

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

**Wednesday, October 19, 2005**

The Health Care Law Section Council meeting was held via telephone. The following Council members participated: Jennifer Kildea Dewane, Cindy Wisner, Lisa Panah, Donna Craig, David Rogers, Eric Wexler, Joy Berent, Mike Fraleigh, Rob Iwrey, Joanne Lax, Amy Barkholz, Carol Tarnowsky and Marge Marchak.

1. Call to Order. The meeting was called to order by Jennifer Kildea Dewane at approximately 3:05 p.m.
2. Conflict Disclosures (if any - specific agenda items). There were no conflicts to report.
3. Minutes. The Minutes of the June 15, 2005 meeting of the Health Care Law Section Council were approved at a meeting of the Council held on September 20, 2005, at which a quorum was not present. Approval of the Minutes were ratified on a motion made and seconded. The Minutes of the September 20, 2005 Council meeting will be distributed at a future meeting. No comments were made on the draft Minutes of the Annual Meeting held on September 29, 2005.
4. Election of Officers for 2004-2005 and Welcome of New Council Members.
  - 4.1 Officers. Upon a motion made and seconded, the following officers were elected:  
  
David Rogers – Chair-Elect  
Donna Craig - Treasurer  
Lisa Panah - Secretary
  - 4.2 New Council Members. Jennifer Kildea Dewane welcomed the following newly elected and re-elected Council members:  
  
First Term:

Jan Anderson	Term expires 2007
Amy Barkholz	Term expires 2008
Beth Derwin	Term expires 2008
Rob Iwrey	Term expires 2008
Joanne Lax	Term expires 2008
Carol Tarnowsky	Term expires 2008

Second Term:

Lisa Panah	Term expires 2008
David Rogers	Term expires 2008

5. Old and Recurrent Business.

- 5.1 Treasurer's Report. Donna Craig reported that she has not received financials from the State Bar due to the close of the State Bar's fiscal year. Treasurer's report was deferred to a future meeting.
- 5.2 Budget. Donna Craig reported that a draft budget will be distributed before the December meeting. She reminded Council members that sales tax is not reimbursable for expenses incurred for Bar activities.
- 5.3 Annual Meeting Report. Jennifer Kildea Dewane went over the evaluation reports from attendees and solicited comments from the Council. The annual meeting was extremely well-attended, and comments from the attendees and Council members were positive. The general consensus was that this was one of the best annual meetings of the Health Care Law Section. Council members enjoyed holding the meeting separate from the State Bar annual meeting. An Annual Meeting Workgroup was formed, initially comprised of Jennifer Kildea Dewane, Amy Barkholz and Mike Fraleigh, for the purpose of planning next year's annual meeting. There was discussion on the location and format for future meetings.

6. Updates.

- 6.1 Substantive Law Subcommittee Report. Marge Marchak reported that the substantive law subcommittee leaders meet monthly to discuss ideas for educational programs and planning for upcoming programs. She reported that an educational program was recently held, and an educational program on electronic medical records will be held in November 2005.
- 6.2 Law Student Reception. Jennifer Kildea Dewane and David Rogers gave an overview of the past two law student receptions that were held at MSU Law School and Wayne State University Law School. The purpose of those receptions was to expose law students to the practice of health law from different perspectives, including small and large health law practices, government and in-house counsel positions. There was discussion on expanding the purpose of the receptions to promote the Health Care Law Section and encourage membership and participation. Ms. Kildea Dewane solicited participation from Council members in planning and hosting future receptions, including at the University of Michigan Law School. Marge Marchak recommended Susan Guindi as a possible contact at U of M.

- 6.3 Revisions of Nonprofit Corporation Act Update. Jennifer Kildea Dewane explained that Art DeVaux and Kathy Kudner are monitoring issues regarding revisions to the Nonprofit Corporation Act. There was nothing new to report.
- 6.4 HIPAA Task Force Update. There was nothing new to report.
- 6.5 JCAHO/COP Project Update. Jennifer Kildea Dewane explained that a new task force is being formed to collect and organize CMS Conditions of Participation, JCAHO requirements and applicable state law for hospitals. Marge Marchak reported that Veronica Marsich and Ann Williams have developed a publication that addresses these issues. Ms. Kildea Dewane indicated that she would ask them to co-chair the task force.
- 6.6 Review of Council Roster. Jennifer Kildea Dewane asked the Council to review the roster and make any necessary changes and additions.
- 6.7 Updates to Website Regarding Council and Committees. Jennifer Kildea Dewane reported that the Health Care Law Section website will be updated to reflect the new composition of the Council and substantive law subcommittees.
- 7. New Initiatives. Jennifer Kildea Dewane solicited ideas from the Council on publications, projects and other services for Health Care Law Section members. There was discussion on linking the MHA Michigan health care legislation website to the HCLS website. Ms. Dewane reported that she would make members more aware of website resources. Other ideas discussed were holding either a box lunch or breakfast table topic meeting, doing pro bono activities, and preparing educational brochures to educate the public on areas of interest and/or concern (e.g., advance directives, Medicare Part D).
- 8. Discussion of Proposed Calendar of Meetings. There was discussion on which Council meetings to hold in person or by telephone.
- 9. Next Meeting Date. The next Council meeting will be held via telephone on November 16, 2005.
- 10. Adjournment. There being no further business, the meeting adjourned at approximately 4:10 p.m.