

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

Wednesday, May 17, 2006

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, Eric Wexler, Marge Marchak, Beth Derwin, Mike Fraleigh, Amy Barkholz, Joanne Lax, David Rogers, Ann Hollenbeck, Rob Iwrey, Carol Tarnowsky and Art DeVaux.

1. Call to Order. The meeting was called to order by Jennifer Kildea Dewane at approximately 3:00 p.m.
2. Conflict Disclosures (if any - specific agenda items). There were no conflict disclosures made.
3. Minutes. The Minutes of the April 19, 2006 meeting of the Health Care Law Section Council were approved on a motion made and seconded.
4. Treasurer's Report. Donna Craig presented the Treasurer's Report, which she indicated was in good shape.
5. Updates.
 - 5.1 Substantive Law Subcommittee Report. Marge Marchak reported on programs that were recently held, including the risk management program by Rick Boothman and the Legislative Update. Both were well attended and received positive feedback. Ms. Marchak indicated that a program will be held on the *Wexford* property tax appeal on June 8, 2006 and recent upcoming programs. Jennifer Kildea Dewane stated that she has received responses from three people on potential interest in participating in Section activities. Ms. Marchak said she would send the questionnaire to the entire Section.
 - 5.2 Law Student Reception Update. Amy Barkholz reported that she will plan a law student reception at MSU for the Fall with Nancy Lukey's assistance.
 - 5.3 Revisions to the Nonprofit Corporation Act Update. Art deVaux had nothing new to report.
 - 5.4 JCAHO/COP Task Force. Jennifer Kildea Dewane reported that Rachel Nosowsky does not have time to head this Task Force. Her colleague, Ann Williams, agreed to take responsibility. Ms. Williams will prepare a notice to Section members to revitalize interest, which Ms. Kildea Dewane will send to the Section.

- 5.5 Updates to Website Regarding Council and Committees. Eric Wexler reported that Section materials are being posted regularly on the website.
- 5.6 Attorney-Client Privilege Program. Rob Iwrey reported that he attended the program on attorney-client privilege sponsored by the State Bar. He was impressed with the panel of speakers and thought it was a good program. Eric Wexler thanked Council members who attended the program.
- 5.7 Michigan Health Care Regulations. Lisa Panah asked if any of the Council members who volunteered to review the index at the last Council meeting had a chance to review the index. They had not. Ms. Panah indicated that she would resend the draft index to the volunteers, Jennifer Kildea Dewane, Mike Fraleigh and Joy Berent. Ms. Kildea Dewane talked about finding someone to take over responsibility for keeping the index up to date after it is on the website.
- 5.8 2006 Annual Meeting. Ann Hollenbeck reported that the annual meeting will be held on Thursday, September 28, 2006, at the Palmer Commons in Ann Arbor. A reception will be held after the program at the Natural History Museum. Jennifer Kildea Dewane reported that the planning committee is working on securing speakers for the program. The theme of the program will be the evolving face of health care.
- 5.9 Lunchbox Series Work Group. Joanne Lax, Beth Derwin and Amy Barkholz reported that the lunchbox meeting will be held on May 18, 2006 at the Hotel Baronette in Novi. Around 53 people have registered. There will be six table topics.
- 5.10 Pro Bono Work Group. Rob Iwrey reported that the proposed joint project with the Elder Law Section on Medicare Part D fell through. He indicated that the Work Group is open to ideas for new projects. There was discussion on possible projects.
- 5.11 Michigan Stark Law. Ann Hollenbeck reported that she spoke with Jan Christenson from MDCH regarding the need for MDCH to formally recognize and adopt the Phase II Stark regulations. Mr. Christenson recommended that the Council send him a letter regarding this matter along with the letter that the Council sent to Walt Wheeler in March 2005. The Council approved Ms. Hollenbeck's proposed letter to Mr. Christenson, with minor suggested changes.
- 5.12 Section Survey. There was nothing new to report.
- 5.13 Nominating Committee Report. Cindy Wisner reported that the nominating committee has been put together and will meet soon. Jennifer

Kildea Dewane requested that members notify her or any other member of the nominating committee of their interest in serving as an officer.

6. Other Business. There was no new business to report.
7. Next Meeting Date. The next Council meeting will be held via telephone on Wednesday, June 21, 2006 at 3:00 p.m.
8. Adjournment. There being no further business, the meeting adjourned at approximately 3:50 p.m.

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