

**2006-2007 SECTION ANNUAL REPORT
STATE BAR OF MICHIGAN**

HEALTH CARE LAW SECTION

Purposes. The purposes of the Health Care Law Section are to:

- Serve as an educational resource for members of the Section for the purpose of fostering professional development and understanding of health care laws and issues;
- Provide education to members of the State Bar, members of the health care community and the general public with regard to health care laws and related issues;
- Advocate, comment on or provide input with respect to state and federal legislation, regulations and public policy that affect the practice of health care law, consistent with the Bylaws of the State Bar of Michigan;
- Establish and maintain working relationships with attorney organizations and organizations of health care professionals, providers, consumers and other members of the health care community in this State and other states for the purpose of fostering better communication and understanding of health care laws and related issues and advocating Section interests; and
- Promote awareness of the purpose and work of the Section among State Bar members, the health care community and the general public and encourage their participation in Section activities.

Officers, Council and Committees

Chair: David L. Rogers, Royal Oak
Secretary: Ann Hollenbeck, Ann Arbor
Treasurer: Margaret Marchak, Troy
Chair-Elect: Lisa Panah, Detroit
Past Chair: Jennifer Kildea DeWane, Lansing

Council Members: Janice Anderson, Amy Barkholz, Joy Berent, Donna Craig, Beth Derwin, Mike Fraleigh, Robert Iwrey, Joanne Lax, Donna O'Connor, Carol Tarnowsky, Thomas Trenta, Eric Wexler, Monica Wilkinson

Substantive Law Committee:

Chair: Monica Wilkinson, Detroit
Vice-Chair: Joan Lowes, Troy

Medical Legal Subcommittee: Marta Hoffman (Chair), Gail Pabarue, Paul Shirilla

Payors Subcommittee: Kathy Kelley, Alice MacDermott, Irita Matthews

Providers Subcommittee: Max Hoffman (Chair), John Anderson, Tom McGraw

Technology Subcommittee: Andrea Hool (Chair), Deborah Biggs, Monica Navarro

Council Meeting Schedule

Council meetings are generally scheduled for the third Thursday of each month, at 3:00 pm, except the September meeting takes place at the Section's annual meeting and there is no July meeting. Most meetings are by teleconference; some may be scheduled as in-person meetings but participation is available by teleconference. The Section's 2007 annual meeting will be held at noon on Wednesday, September 19, at Ford Field, Detroit.

Events, Seminars and Projects

The Council and the Substantive Law Committee are committed to providing meaningful seminars and events for Section members.

This year the Section has begun sponsoring an event called the Health Law Schmooze. We start with beverages and hors d'œuvres, followed by an informal but organized open discussion of current topics in the everyday practice of health care law. This is not a presentation with a speaker – there are about 30 participants, and everyone has the opportunity to participate by raising issues, asking and answering questions, and sharing knowledge and observations from everyday practice. The first two Health Law Schmoozes were held in the Detroit area in January and April, and were very well received. Health Law Schmoozes are planned for Grand Rapids and Detroit in June. The plan is to hold these events every two months or so, in locations where there is enough interest to support them. Starting in Fall 2007, the Council is planning Schmoozes for Southeast and Southwest Michigan every two months, and will be adding the Northwest Lower Peninsula if there is an indication of interest there.

Section educational seminars are organized and presented by the Substantive Law Committee. The four subcommittees met their goal this year of three programs each, including the new Health Law Schmoozes. The educational programs include: Current Priorities in Health Care Regulatory Enforcement -- Fraud, CON and Licensing: The View Of The Enforcers; Medicare Secondary Payer Teleconference; JCAHO'S New Credentialing And Privileging Standards Teleconference: What Do Your Clients Need to Do?; METADATA Teleconference: What is it and how does it affect e-discovery?; The Impact of Recent Appellate Decisions on Medical Litigation; Current Issues in Coordination of Benefits Teleconference; Uniform Standards Electronic Records Teleconference (Sept. 2007); and of course the Section's annual Health Care Law

Legislative Update. After this year, the Health Law Schmoozes will be organized by a separate Section committee.

The Section was the co-sponsor, with the Institute of Continuing Legal Education, of the 13th Annual Michigan Health Law Institute. This has become the premier Michigan health law program. This year's Institute was a 1-1/2 day program with speakers on a variety of current health law topics, and had 165 attendees. The Institute was held in March at The Inn at St. John's in Plymouth.

The Section's annual meeting in September 2007 will be a half-day program at Ford Field, Detroit. Following the Section's noon business meeting will be luncheon roundtables featuring approximately ten table topics with experienced discussion leaders at each table. After the roundtables will be a program focusing on one of the most pressing current public policy topics, on Consumer-Driven Health Care Services. The program will feature accomplished speakers and panel members in a give-and-take discussion encompassing Health Information Exchanges (including RHIOs, or Regional Health Information Organizations), and Payment Transparency and Performance Transparency for Health Care Providers. The meeting will close with a reception and guided tours of Ford Field.

Other Section projects this year include: The first Health Care Law Section Scholarship, to be awarded in 2007; Law Student Receptions in Detroit, Ann Arbor and Lansing for law students interested in health law; work on a crosswalk reference tool for Joint Commission/Medicare Conditions of Participation, to be available to Section members; renewed focus on updating the Section listserve and keeping it active; completing and maintaining a Health Law Index, a research tool for members, on the Section's web page; and a *pro bono* project with the goal of distributing informative materials to health care providers throughout Michigan on obtaining help for domestic violence victims.

The Section has recently begun a Legislative Liaison Committee, to keep track of legislative proposals affecting the practice of health care law. As this committee develops its structure, the plan is to incorporate interested Section members who are not Council members.

Finally, we conducted a Section member survey in April and May, which the Council will use to move further toward its goal of including more members in Section activities. One important objective of the survey is to provide as many opportunities as possible for Section members to participate in Section activities, from across the spectrum of members' geographic locations, areas of practice, years of practice, and practice settings.

Future Goals and Activities

The Section will continue its educational programs, which require a great deal of planning and effort by the Substantive Law Committee. The Committee is already planning the first programs for Fall 2007, so as not to lose momentum during the

transition to the 2007-2008 year. We also plan to expand the Health Law Schmooze events to as many areas of Michigan as members express interest. We will also continue the scholarship program, *pro bono* project and law student outreach efforts.

A primary goal of the Section is to develop more involvement by members who are not Council and Committee members, which means, in part, development of opportunities for involvement. This goal will continue, and the Council is continuously seeking ideas and participation from Section members.

Closing Comment from the Chair

At every meeting, for every activity or project, the threshold focus has been on one question: *Does this benefit Section members?* The Health Care Law Section has sponsored many activities this year that have benefited its members throughout Michigan, thanks to individuals who devoted hundreds of hours of their professional time.

The lifeblood of the Health Care Law Section is the work of members who volunteer their time, effort, ideas and knowledge to carry out the activities of the Section. They gave presentations, participated in meetings, prepared and researched program materials, had the idea lightbulb that came on in the middle of the night for a new Section program, made phone calls to arrange speakers, assured that enough wine and food was ordered for a Schmooze, and did the countless other jobs, large and small, that together made our Section work this year. I am very grateful to each of them for the successes we have had, and for the benefits we have been able to provide to Section members because of all their hard work.

Respectfully submitted,

David L. Rogers
Chair, Health Care Law Section

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