeck reported that anyone interested in leading a roundtable should email her. Please send topic suggestions to her via email.

Beth Derwin reported that CMS cannot send a speaker. Beth asked that Lisa Panah inquire with the DIA as to their ability to provide audio/video lead (videoconferencing) with the Baltimore area. This might enable a CMS speaker by video conference.

5.9 Pro Bono Work Group. Rob Iwrey reported that a current draft of the domestic violence brochure was sent to Amy Richards and the Elder Law section and is still under review.

5.10 Michigan Stark Law. Ann Hollenbeck reported that there are no new developments on this subject.

5.11 Section Survey Report. Item will be deferred until the April Council meeting.

5.12 Revised IRS 990 Form. Ann Hollenbeck reported that there are no new developments on this subject.

5.13 Law Student Writing Competition. Joanne Lax reported that a letter was sent directly to the Deans of all Michigan law schools explaining the competition. Rob Iwrey will ask at the law student luncheon events if Professors will discuss the competition in their classes and post at their schools.

- 5.14 Bylaws Amendment-Law Faculty Membership Category. Amendment was included with this meeting's email. Upon motion being made and seconded, the resolution to approve the Bylaws Amendment was approved at the Council level. Joanne Lax will sign and notify the State Bar of Michigan.
- 5.15 MSU Journal of Medicine Symposium. The discussion on this issue was deferred until the April Council meeting.
- 6. New Projects/Initiatives. Discussion on this subject was deferred until the April Council meeting.
- 7. List of Individuals Interested in Participating in Section Activities.
 - 7.1 Lisa Panah noted the individuals who have expressed an interest in participating in Section activities and asked Council members to keep them in mind.
- 8. Other Business. There was no additional business to discuss.
- 9. Calendar of Meetings.
 - 9.1 The next meeting of the Council will be held on Wednesday, April 16, 2008, 300-5:00 p.m. via call-in only.
- 10. Adjourn. The meeting was adjourned at 3:36 p.m.

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