

***State Bar of Michigan***  
***Health Care Law Section***  
***Council Meeting Minutes***

May 21, 2009  
9:00a.m. – 10:00a.m.

Teleconference: Call-In Number is: **1 800-270-1153, Pass Code is 123999#**

Council Officers:     Ann Hollenbeck (Chair), Joanne Lax (Chair-Elect)  
                             Margaret Marchak (Treasurer), Marta Hoffman (Secretary)

- I. Call to Order (Ann Hollenbeck): 9:00 a.m.
- II. Roll Call (Ann Hollenbeck): Jan Anderson, Amy Barkholz, Rich Bouma, Beth Derwin, Marta Hoffman, Ann Hollenbeck, Rob Iwrey, Joanne Lax, Joan Lowes, Margaret Marchak, Carol Tarnowsky, Eric Wexler, Monica Wilkinson. Excused: John Anderson, Lisa Panah
- III. Conflict Disclosures (Ann Hollenbeck): There were none to report.
- IV. Review and Approval of Minutes of April 2, 2009 Council Meeting (Marta Hoffman): The minutes were unanimously approved upon motion and second.
- V. Treasurer's Report (Margaret Marchak): Ms. Marchak presented the financial report. Teleconference expenses have exceeded budget but will likely be offset by other unused line items.
- VI. Updates
  - A. Substantive Law Committee Report (Joan Lowes): Ms. Lowes reported a busy and successful year for the committee. They presented several programs with the most recent, Part II of the Medicare Advantage series, having been held yesterday. Part I received good evaluations and she is awaiting evaluations for Part II. Discussion ensued about speaker gifts.
    1. Legislative Update: The event was held at the State Bar on April 23rd. Council members in attendance were impressed by the facility and staff. A recommendation was made that additional events be held at the State Bar. Fred Anderson from Michigan Osteopathic Association, Brian Peters from MHA, Sen. Tom George, and Paul Duguay from Michigan Association of Health Plans, spoke. The program was well received. About 30-40 attended.

2. Future Programs: Ms. Marchak will be presenting at a teleconference on May 27<sup>th</sup>. The topic will be the impact the American Recovery and Reinvestment Act has on Health Information Technology. A program on the Michigan Medical Marihuana Act will be presented on June 11<sup>th</sup>.
- B. Law School Events (Amy Barkholz, Rob Iwrey, Marta Hoffman): This year's events are concluded. The last one was the University of Michigan event. It was fairly well attended. Presenters were Ann Hollenbeck and Marta Hoffman. The third speaker had a last minute conflict and was unable to attend.
- C. Technology and Access Committee (Rich Bouma): There was nothing to report.
- D. Legislation Committee (Jan Anderson, Eric Wexler, Amy Barkholz, Marta Hoffman): Ms. Barkholz reported that the committee hasn't met and the only current issue concerns the medical marihuana law that will be discussed at an upcoming teleconference.
1. Medical Marihuana Regulations (Marta Hoffman): The Substantive Law section is presenting a teleconference on Medical Marihuana in Michigan on June 11<sup>th</sup>. Presenters will be Dr. John Mulder, Medical Director of Palliative Care Services@ Spectrum, Melanie Brim, Director Bureau of Health Professions, and Marta Hoffman from Mercy Health Partners.
- E. 2009 Annual Meeting Committee (Ann Hollenbeck): Meeting will be held on September 24th @ Cranbrook. Speakers have been narrowed down and the committee continues to plan the program.
- F. Pro Bono Work Group (Rob Iwrey, Carol Tarnowsky): There was nothing new to report.
- G. Publications Committee (John Anderson, Donna O'Connor)
1. Health Law Index: John Anderson is still working on this. Billee Ward volunteered to assist.
  2. Fraud and Abuse Manual: Monica Navarro's firm has completed the substantive portion of the manual. It has incorporated Tom McGraw's AHLA version with the Michigan fraud and abuse manual. The manual is expected to be available on line by June.
  3. Record Retention Manual: The manual is about 75% complete. The goal is to have this posted to the web site by the end of June. Ms. O'Connor requested that a couple thousand dollars be reserved to help fund the project if needed.
  4. Reorganization of legal resources on the section webpage: Billee Ward is working on this and has suggested that some of the titles be consolidated.

- H. Charitable Donations Policy (Monica Wilkinson): Ms. Wilkinson presented a proposed guideline to be used instead of a formal policy. Discussion ensued. It was suggested that requests for donations be reviewed by the Treasurer and the Chair before being forwarded to the council for approval. Subject to the changes discussed, the guideline was unanimously approved upon motion and second.
- I. Student Writing Competition (Joanne Lax, Carol Tarnowsky, Monica Wilkinson): Ms. Lax reported that she has begun receiving inquiries from students.
- J. Nightingale Task Force (Ann Hollenbeck): There was nothing to report.
- K. Corporate Practice of Medicine Task Force (Marge Marchak): The task force recently met and identified several issues for follow up. The issues will be narrowed and presented to the council for consideration.

VII. New Business

- A. HITECH Act—Potential Task Force: Discussion ensued about the purpose of the task force and whether sufficient information was already available. No decision was made, pending follow up with Ms. Panah who was unable to participate in the discussion.
- B. The nominating committee will be meeting soon. Nominations will be reported at a council meeting in advance of the annual meeting.
- C. Summer council meeting schedule: The summer council meeting schedule was discussed. The council will meet on June 18th as scheduled. No meetings will be held in July or August. There will be a meeting on September 10<sup>th</sup>.

VIII. Next Meeting Date: **Thursday, June 18, 2009, 9:00a.m.**

- IX. Adjournment (Ann Hollenbeck): 9:43 a.m.