



Chair:

Troy A. Kishbaugh
GrayRobinson, P.A.
301 East Pine Street, Suite 1400
Orlando, FL 32801
(407) 244-5626/Fax (407) 244-5690
mail: troy.kishbaugh@gray-robinson.com
www.gray-robinson.com

Chair-elect:

Lester J. Perling
Broad and Cassel
1 Financial Plaza, Suite 2700
Ft. Lauderdale, FL 33394
(954) 745-5261/FAX: (954) 713-0968
E-mail: lperling@broadandcassel.com

Treasurer:

Cynthia A. Mikos
Allen Dell P.A.
202 South Rome Avenue, Suite 100
Tampa, FL 33606
(813) 223-5351/FAX: (813) 229-6682
cmikos@alldell.com

Secretary:

Bernabe Antonio Icaza
Tenet Healthcare
5810 Coral Ridge Drive, Suite 300
Coral Springs, Florida 33076-3377
(954) 509-3600/FAX:
Email: icazahealthlaw@hotmail.com

Board Liaison:

Carl B. Schwait
201 N.E. 1st Street
Gainesville, FL 32602-0850
(352) 372-4381
E-mail: cschwait@dellgraham.com

Immediate Past Chair:

Jeanne Elaine Helton
Smith Hulsey & Busey
225 Water St., Suite 1800
Jacksonville, FL 32202-5182
(904) 359-7700/FAX: (904) 359-7712
E-mail: jhelton@smithhulsey.com

EXECUTIVE COUNCIL

Terms Expiring 2010:

Mildred Beam, Winter Park
Sandra P. Greenblatt, Miami
Rodney M. Johnson, Pensacola
Jodi L. Laurence, Plantation

Terms Expiring 2011:

Walter Carfora, St. Petersburg
William Dillon, Tallahassee
George F. Indest, III, Altamonte Springs
Monica Rodriguez, Miami

Terms Expiring 2012:

Charmaine Chiu, Jacksonville
Lewis Fishman, Miami
Nicholas Romanello, West Palm Beach
Jennifer Smith, Orlando
Jay Wolfson, Tampa

Program Administrator:

Ashlea Wiley
The Florida Bar
651 E. Jefferson St.
Tallahassee, FL 32399-2300
(850) 561-5624/FAX: (850) 561-5825

Health Law Section Executive Council Meeting Agenda

Thursday, January 21, 2010

2:30-3:30 p.m. Journal Unveiling

3:30 p.m. – 5:30 p.m.

Convention Center S320A – Orlando Hilton

- I. Call to Order – Troy Kishbaugh, Chair
- II. Opening Remarks – Troy Kishbaugh, Chair
- III. Approval of Previous Meeting Minutes – Bernabe Icaza Exhibit A
- IV. Financial Report – Cynthia Mikos Exhibit B
- V. Council of Sections Update – Allen Grossman
- VI. Committee Reports
 - a. Education, Training & Information – Charmaine Chiu
 - i. CLE Calendar 2009-2010
 - b. Communications & Technology – Bernabe Icaza
 - i. Website – Chet Barclay Exhibit C
 - ii. Florida Health Law Journal – Chet Barclay
 - iii. Newsletter – Tom Clark
 - c. HIPAA – William Dillon
 - d. Public Health Committee – Walter Carfora, Rodney Johnson
 - e. Legislative Committee – Steve Grigas
 - VII. Old Business
 - a. Health Law Handbook 2010 status – Jeanne Helton, John Buchanan
 - b. Bylaws Amendments – Troy Kishbaugh
 - c. AHCA Legal Working Group Meeting – Uniform Patient Authorization Form – William Dillon

VIII. New Business

- a. Review and Approval of 10-11 Section Budget Exhibit D
- b. Review and Approve Health Law Logo Exhibit E
- c. Outreach Efforts – Update on St. Thomas University - Nicholas Romanello
- d. Outreach Efforts – University of Miami School of Law – Sandy Greenblatt
- e. State Health Care Licensing Summits – Chet Barclay Exhibit F
- f. Long Range Planning Retreat Update – Troy Kishbaugh
 - i. General Overview
 - ii. Defining the Section – Relevance
 - iii. Restructuring Committees
 - Create “job descriptions”
 - Maintain notebooks to provide to successors for continuity
 - iv. CLE
 - Focus on Florida Law
 - Aftermarket Sales
 - v. Website
 - Homepage
 - Window to our Membership
 - Initial view of Section
 - Proposal Exhibit G
 - vi. Executive Council Composition/Size
 - vii. Tagline for the Section: The Resource for Florida Health Law
 - Will be included with materials, logo, newsletter, etc.
 - viii. Logo – discussed above
 - ix. Practice Groups/Committess

- Development/discussion

x. Past HLS Chairs

- Continued Involvement

IX. Chair-Elect Comments – Lester Perling

X. Next Executive Council Meeting

June 24, 2010

The Florida Bar Annual Meeting

Boca Raton Resort and Club, Boca Raton

MINUTES

EXECUTIVE COUNCIL THE FLORIDA BAR HEALTH LAW SECTION

September 10, 2009

I. Call to Order

The meeting was called to order by Chair, Troy Kishbaugh, at 3:40 p.m. in the Sarasota room of the Tampa Airport Marriott, Tampa, Florida.

Executive Council members who attended in person were: Troy Kishbaugh, Lester Perling, Cynthia Mikos, Bernabe Icaza, Walter Carfora, William Dillon, Lewis Fishman, Sandra Greenblatt, George Indest III, Rodney Johnson, and Monica Rodriguez. Executive Council members in attendance by phone were Jeanne Helton, Charmaine Chiu, and Jay Wolfson. Also in attendance by phone was Mark Thomas.

Others in attendance were Allen Grossman, Christine Whitney, Chet Barclay, Terry Hill, and Yvonne Sherron, of The Florida Bar.

II. Opening Remarks—Troy Kishbaugh, Chairman

Mr. Kishbaugh welcomed the attendees. He asked those in attendance by phone to state their names.

III. Approval of Previous Meeting Minutes –Bernabe Icaza, Secretary

The minutes of the June 25th, 2009, regular meeting of the Executive Council of the Health Law Section was moved by motion, seconded, and unanimously approved.

IV. Financial Report – Cynthia Mikos

Ms. Mikos reviewed the financial report. She reported that the Health Law Section added to its fund balance during the year.

Specific cost items were discussed. The Executive Council inquired specifically into the high cost for employee travel. Yvonne Sherron, of The Florida Bar, agreed to look into what constituted that item and whether employee travel cost would be split with the Florida Bar Tax Section for the January 2009 co-sponsored seminar. According to Terry Hill, of The Florida Bar, the Health Law Section was one of only a few this year that added to its reserves.

Exhibit A

V. Council of Sections Update – Allen Grossman

Allen Grossman reported on the most recent Council of Sections Committee meeting. Mr. Grossman discussed recent concerns by the Council. The Council is looking into revising The Florida Bar mission statement. The last time the mission statement was revised was back in the 1940s. Mr. Grossman said that as a final act as representative in the Council he sent a letter to Jessie Diner.

VI. Committee Reports

A. Education, Training and Information Committee – Charmaine Chiu

Charmaine Chiu reported on the current continuing legal education calendar for the year. She indicated that a CLE program was scheduled to take place on January-Representing the Physician, March-Certification Review Course, and in June, Hot Topics.

Ms. Chiu congratulated Chet Barclay on the success of his coordinating the upcoming First Annual FUNDamentals of Florida Healthcare Law program. She said that the goal of 50 attendees was exceeded.

Ms. Chiu made a proposal for the Executive Council to approve a series of phone CLEs (e.g. 4-6) so that attendees can schedule in advance all the telephone CLEs.

Ms. Chiu confirmed that CLE credit is available for phone CLEs.

The possibility of coordinating CLEs with other sections or groups was discussed. Mr. Fishman agreed to obtain a schedule of one of these groups, the Florida Academy of Health Care Attorneys, of the Florida Hospital Association, so that better coordination of schedules could take place between the section and this group.

Rodney Johnson gave an update on public health seminars presented over the telephone. There are 35 phone lines available and there are lawyers and physicians that participate in these calls. He is looking into CMEs for physicians in addition to CLE, but would need about six week lead time to get these seminars approved for CME credits. There is no charge for these CME credits.

Mr. Johnson reported that the last seminar on Federal Immunity H1N1 Immunizations was widely attended by 15-20 lawyers and he is looking at obtaining CLE credit for them with The Florida Bar.

Lester Perling discussed the Representing the Physician CLE scheduled for January 2010. The Disney Hilton Resort has cancelled its contract with The Florida Bar. As a result, either the location would need to be changed or the seminar would need to be rescheduled to a different date.

Scheduling the seminar to a different date creates a number of logistical problems, according to Mr. Perling, and he would prefer to change the location within Orlando. Terry Hill, of The Florida Bar, said that the meeting may need to be moved up a week or the location will need to be moved to another hotel in Orlando and they hope to know soon.

Lew Fishman was surprised to learn that certification credit was made available for the First Annual Fundamentals of Florida Healthcare Law program, as it was supposed to be a beginner's course. A suggestion was made to either name the course differently so that it is clear that the course is an intermediary or advanced program so that attorneys who are certified know that there will be certification credit offered, or not have certification credit available if in fact the course was intended as a beginner's program.

A number of other suggestions were made. Ms. Chiu suggested offering courses more along the line of those offered by AHLA where attendees get a number of CLEs all at once. Mr. Fishman suggested contacting AHLA to co-sponsor the next CLE scheduled for Miami.

Mr. Barclay gave a report on the FUNDamentals Program and said it was sold out with over 50 attendees already registered.

B. Section Effectiveness – Lew Fishman

Mr. Fishman's update was tabled by Mr. Kishbaugh for discussion at the retreat the following day.

C. Communication and Technology – Bernabe Icaza

Mr. Icaza's update was also tabled for discussion at the retreat the following day

1. Website-Chet Barclay.

Mr. Barclay said that the Website suffers from a lack of agenda and meeting notices and the current executive council listing is incorrect. He requested that the Executive Council authorize him to make listings available for legal positions wanted or available for 30 days as a pilot project. He offered to provide this benefit free of charge even though a contractor wanted to charge \$2000 for the service. Terri Hill mentioned that The Florida Bar was about to launch a program similar to Monster. A motion was made and passed unanimously for the Health Law Section to offer this as a pilot program. The Executive Council agreed to request The Florida Bar send an Email blast advertising this new service to the Health Law Section members.

Cynthia Mikos agreed to email Chat Barclay the meeting minutes in Word Format.

The Executive Council discussed blogs, twitter and other social networking technologies and tabled the discussion for the retreat.

Mr. Barclay made a request to move the Certification Review Course to the end of March early April, as he will be out of the country the month of February.

2. Journal-Chet Barclay

Mr. Barclay gave the report and said that all articles were recently submitted to The Florida Bar for publication. He said that the Journal was on pace for November publication. He said that the journal would be dedicated to the memory of Barbara Pankau. There were five authors who submitted articles for publication and six Health Law Section members that helped edit these articles with the assistance of FSU law students.

The Executive Council agreed to recognize those FSU students that helped edit the Journal by recognizing and publishing their names in the Journal, offering to sponsor a social get together, and offering those students a complimentary affiliated membership into the section. A motion was made and unanimously approved.

The Executive Council agreed to change the title of the Journal to: "The Florida Health Law Journal," so long as the name is available. Mr. Barclay will check the name availability.

The Executive Council discussed issuing a formal press release for the Journal to go out to a number of organizations such as AHLA.

3. Newsletter-Tom Clark

Mr. Clark gave a written report summarized by Mr. Kishbaugh. The latest edition of the Health Law Section Newsletter was made available online on or about August 13, 2009. The next newsletter is tentative scheduled to be published on or about late January or early February 2010. A couple of articles were already submitted for publication.

A question was asked regarding copyright restrictions on the republication of articles originally submitted for publication in the newsletter. The Executive Council agreed that republication would be permitted as long as the author has given his/her permission for republication.

Mr. Clark prepared and submitted to the Executive Council for review a proposed draft of guidelines for articles.

D. Health Information and Technology Committee - William Dillion

Bill Dillon reported on the Universal Patient Authorization Form currently under development by AHCA. Mr. Dillon presented a memo sent to AHCA individually and on behalf of individual members of the Health Law Section.

Mr. Dillon suggested as a possible CLE a presentation on the breach notification provisions at the federal and State of Florida level.

E. Public Health-Rodney Johnson

Mr. Johnson reported that the public health committee has a bi-monthly conference call and there are 35 phone lines available for this call. He reported that the last conference call involving Federal Immunity for H1N1 Immunizations was well attended by both lawyers and physicians. Minutes of presentation will be available on-line. Mr. Johnson is currently trying to obtain CLE credit for those lawyers who participated but will not be able to obtain CME credit for physicians because the process requires at least 6 week lead time. He will work on obtaining approval for CME credits for physicians in the future and reported that there will not be a charge to physicians for these CME credits.

VII. Old Business

A. Bylaws - & -Jeanne Helton

Ms. Helton made the Bylaws of The Florida Bar Health Law Section available to the Executive Council. The Bylaws were going to be taken up at the retreat on the following day by the Executive Council.

B. Florida Health Law Handbook

Ms. Helton reported that all copies for the 2009 Florida Health Law Handbook were made available to The Florida Bar for approval and printing. Ms. Helton reported that the Handbook will be available in DVD. The \$150 cost for the Handbook includes the two volumes plus a DVD. There are a number of orders pending. She reported that she has received a number of requests from authors wanting to publish in the next edition.

VIII. New Business

A. Florida Medical Malpractice Joint Underwriting Association-Jay Wolfson

Mr. Wolfson gave a quick update and said that the Association was making \$2 million available in grants. He welcomed lawyers input on how the Association could help with improving patient safety and bridging the gap between physicians and attorneys.

B. Executive Council Meetings

The Executive Council will meet only twice yearly instead of three times per year. Mr. Kishbaugh suggested that the Executive Council meet via telephone bi-monthly or monthly in order to accomplish its work for the Section.

C. Health Law Section Administrator

Yvonne Sherron, Florida Bar, reported that the next administrator would be selected by The Florida Bar in a couple of months. She would serve as the interim administrator until this decision is made.

D. Long Range Planning Retreat

The Executive Council agreed to meet for dinner and kick-off the retreat at 7:30 p.m.

IX. Next Meeting – Troy Kishbaugh

Troy Kishbaugh announced that the next meeting of the Section Executive Committee would be at the Midyear Meeting on January 21, 2010 in Orlando.

X. Adjournment.

The Meeting was adjourned at 5:30 p.m.

Bernabe Icaza, Secretary

Date

MINUTES

EXECUTIVE COUNCIL THE FLORIDA BAR HEALTH LAW SECTION LONG RANGE PLANNING RETREAT

September 11, 2009

I. Call to Order

The meeting was called to order by Chair, Troy Kishbaugh, at 9:00 a.m. in the Lee room of the Tampa Airport Marriott, Tampa, Florida.

Executive Council members who attended in person were: Troy Kishbaugh, Lester Perling, Cynthia Mikos, Bernabe Icaza, Walter Carfora, William Dillon, Sandra Greenblatt, Rodney Johnson, Monica Rodriguez, Nicholas Romanello and Allen Grossman. Also in attendance was Yvonne Sherron of The Florida Bar.

II. Opening Remarks—Troy Kishbaugh, Chairman

Mr. Kishbaugh welcomed the attendees. A moment of silence was observed in memory of September 11.

III. Direction of Section-Group Discussion

A group discussion took place on the direction and effectiveness of the Health Law Section. A consensus was reached to improve communications with section members by improving the website and use of technology and examining and revising the structure of the section.

IV. Mission Statement and Logo- Group Discussion

A consensus was reached to amend the Health Law Section's current Mission Statement. Motion was made to forward the following revised Mission Statement to the Executive Council and past chairs of the Executive Council:

“To serve as a forum for members to interact and develop expertise in Health Law and to provide education and resources emphasizing evolving Health Law issues in Florida”.

Motion was unanimously adopted.

Motion was made to adopt the following tag line for the Health Law Section: “The Resource for Florida Health Law”. Motion was unanimously adopted.

Motion was made to redesign the Health Law Section logo. Same logo would be used as the starting point, with the map of the State of Florida to be inserted in the background and the tag line to circle around bottom of the logo. The Executive

Council agreed to allocate \$500 to redesign this logo and send it out to a designer. Lester Perling was asked to accept responsibility for this project. Motion was unanimously adopted.

V. Health Law Section Structure-Group Discussion

The Executive Council discussed a new structure for the Health Law Section. Yvonne Sherron, of The Florida Bar, commented that the Health Law Section has an average size membership but a below average number of Executive Council members. She suggested increasing the number of Executive Council members to approximately forty (40) which is consistent with other sections and helps get more work done.

The following Committee changes were proposed with the following individuals to serve as Chairs of the Committees and Subcommittees:

- 1) Section Effectiveness-Eliminated
- 2) Executive Committee: Current Chair of the Section

Subcommittees:

-Nominating-The same members as last year were proposed.

-Bylaws-Jeanne Helton; ad hoc

- 3) Communication & Technology Committee-Bill Dillon

Subcommittees:

-Website-John Pellette & Chet Barclay

-Blog, Listserve-to be discussed with John Pellette

-Member Updates-Jay Wolfson

-Law School Outreach-Sandra Greenblatt & Jennifer Smith

-Social Networking-Open

- 4) Education and Publication Committee-Charmaine Chiu

Subcommittees:

-CLE-Chairmaine Chiu?

-Teleconferences-Nate Lachman

Handbook-John Buchanan and Jeanne Helton

Newsletter-Tom Clark

Journal-Chet Barclay

5) Legislative Committee-Steven Grigas

All Committee and Subcommittee Chairpersons would be members of the Executive Council.

6) Practice Group Committee-Co-Chairs Monica Rodriguez and Nicholas Romanello.

The following eight (8) new Practice Groups were proposed:

- 1) Fraud and Abuse
- 2) Life Sciences
- 3) Reimbursement
- 4) Transactional
- 5) Facility Licensure and Regulation
- 6) Professional Licensure and Regulation
- 7) Health Information
- 8) Public Health

An e-mail blast was proposed to be sent to the members about the new Practice Groups to determine the level of interest. Chairs and Vice-Chairs of these new Practice Groups would then be selected and each would be a member of the Executive Council.

VI. Survey

Discussion over the survey was tabled due to the new structure of the Health Law Section. The Executive Council instead proposed that Troy Kishbaugh, Chair, send a letter to the membership within two weeks letting them know of what the Executive Council is proposing and asking for their involvement.

VII. Guidelines for CLE programs

The Executive Council decided to appoint Charmaine Chiu to develop new written guidelines for marketing, handouts, speaker approval and CE credits for CLE programs.

VIII. Website

The Executive Council agreed that the website is the face of the section to the members and needs to be more impressive and updated regularly with the goal of becoming members' home page and/or top resource for Florida health law information. The Council recognized and appreciated all the years of effort by Chet Barclay, but believes it is a now a bigger effort that requires professional website involvement. The Executive Council agreed to allocate \$10,000 for the initial year to develop and redesign the Health Law Section's website. The implementation of the new website would occur on or before July 2010. A new web-design will be distributed at the January meeting.

The Executive Council agreed to approach John Pellette and request that he be responsible for the Website project. Sandy Greenblatt suggested we look at the offerings of the Rainmaker Institute and speak with its President, Stephen Fairley, who specializes in marketing lawyers and law firms.

IX. CLE

The Council agreed to improve marketing of CLE programs after the live course.

A discussion took place over seeing whether the Certification course could be put on a word searchable CD.

The Executive Council agreed to request a statement from each chair of a committee setting forth the goals of each of the committees.

X. Bylaws

Troy Kishbaugh, Chair, agreed to reach out to Jeanne Helton about revising the Health Law Section's Bylaws.

XI. Budget

Cynthia Mikos agreed to prepare a detailed financial report for January 2010 meeting after receiving additional information from Yvonne Sherron of The Florida Bar, more clearly defining budget line items.

The proposed budget for 2010-2011 will come out from The Florida Bar on or about the end of September. The Executive Council will have the chance to vote on this proposed budget at the January 2010 meeting.

XII. Next Meetings of Executive Council.

1) The following in person meetings were scheduled:

a) January 21, 2010. The deadline for the report for this meeting is December 29, 2009.

- b) June 24, 2010. The deadline for the report for this meeting is May 27, 2009.
- 2) The following phone conferences were scheduled:
 - a) November 4, 2009. The deadline for the report for this meeting is October 14, 2009.
 - b) March 4, 2010. The deadline for the report for this meeting is February 11, 2010.

XIII. Section Administrator

Yvonne Sherron, of The Florida Bar, said that a new section administrator would be appointed within the next two months.

XIV. Executive Council Officers

The Executive Council requested that a job description be created for the following positions: Secretary, Treasurer, Chair, and Chair-Elect. Each of the current chairs was made responsible for creating this job description.

The Executive Council discussed the terms of officers and it was agreed that the terms would remain the same. However, it was agreed by the Executive Council to allow former chairs of the section to remain in the Executive Council for five (5) years after their term as chair expires.

XV. Sponsors

The Executive Council discussed having sponsors for meetings and a decision was made to leave the current policy as it stands and make these determinations on a case by case basis.

Troy Kishbaugh, Chair, agreed to follow up with Fifth Third Bank, located in Orlando, about sponsoring these meetings since it had expressed an interest in sponsoring these meetings.

XVI. Adjournment.

The Meeting was adjourned at approximately 3:00 p.m.

Bernabe Icaza, Secretary

Date: _____

	December 2009 Actuals	YTD 09-10 Actuals	Budget	Percent Budget
Total Health Law				
=====				
31431 Section Dues	30	38,580	39,750	97.06
31432 Affiliate Dues	0	1,000	750	133.33
31433 Admin Fee to TFB	-18	-22,907	-22,888	100.08

Total Dues Income-Net	12	16,673	17,612	94.67

32191 CLE Courses	3,415	6,158	3,000	205.27
32293 Section Differential	88	1,626	2,500	65.04
35201 Sponsorships	0	1,000	1,000	100.00
36506 Section Handbook	0	0	4,950	0.00
38499 Investment Allocatio	1,206	9,724	1,522	638.90

Other Income	4,709	18,508	12,972	142.68

Total Revenues	4,721	35,181	30,584	115.03

36998 Credit Card Fees	0	0	14	0.00
51101 Employee Travel	-60	242	2,955	8.19
71001 Telephone/Direct	-41	204	900	22.67
001 Postage	203	210	880	23.86
002 Printing	0	9	2,800	0.32
84003 Officers Office Expe	0	0	100	0.00
84009 Supplies	0	35	50	70.00
84010 Photocopying	25	84	300	28.00
84013 Health Law Journal	0	0	2,000	0.00
84051 Officers Travel Expe	0	0	3,000	0.00
84052 Meeting Travel Expen	0	89	1,250	7.12
84054 CLE Speaker Expense	0	0	2,500	0.00
84101 Committee Expenses	0	198	750	26.40
84200 General Meeting	0	3,236	1,000	323.60
84201 Board Or Council Mee	0	91	1,500	6.07
84202 Annual Meeting	0	-1,500	12,000	-12.50
84204 Midyear Meeting	0	0	4,000	0.00
84301 Awards	0	0	500	0.00
84416 Handbook	0	0	1,700	0.00
84422 Website	500	500	4,500	11.11
84701 Council Of Sections	0	300	300	100.00
84998 Operating Reserve	0	0	4,876	0.00
84999 Miscellaneous	0	0	300	0.00
88252 Course Credit Fee	0	0	450	0.00

Total Operating Expenses	627	3,698	48,625	7.61

86431 Meetings Administrat	0	0	160	0.00
86543 Graphics & Art	1,119	2,629	4,852	54.18

Total TFB Support Services	1,119	2,629	5,012	52.45

Report : 1 of 1
Program : YAZAPFR
User id : EBRENNEIS

Unaudited Detail Statement of Operations
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Page : 72  
Date : 1/11/10  
Time : 11:44:21

|                            | December<br>2009<br>Actuals | YTD<br>09-10<br>Actuals | Budget  | Percent<br>Budget |
|----------------------------|-----------------------------|-------------------------|---------|-------------------|
| Total Health Law<br>=====  |                             |                         |         |                   |
| Total Expenses             | 1,746                       | 6,327                   | 53,637  | 11.80             |
| Net Operations             | 2,975                       | 28,854                  | -23,053 | -125.16           |
| 21001 Fund Balance         | 0                           | 96,073                  | 76,081  | 126.28            |
| Total Current Fund Balance | 2,975                       | 124,927                 | 53,028  | 235.59            |



## **January 21, 2009, Health Law Section Website report**

**Chet Barclay**

The website continues to be operational and immediately responsive to requests for postings.

No job searches or availabilities have been received.

Ashlea Wiley has been extremely helpful in reviewing our website and has made several suggestions, some of which have already been implemented while others are underway:

- The website will be revised to eliminate duplicative columns.
- We will delete the annoying duplicate “last-updated” time stamp on the Home Page.
- We have included biographical information about Barbara Pankau and are adding her portrait plus the Chair’s portrait in his “Message” on the Home Page.
- We are adding links to the Home Page plus The Florida Bar, will improve navigation to internal sections of the website and will remove outdated materials and reports.
- The CLE calendar is current.
- Section meetings, minutes, budgets and leadership information will be posted as received.

Your comments and suggestions are always welcome.

Respectfully submitted December 28, 2009.

Exhibit C

|                            | 07-08 Actual | 08-09 Actual | 09-10 Budget | 09-10 Projected<br>Actual | 10-11 Proposed<br>Budget |
|----------------------------|--------------|--------------|--------------|---------------------------|--------------------------|
| Health Law Revenue         | 48,242       | 29,672       | 30,584       | 55,341                    | 43,248                   |
| 31431 Dues                 | 39,780       | 39,540       | 39,750       | 39,750                    | 40,500                   |
| 31432 Affilliate Dues      | 775          | 1,150        | 750          | 1,000                     | 1,250                    |
| 31433 Dues-Retained TFB Ge | (23,408)     | (23,528)     | (22,888)     | (23,588)                  | (24,125)                 |
| Revenue                    | 31,095       | 12,510       | 12,972       | 38,179                    | 25,623                   |
| 31435 Admin Fee Adj        | 8,926        | 4,386        | 0            | 0                         | 0                        |
| 32191 CLE Courses          | (690)        | 12,906       | 3,000        | 9,400                     | 11,600                   |
| 32293 Section Differential | 2,102        | 2,038        | 2,500        | 2,000                     | 2,975                    |
| 34001 Book Sales           | 0            | 0            | 0            | 2,000                     | 4,000                    |
| 35201 Sponsorships         | 0            | 2,000        | 1,000        | 1,000                     | 1,000                    |
| 36506 Section Handbook     | 18,261       | 750          | 4,950        | 18,975                    | 990                      |
| 36991 Allowances           | (95)         | 0            | 0            | 0                         | 0                        |
| 38499 Investment Allocatio | 2,591        | (9,570)      | 1,522        | 4,804                     | 5,058                    |
| Health Law Expense         | 30,631       | 25,191       | 53,637       | 50,259                    | 55,857                   |
| 71001 Telephone/Direct     | 0            | 223          | 900          | 550                       | 550                      |
| 71005 Internet Charges     | 0            | 0            | 0            | 400                       | 450                      |
| 51101 Employee Travel      | 1,037        | 2,146        | 2,955        | 2,955                     | 1,949                    |
| 36998 Credit Card Fees     | 177          | 29           | 14           | 0                         | 0                        |
| 84001 Postage              | 272          | 209          | 880          | 280                       | 380                      |
| 84002 Printing             | 2,712        | 95           | 2,800        | 2,800                     | 2,800                    |
| 84003 Officers Office Expe | 0            | 0            | 100          | 100                       | 0                        |
| 84009 Supplies             | 42           | 192          | 50           | 50                        | 100                      |
| 84010 Photocopying         | 46           | 139          | 300          | 150                       | 200                      |
| 84013 Health Law Journal   | 0            | 0            | 2,000        | 5,000                     | 4,000                    |
| 84051 Officers Travel Expe | 301          | 0            | 3,000        | 1,500                     | 2,500                    |
| 84052 Meeting Travel Expen | 0            | 0            | 1,250        | 900                       | 1,000                    |
| 84054 CLE Speaker Expense  | 0            | 3,293        | 2,500        | 2,500                     | 2,000                    |
| 84101 Committee Expenses   | 0            | 240          | 750          | 750                       | 800                      |
| 84200 General Meeting      | 547          | 1,122        | 1,000        | 3,236                     | 0                        |
| 84201 Board Or Council Mee | 1,143        | 1,383        | 1,500        | 1,500                     | 2,500                    |
| 84202 Annual Meeting       | 12,283       | 6,258        | 12,000       | 12,000                    | 10,000                   |
| 84204 Midyear Meeting      | 2,971        | 1,917        | 4,000        | 3,000                     | 3,000                    |
| 84205 Section Service Prog | 0            | 3,472        | 0            | 0                         | 3,000                    |
| 84301 Awards               | 171          | 588          | 500          | 500                       | 550                      |
| 84416 Handbook             | 1,641        | 29           | 1,700        | 1,700                     | 0                        |
| 84422 Website              | 1,863        | 330          | 4,500        | 4,500                     | 8,000                    |
| 84701 Council Of Sections  | 300          | 0            | 300          | 300                       | 300                      |
| 84998 Operating Reserve    | 0            | 0            | 4,876        | 0                         | 5,078                    |
| 84999 Miscellaneous        | 258          | 555          | 300          | 300                       | 500                      |

Exhibit D

|                            | 07-08 Actual | 08-09 Actual | 09-10 Budget | 09-10 Projected<br>Actual | 10-11 Proposed<br>Budget |
|----------------------------|--------------|--------------|--------------|---------------------------|--------------------------|
| 88252 Certification Fee    | 0            | 0            | 450          | 0                         | 0                        |
| 86431 Meetings Administrat | 0            | 0            | 160          | 0                         | 0                        |
| 86543 Graphics & Art       | 4,867        | 2,971        | 4,852        | 5,288                     | 6,200                    |
| 21001 Fund Balance         | 73,980       | 91,590       | 76,081       | 96,073                    | 101,155                  |

**Section Budget Summary  
10-11**

**Section:**        Health Law Section

**Date Approved by  
Executive Council:**

**Date Budget  
Published to  
Members:**

**Date of  
Audit/Actuals Info:**

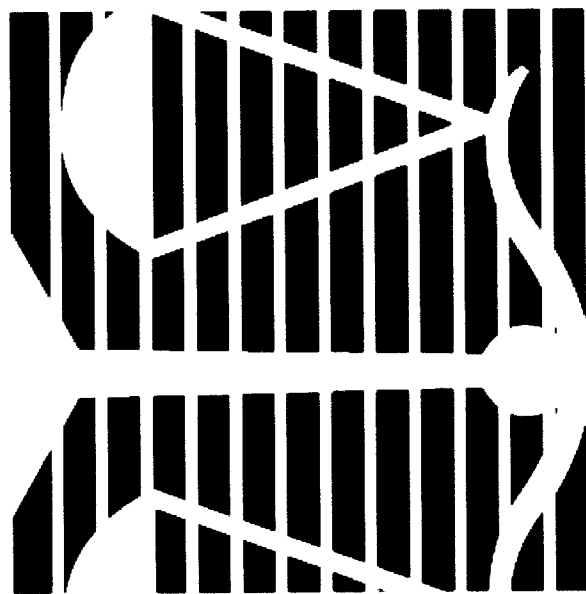
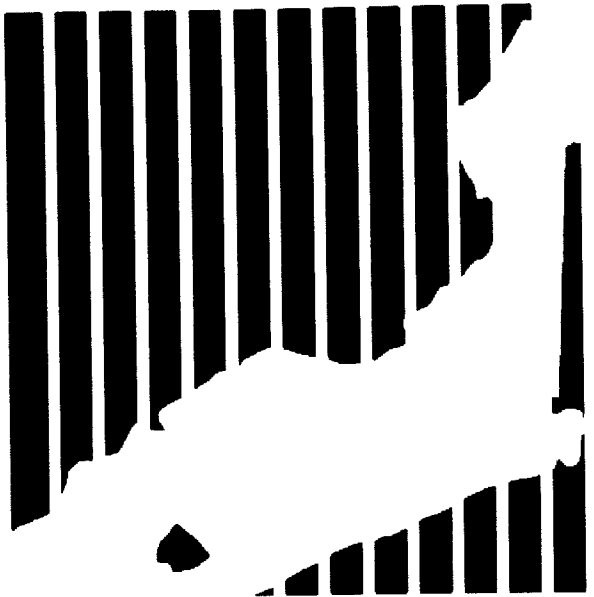
**Center:**        HLGNRL

**Staff Liaison:**    Ashlea Wiley

|                                                | <u>07-08<br/>Actual</u> | <u>08-09<br/>Actual</u> | <u>09-10<br/>Budget</u> | <u>09-10<br/>Projected<br/>Actual</u> | <u>10-11<br/>Proposed<br/>Budget</u> |
|------------------------------------------------|-------------------------|-------------------------|-------------------------|---------------------------------------|--------------------------------------|
| <b>Beginning Fund Balance</b>                  | 73,980                  | 91,590                  | 76,081                  | 96,073                                | 101,155                              |
| <b>Net Operations</b>                          | 17,611                  | 4,481                   | -23,053                 | 5,082                                 | -12,609                              |
| <b>Net Operations<br/>(from other centers)</b> | <u>0</u>                | <u>0</u>                | <u>0</u>                | <u>0</u>                              | <u>0</u>                             |
| <b>Ending Fund Balance</b>                     | <b>91,591</b>           | <b>96,071</b>           | <b>53,028</b>           | <b>101,155</b>                        | <b>88,546</b>                        |

THE RESOURCE FOR

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FLORIDA HEALTH LAW

THE RESOURCE FOR

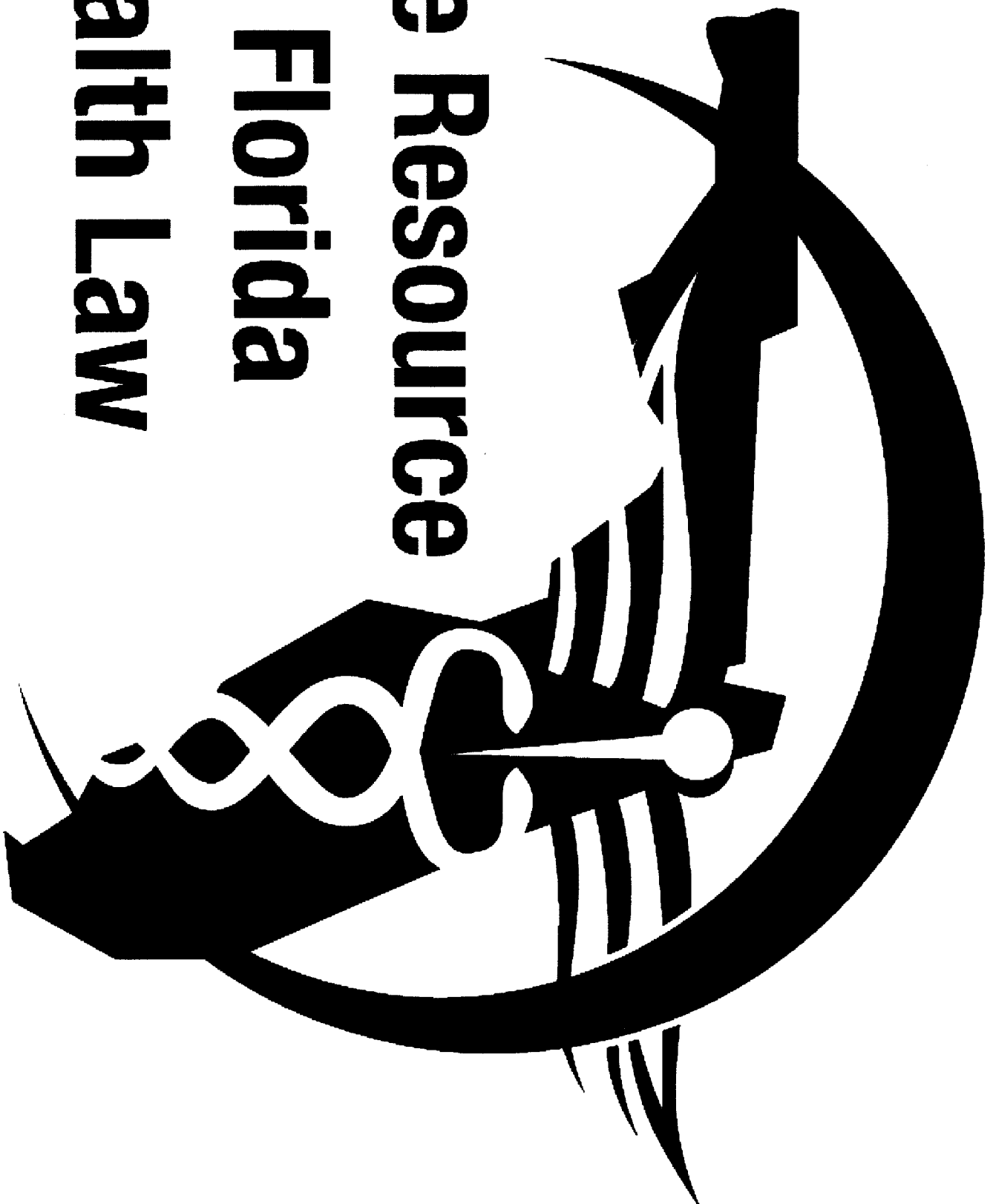
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FLORIDA HEALTH LAW



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Health Law**

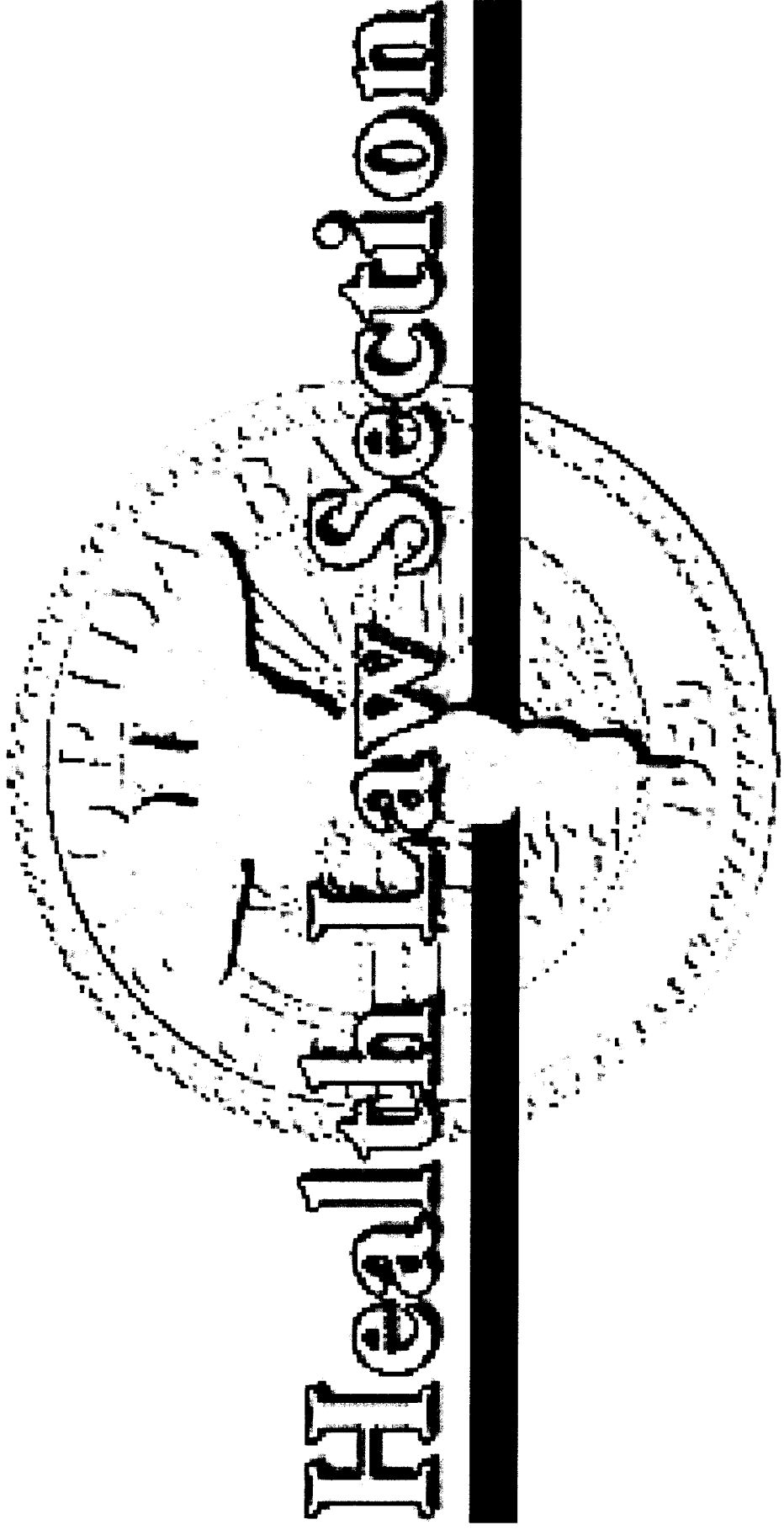


**The Resource  
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Health Law**









## State Healthcare Licensing Summits

Chet Barclay

The genesis for these Summits stems from creating a source of articles for the Florida Health Law Journal.

State Healthcare Licensing Summits would be presented in Tallahassee during the summer of 2010, each with a separate track: **healthcare facility licensing** and **healthcare professional licensing**.

Each track would take at least one full day with plenary sessions for general issues and breakouts for details. Tracks would be on consecutive days. Each track would cover state licensing (initial, renewal, changes of ownership, reporting, investigations and sanctions to include warnings, guidance letters, fines, suspensions, conditions, revocations etc.)

Presenters would be invited from the Health Law Section, the legislature, AHCA, DOAH, District Court of Appeal, Department of Health Boards, plus FDLE.

Target audiences include members of The Florida Bar, all licensed healthcare providers, attorneys, healthcare administrators/office managers, risk managers, consultants, etc.

Proceedings would be live in Tallahassee and webcast from the FSU Law School. Presentation papers would be published in The Florida Health Law Journal. Student editors would work with authors from the inception of material preparation.

In addition to program materials, attendees would receive a complete suite of facility/professional licensing application forms, non-rule policies, rules and statutes.

Additional sponsors such as FMA, FHA, FAHA plus associations will be sought.

CLE/CE credit will be applied for.

Respectfully submitted December 28, 2009.

Exhibit F



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Tallahassee, FL 32303-5140  
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## **Project Scope for Health Law Section Web Site**

This document defines the scope of the Health Law Section web site.

The Project Scope Document defines the scope of work for the Health Law Section web site. It is intended to be a partner to the Web Site Development Proposal Document. Prior to the start of work, both documents must be signed by the Client and an authorized representative of Lyons Digital Media, LLC (hereinafter referred to as Lyons Digital).

### ***Project Definition***

According to the Proposal Document, the web site will consist of a number of informational pages related to use of Health Law Section Web Site. Additional features may be included once the requirements gathering process is completed.

### ***Project Scope***

Lyons Digital defines the following items to be within the scope of the project.

**Web site hosting.** Lyons Digital includes one year of Web site hosting with this project, to be renewed annually during the life of the Web site. The Lyonshost Cub hosting plan is recommended for the size of this project.

**Establishing application and workflow requirements.** A requirements document will be generated. The purpose of this document is to clarify all points of application function and workflows to be used by the users and administrators of the website. The Requirements Document will be used by the developers to define user interface, and functional needs.

**Web site development.** Lyons Digital proposes to build the Web site on a Content Management System (CMS) platform. The CMS will be provide the user to with multiple functions including user management.

The Web site will be developed in a sandbox environment. After final approval of the Health Law Section Web Site designated representative, the website will be made available for active use.

**Web site artwork.** Client-branded Web site artwork will be created for the Web site. Lyons Digital will provide a comprehensive illustration (comp) for approval and two revision cycles for Client feedback.

In addition to the Web site development, the following items are included in the scope of the project:

**Training.** Lyons Digital will provide four (4) hours of training at a time to be determined. Training will be conducted by telephone or in person, and will require the participants to have access to a live Internet connection, a computer, and a telephone line.

**Support.** Lyons Digital provides three support incidents with each annual Web site hosting contract. An additional three support incidents will be added for this project. A support incident is defined as



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any Client action that requires the intervention of Lyons Digital Media, LLC or their agents to return the Web site to full functionality.

**Documentation.** Lyonshost will provide user documentation specific to the immediate needs of the Health Law Section Web site administrators. Links to existing online documentation will be provided.

**Project Management.** The Client can, at any time, track the progress of the project through an online project management application hosted on the Lyonshost.com domain.

### **Start of Work**

Work on the project will begin upon the receipt of the following:

- a signed Project Scope Document;
- a signed Web Site Development Proposal Document; and
- a 25% non-refundable deposit in the form of a check or money order (\$1250.00)

After the development and approval of the requirements document, another 25% of the overall quote will be due (\$1250.00). The balance of the fees are to be paid upon completion of work (\$2500.00).

\_\_\_\_\_  
Client

\_\_\_\_\_  
Date

\_\_\_\_\_  
Lyons Digital, LLC

\_\_\_\_\_  
Date



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## **Web Site Development Proposal**

Thank you for considering Lyons Digital Media, LLC. and our LyonsHost.com Web site hosting service. Per your request, you will find information about my firm as well as a detailed project quote.

### ***Firm Background***

Lyons Digital Media, LLC. originated as a graphic design studio in 1991. Since that time I have been involved in a variety of projects including print design, CD ROM development; and Web site development. I have been honored with both a Silver Addy (1994 local) and a Communicator Award (2000). In 1992 I developed the Interactive Directory Service, an accessible CD ROM kiosk concept with hardware and technical assistance from Kodak's Digital Imaging department.

To better serve our growing list of Web site customers, at the end of 2003 I added Web site hosting to our provided services. We now host hundreds of domains and provide hosting options that range from self service shared hosting spaces and dedicated servers to full service Web site design and custom Web based application development.

Because of the availability of vast Open Source libraries, we are able to develop and deploy complex and secure Web site applications quickly and cost effectively. Our hosting service is based on the LAMP (Linux, Apache, MySQL and PHP, a platform that is entirely Open Source) server environment. Furthermore, we build all of our own software around international open standards, so that any user, regardless of their own computer platform will be able to use the sites that we develop.

### ***Our Team***

In addition to myself, the Lyons Digital Media, LLC. development team consists of:

**Barbara Forbes-Lyons.** Barbara brings twenty years of significant experience in product and project based software. She emphasizes improvement of user experience through comprehensive documentation, quality assurance, support and training. Her experience encompasses technical writing, software and system training, business process analysis including requirements and design analysis and research, project, team and customer relationship management, quality assurance testing and problem solving; and creative tasks such as branding and feature development, collaborative strategy sessions with Clients, and interface design.

**Philip Kovoov.** Philip is our Lead Developer. He holds a Masters Degree from the Florida State University program for Management Information Systems. He has been at the core of our software development since 2003. He not only provides us with PHP code development, but also overnight support and system management.

**James Tillman.** James has been developing software for State and Local governments for 15 years, and has been active in Content Management Systems (CMS) development for more than a decade. He has led and participated on multiple software development teams which have designed and developed enterprise-level CMS solutions for mission-critical web sites, including those provided by



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Law Enforcement and Education Administration. He also has experience in the application of Information Architecture methodologies for organizations with large document sets, including Taxonomy Development, Standards Development, and Content Indexing strategies.

From 2003 to 2008, James was President and CEO of a multi-million dollar, Fortune 5000 software development company which provided content management, software, and database development resources to Federal, State, and Local governments, with specializations in Environmental Protection, Health Care, Education Administration, and Law Enforcement support. He now provides consulting and development services that build on his decades of experience in web technology and business processes.

A sampling of our Web site development Clients include:

- <http://www.flains.org/>
- <http://www.unitedpartnersforhumanservices.org>
- <http://www.kimortloff.com>
- <http://www.redfinenergy.com>
- <http://www.brightfeetlippers.com/>
- <http://www.fbpi.org/> (currently in development)

If you want to see samples of specific capabilities, please let me know and I can supply the appropriate references.

## **Health Law Section Web Site**

### ***Software Requirements***

For the purposes of managing the volume of information related to the Web site, Lyons Digital Media, LLC (Lyons Digital) recommends using an open source Content Management System (CMS). Using this software allows us to leverage existing functions such as user login and an extensive array of feature extensions such as document management and event calendaring, will speed the development process.

Navigation of the web site is controlled by the CMS using a combination of PHP, and CSS scripting. User defined content is stored in the MySQL database. No browser plug-ins or third party software will be required to view, author or administer the Web site. All functions can be performed with any web browser that conforms to standards set forth by the World Wide Web Consortium (w3c.org) including Internet Explorer or Firefox.





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### ***Web site Artwork***

Lyons Digital will create an original, fully branded Web site design for the Health Law Section Web site.

The client will be responsible for providing a digital file of the logo, if available. Additional photography and graphics will be gathered or created by Lyons Digital from a variety of sources.

### ***Hosting Environment***

The CMS and its extensions will be hosted in a LAMP (Linux, Apache, MySQL and PHP) environment where all the key software components of the server, including operating system, database and scripting language are all OSS licensed under the Gnu Public License (GPL).

All of our hosting packages include direct user access to account statistics and log files. A user control panel makes these statistics and log files available to the Client upon demand. Other functions including email account creation, spam filters and password updates can also be performed by the Client at any time without the intervention of Lyons Digital Media, LLC.

### ***Support and Training***

For security purposes, we suggest no more than two authorized support contacts. An authorized contact will have administrator access to the Web site and potentially password authority over other users in the system. Refer to the Project Scope Document for details on Training and Support Incidents.

### ***Acknowledgment of rights***

We acknowledge that all content provided by the Client is the sole property of the Client. The Client will at any and all times have full ftp and sftp (secure file transfer protocol) access to the Tabletop Exercise and Assessment server account. Additional secure access can be provided for database application processes.

Lyons Digital Media, LLC. will also provide 24 hour email and telephone support to designated staff. Individuals not pre-designated cannot be supported because of the security risk presented in the distribution of passwords.



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**Project Fees**

Installation, configuration and development of an online Health Law Section website; web site artwork and conversion; requirements gathering and documentation; six support incidents; up to four (4) hours training in-person or by phone; domain hosting, including e-mail accounts; FTP access and all other features of the Lyonshost.com Cub account, to be renewed annually .....\$5,000.00  
Annual hosting renewal fee .....\$100.00

**Start of Work**

Work on the project will begin upon the receipt of the following:

- a signed Project Scope Document;
- a signed Web Site Development Proposal Document; and
- a 25% non-refundable deposit in the form of a check or money order (\$1250.00)

After the development and approval of the requirements document, another 25% of the overall quote will be due (\$1250.00). The balance of the fees are to be paid upon completion of work (\$2500.00).

\_\_\_\_\_  
Client

\_\_\_\_\_  
Date

\_\_\_\_\_  
Lyons Digital, LLC

\_\_\_\_\_  
Date