

**MINUTES OF THE COUNCIL MEETING OF THE STATE BAR OF MICHIGAN
HEALTH CARE LAW SECTION
November 12, 1997**

The meeting was held at the law offices of Foster, Swift, Collins & Smith, P.C. in Lansing, Michigan. Those in attendance included: Linda S. Ross, Gary J. McRay, Leslie M. Wizner, Gregory G. Drutchas, Richard E. Cassard, Maria B. Abrahamsen, Howard C. Marderosian, Stephen P. Clifton, James B. Falahee, Jr., Agnes D. Hagerty, Susan H. Patton and Maurice E. McMurray.

1. Minutes. The minutes of the Council meeting of October 8, 1997 were approved as written.
2. Presentation to Susan Patton. The Council presented to Susan Patton a small token of its appreciation for such a fine job as the Council Chair last year in the form of tickets to the Detroit Symphony and dinner at a Detroit restaurant.
3. Special Overall Project. There was some general discussion about whether the Council should take on another special project for this year. Greg Drutchas proposed that the Council attempt to create a special publication once every two years, and during the off year do an update of existing publications. No action was taken on the proposal. Maria Abrahamsen agreed to review prior files on the 1993 "Michigan Hospital Law Index" to determine the feasibility of updating the Index as a Section project. She will provide Council members with a copy of the Table of Contents from the 1993 Index.
4. Report by the Chairperson. Linda Ross went over the correspondence that she had received, the fact that she has picked up Section stationery, a letter from Judge Harrison concerning the "Justice for All" report, a letter from the State Bar indicating that Jon Feikens is again the Commissioner Liaison to the Health Care Law Section, and as a consequence he will be receiving the minutes of meetings of the Health Care Law Section.
5. Treasurer's Report. Leslie Wizner gave a Treasurer's Report for the year ending September 30, with the preliminary budget for the new year starting October 1. The budget was approved as presented. There is no ground swell of support for conducting a retreat, unless there was a specific goal to be achieved. After some general discussion, it was moved, seconded and unanimously adopted that Leslie prepare a policy that would allow members of each subcommittee to be reimbursed for the cost of conducting subcommittee activities within a yearly budget of \$750. She will prepare guidelines based upon a survey of what the State Bar will reimburse for postage, copying costs, fax costs and unusual secretarial time spent in doing

subcommittee work. Leslie will develop and present the policy at the next Council meeting, but it will be presented to the subcommittees in December at their planning meetings.

6. Substantive Law and Practice Committee. Agnes Hagerty proposed that the subcommittee meetings be from 4:00-5:30 p.m. and she will take it upon herself to organize meetings between the liaison representatives of the Council and the various subcommittee co-chairs in December of this year. The initial meeting will be for the purpose of creating a work plan for the balance of the year, including dates of meetings, initial formats and speakers. It was determined that the Council should mail out a new form to all of its members to have them select desired subcommittees. If a member does not sign up for a subcommittee, they will not get the separate notice of the subcommittee meetings, although all members are permitted and encouraged to attend any subcommittee meeting.

7. 1997 Year in Review. Maria Abrahamsen reviewed the scope of the 1995 and 1996 Years in Review and proposed that the 1997 Year in Review would have a similar focus to last year's review. She was going to investigate whether the published summaries of Supreme Court, Court of Appeals and Attorney General Opinions that are produced by the State Bar could be reproduced in the Year in Review, and she will also investigate whether Lexis will donate the search time if it receives acknowledgement in the Year in Review. The Council unanimously passed a \$2,000.00 budget to publish and produce the 1997 Year in Review.

8. Publication/Marketing Committee Report. Greg Drutchas reported that he, Howard, Leslie and Linda had met and discussed member discounts and volume discounts and proposed the following fee schedule:

	Non-Members
	Members
	10 or greater
Medical Records	
Retention Manual	
\$ 50.00	
	\$ 40.00
	\$ 25.00
Mini-Manual on	
Confidentiality	
\$ 40.00	
	\$ 30.00
	\$ 20.00

Greg Drutchas will advise the State Bar of these fees and will prepare correspondence to organizations that may be interested in buying these publications in bulk. Gary McRay will change the web site fee listing.

9. Web Site. Vence Bonham said he was excited about becoming Chairperson of the web site, and Gary McRay seemed equally excited about Vence taking over these responsibilities.

10. Annual Program Committee Report. Gary McRay had no formal report, but the Council discussed the possibility of bringing speakers in for the Annual Meeting that were associated with the OIG audits being conducted in the health care industry. He will follow up to see if he can line up speakers for this subject matter.

11. Legislative Committee Report. In Nancy Lukey's absence, Linda reported on the proposed anti-Indenbaum legislation initiative sponsored by MSMS. She also handed out the OIG permissive exclusion guidance. Chip Falahee reported on the conversion legislation, which apparently is on hold for the balance of this year. He also reported that there is a sales and use tax bill which will broaden the definition of what is a hospital to include the health care system and all members of an affiliated group. Copies of this proposed legislation can be obtained from Chip Falahee.

12. Adjournment. The meeting was adjourned at 5:00 p.m. The next meeting will be Wednesday, January 14, 1998 at Mercy Health Services' offices in Farmington Hills. There will probably be video conferencing for those outside of the Detroit area at the Mercy locations in Lansing and Grand Rapids. 1