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Terms Expiring 2008:

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Altamonte Springs
James A. Farrell
West Palm Beach
George F. Indest III
Altamonte Springs
Monica L. Rodriguez
Coral Gables

Terms Expiring 2009:

Charmaine Chiu
Jacksonville
Lewis W. Fishman
Miami
Spencer D. Levine
Fort Lauderdale
Cynthia A. Mikos
Tampa

Terms Expiring 2010:

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HEALTH LAW SECTION EXECUTIVE COUNCIL MEETING

AGENDA

September 6, 2007, 3:30 p.m. – 5:30 p.m.
Pasco Room - Tampa Airport Marriott

- I. Call to Order – Laurie J. Levin, Chair
- II. Opening Remarks – Laurie J. Levin, Chair
- III. Approval of Previous Meeting Minutes – Lester Perling, Secretary (Exhibit A)
- IV. Financial Report – Troy Kishbaugh, Treasurer (Exhibit B)
- V. Council of Sections Update – Harold E. Kaplan (Exhibit C)
- VI. Committee Reports
 - a. Education, Training & Information, Charmaine Chiu
 - i. CLE Calendar 07-08 (Exhibit D)
 - b. Section Effectiveness – Lew Fishman
 - i. Law School Outreach Reports
 - c. Communications & Technology - Bernabe Icaza
 - i. Website – Chet Barclay
 - d. HIPAA – William Dillon
- VII. Old Business
 - a. Review of William Trickel Writing Competition – Monica Rodriguez
 - b. Health Law Handbook – Laurie Levin
 - c. Florida State University Health Law Chair – (Exhibit E)
- VIII. New Business
 - a. Telephonic Attendance of Executive Council Meetings
 - b. Board of Medicine Updates
 - c. ABA Meeting Sponsorship
- IX. Chair-elect Comments – Jeanne Helton
- X. Next Executive Council Meeting January 17, 2008, The Florida Bar Mid-Year Meeting

**EXECUTIVE COUNCIL
THE FLORIDA BAR HEALTH LAW SECTION**

January 18, 2007

I. Call to Order

The meeting was called to order by Chair, Harold E. Kaplan at 3:12 p.m. in Tuttle Room of the Hyatt Regency Hotel, Miami, Florida.

Executive Council members in attendance either in person or via telephone were: James A. Farrell, Allen R. Grossman, Rodney M. Johnson, Lester J. Perling, Spencer Levine, Cynthia A. Mikos and Monica L. Rodriguez.

Also in attendance either in person or by phone were Jack Buchanan, Walter Carfora, Lewis W. Fishman, Jeanne E. Helton, Bernabe Icaza, Harold E. Kaplan, Laurie Levin, Donna Byrd-Rigo, A.S. (Gus) Weekley, Troy Kishbaugh, William P. Dillon, James A. Barclay, Bruce D. Lamb, Kathy Tayon, Michael J. Dewberry, Stephanie A. Russo, Gary Walker and Charmaine Tsin Ming Chiu.

II. Opening Remarks – Harold E. Kaplan, Chair

Harold Kaplan opened the meeting by recognizing Navigant Consulting as sponsors of the reception. He also commented on the busy fall that most attorneys had this year. It was announced that there is a newsletter being sent out, and that it is the first internet version released. Harold stated that he would like to send e-mail blasts to members so, a letter was being sent to all members to obtain e-mail addresses. A letter was sent to 195 section members to obtain their e-mail addresses to distribute the newsletter electronically.

It is announced that a first-time telephone conferences was coming up. It will be free for section members.

A CLE program will be held on Friday, January 19, 2007, which is cosponsored with the tax law section.

An e-mail was sent out regarding the HMO grievances form.

There is no counsel of sections meeting on Friday.

III. Approval of Previous Minutes – Troy Kishbaugh, Secretary

The minutes of the September 14, 2006 regular meeting of the Executive Council of the Health Law Section were reviewed, and were found to be in need of corrections. The corrections were noted and will be made accordingly.

Exhibit A

The minutes of the September 14, 2006 regular meeting of Executive Council of the Health Law Section were unanimously approved, as edited. (Troy Kishbaugh sincerely thanks Jeanne Helton for graciously volunteering to record the September 14, 2006 minutes.)

IV. Financial Report – Jeanne Helton, Treasurer

Jeanne Helton reported that the Health Law Section had a net increase in its fund balance of \$16,684.00, resulting in a balance of \$92,531.00. Jeanne reported that the increase was primarily due to a principal increase in membership dues and in handbook sales.

There is a new \$15.00 fee being charged for every person registering for a CLE program, or for any changes made in existing programs. Donna Byrd-Rigo initiated a discussion regarding the registrar's fee and related budgetary items. There is a flat fee of \$1,800.00 for formatting / video taping, as well as a \$10.00 fee per purchase of CD / DVD and a \$15.00 per-person fee for CLE participation, all charged by The Bar. Donna Byrd-Rigo stated that this has been budgeted into The Florida Bar's budget. This is a separate budget apart from the Health Law Section CLE budget. Concerns were expressed that this will be a big budget item. Donna had asked to add the CLE budget as we go along, to accurately show our CLEs. There were many indirect expenses incurred that were not recognized before. Allen R. Grossman requested a complete breakdown of all costs before we make a split with The Bar. The Bar will be taking money off the top. Harold Kaplan recommended that we readjust the budget accordingly.

The financial reports were approved on motion, seconded and unanimously passed following discussion.

V. Council of Sections

The Council of Sections was deferred at this time.

VI. Committee Reports

A. Education, Training and Information Committee – Charmaine Chiu

The CLE calendar was presented by Charmaine Chui. The CLE calendar is packed with events. Charmaine advised that there is a CLE teleconference being scheduled, with new items. The first of these teleconferences is being held on February 15, 2007, on the Health Care Clinic Act. It would be approximately 50 minutes long, and would be free to members. Non-members would pay a nominal charge (cost to section = about 21¢/min ≈ \$40/person). Charmaine thanked both Lester Perling and Allen Grossman for their input and participation in the presentation.

Charmaine next reported that a second teleconference would be scheduled for March 7, 2007, on Peer Review and Credentialing. This teleconference would be approximately 60 – 75 minutes long. A discussion ensued regarding the cost of the teleconference and whether it would be worthwhile. It was determined that the Section would need to see the general reaction and participation to determine whether or not to continue. Allen Grossman discussed making a teleconference for government members to get easy CLEs. This would open up a potential new market.

A separate discussion ensued regarding advertising to non-members and how to encourage participation, in spite of having to pay \$30 to participate. It was determined that there will be no plan to reach out, just mainly word of mouth. A recommendation was made to send the announcements to the other sections to be put on their websites, or to be e-mail blasted to administrative, government, business and tax sections. The first teleconference should benefit members, but poses the questions “Should there be a free member cap?” Donna Byrd-Rigo will monitor and notify the Section. Harold Kaplan and Donna Byrd-Rigo will meet at a later date to discuss a cap, since a firm number and dollar amount are needed.

A motion was made to cap at 200 participants by Cynthia Mikos, was seconded by Allen R. Grossman, and passed.

Charmaine addressed a letter regarding Baker Act issues presentation request (Exhibit E) sent by Jack Ackerman to Henry Coxe, and discussed the relevance and importance of the issue. It was suggested that Spencer Levine seek input and/or co-sponsorship from other sections. Laurie Levin recommended contacting Ackerman to write a section on Baker Act for the Handbook. Charmaine was set to contact Ackerman regarding presentations and/or teleconferences on the Baker Act, and for Laurie Levin to address the Handbook. It was also recommended that the Chairmen of Elder Law and Admin Law sections be contacted. Harold Kaplan said to hold off on all of this for further discussion.

B. Section Effectiveness – Lew Fishman

Lew Fishman reported that there was a nomination committee in place and that they are meeting next month. He stated that he has to get in gear in order to nominate for next month.

Legislation issues regarding “Exhibit I” were discussed. The University of Miami was contacted to discuss a law school outreach and was very interested in a presentation during lunchtime on certain days. Lew is trying to arrange a meeting in February and March and is seeking volunteers to assist with or host the lunch.

C. Communications and Technology – Bernabe Icaza

Bernabe Icaza presented good news for members wanting to publish articles; there are four articles at present, with a few more proposed. There are three substantially long articles on different, interesting topics. There should be another newsletter by March. Harold Kaplan congratulated Bernabe Icaza on doing a great job.

i. Website – Chet Barclay

Chet Barclay discussed the use of e-mails in text format as opposed to PDF format. E-mails in text format can be posted very quickly, as opposed to PDF files, which cannot be manipulated or posted as easily. The response time for PDFs is greater, and requires more editing. Harold Kaplan thanked Chet Barclay.

Laurie Levin recommended consistency on website newsletter for “branding” purposes. Harold Kaplan is set to review.

D. HIPAA – Bill Dillon

Bill Dillon reported that this committee has been relatively dormant and that there has been no activity recently. An issue on the horizon is HIT providers are moving to EHR and RHCO which implicate HIPAA and state laws. Bill Dillon recommended expanding the scope of the committee to include HIT and EHR. There are new issues arising that can create CLE opportunities, for example, hospitals donating electronics to providers. Harold Kaplan agreed that this is a good idea, since HIPAA is settling down. EHR interaction with federal and state laws has been increasing in this area. A suggestion was made to create an ad hoc committee to provide education and specialized advice. It needs to be determined whether this may be a relevant topic, or a topic of interest.

Gus Weekley stated that there is a huge annual convention on EHR, which is held in Dallas, Texas, in mid-May. A discussion ensued over numerous vendors. Harold Kaplan asked Bill Dillon to put together bullet points on what the committee would do to hopefully determine interest in these topics. Rod Johnson expressed his belief in this being a good idea and stated that state laws exist regarding same. Another discussion commenced on whether ad hoc committees could be formed. Harold Kaplan recommended that Bill Dillon run with the idea. Bill Dillon requested that an e-mail be delivered to the members.

The HIPAA reports were approved on motion, seconded and unanimously passed following discussion.

VII. Old Business

A. William Trickel Writing Competition – Monica Rodriguez

Monica Rodriguez reported that she is seeking judges for this competition, and that she is under a time constraint. The judges chosen were Harold Kaplan, Cynthia Mykos, Gary Walker and Lew Fishman. The award for the writing competition is still discretionary, based on the quality of the papers received. The papers are to be distributed in March of 2007.

B. Health Law Handbook – Laurie Levin

Laurie reported on the current efforts to publish the third edition of the Health Law Handbook. The deadline for the submissions was October 15, 2006, and she only has about half of the chapters in. She stressed the importance of people getting their sections in, establishing a new deadline of March 1, 2007. The chapters are to be kept in narrative form, not outline format. John Buchanan recommended advertising chapters on the website and requesting offers to author new chapters. Authors would get dinner and a certificate to reward their efforts. Lew Fishman offered to co-author to take the outlines to convert them into a narrative. Jeanne Helton recommended marketing to other sections.

C. FSU Health Law Chair – Allen R. Grossman and Harold Kaplan

Allen Grossman reported that he had found an original letter from Bruce Lamb, sent in 2000. A new letter from the FSU Foundation President regarding the endowment report for the Health Law Section Professorship was being reviewed. There is a chair, but no person to fill it.

VIII. New Business

Gus Weekley stated that he wants to get legal information to medical students at USF. The professors want to give up time and the new dean is interested in this program, per Steve Klasoko. A proposal was offered to direct scholarly concentration on health law and other programs. This is not a new Nova project, it is an elective for students, providing them with the ability to cross over for information on health law. This opens the future possibility of developing a double-degree program. Walter Carfora offered that students in public health would likely be interested also. Harold Kaplan expressed his concerns with a future Nova-type problem.

B. Budget

The budget was approved on motion, seconded and unanimously passed, following discussion.

C. Commentary

Walter Carfora commented on Emergency Preparedness and the Florida Bench book – court procedures in emergencies – which is set to be published. It is in draft and is being reviewed by numerous people. Once the book is published, Walter will send the information to Chet, to be published on the website.

D. Affiliation Agreements – AHLA Law Schools

Harold Kaplan stated that Trickel invitations should be sent to the AHLA Law Schools.

E. Listserve

Jeanne Helton mentioned establishing a Listserve for the Health Law Section. The dues for AHLA were \$1000. There would be a benefit for Health Law Section members to collaborate on Florida Laws, agencies, etc. Chet and Jeanne discussed the logistics and found that the Listserve would not be easy to maintain, however, they believe the Listserve is a key component for educating Health Law Section members. Chet discussed logistics of maintaining the Listserve. A general discussion ensued over whether or not to have a Health Law Section listserv. Harold Kaplan had no great thoughts on going in that direction. General opinion was that the logistics would be too difficult.

IX. Chair Elect Comments – Laurie Levin

Laurie stressed the importance of being active and getting to know your peers. This is a huge benefit for members. The main purpose of the Section is to educate and inform.

X. Next Executive Counsel Meeting – June 28, 2007 – Annual Meeting - Orlando

Harold Kaplan concluded the meeting by announcing that the next meeting of the Section would be held on June 28, 2007, in Orlando, in connection with The Florida Bar's annual meeting. The meeting will be held from 3:00 p.m. until 5:30 p.m. and there will be a reception immediately following. Motion to adjourn was made, seconded and approved.

**EXECUTIVE COUNCIL
THE FLORIDA BAR HEALTH LAW SECTION**

June 28, 2007

I. Call to Order

The meeting was called to order by Chair, Harold E. Kaplan at 4:15 p.m. in the Grand III of the Orlando World Marriott, in Orlando, Florida.

Executive Council members in attendance either in person or via telephone were: James A. Farrell, Allen R. Grossman, Rodney M. Johnson, Lester J. Perling, Spencer Levine, and Monica L. Rodriguez.

Also in attendance either in person or by phone were Jack Buchanan, Walter Carfora, Lewis W. Fishman, Jeanne E. Helton (Treasurer), Bernabe Icaza, Harold E. Kaplan (Chair), Laurie Levin (Chair-Elect), A.S. (Gus) Weekley, Troy Kishbaugh (Secretary), William P. Dillon, Bruce D. Lamb, Sandra Greenblatt, Mildred Beam, George Indest, Nicholas Romanello, Steven Grigas, Tim Sullivan, Gregory Chaires, Josefina M. Tamayo, Charles R. Caniff, Christine Whitney, Valerie Yarborough and Charmaine Tsin Ming Chiu.

II. Opening Remarks – Harold E. Kaplan, Chair

Harold Kaplan opened the meeting by making introductions. He introduced Tim Sullivan as The Bar liaison. He discussed Donna Byrd Rigo's retirement and passed along her kind thoughts. Harold Kaplan also recognized Dianne Womack and Jason Guild, of Navigant Consulting, as sponsors of the reception. A brief description of Navigant's consulting services was given. Rodney Johnson introduced Josie Tamayo as the General Counsel for the Department of Health. Josie supervises approximately 100 attorneys at the Department.

III. Approval of Previous Minutes – Troy Kishbaugh, Secretary

The minutes of the January 18, 2007 regular meeting of the Executive Council of the Health Law Section will be held in abeyance until the next meeting. The minutes are being held until the Executive Council has an opportunity review them, and will then be circulated via e-mail for approval.

IV. Elections – Officers and Executive Council

Valerie Yarborough officiated over the elections for Officers and the Executive Council. Officer elections were being held for the positions of Chair-Elect, Secretary and Treasurer for the 2007-2008 fiscal year. The nominations were: Chair-Elect: Jeanne Helton; Treasurer: Troy Kishbaugh; Secretary: Lester Perling. All Officers were elected by acclamation. Election was moved by Lewis Fishman,

Exhibit A

and seconded by Allen Grossman. Executive Council nominees were:

The Executive Council was moved by Lewis Fishman, seconded by Laurie Levin, and passed unanimously.

V. Financial Report – Jeanne Helton, Treasurer

Jeanne Helton opened the report with the Health Law Section balance, which was \$75,487.00, as of May 2007. Jeanne reported that we are 63% over budget for CLEs. Jeanne is concerned that the video replays are not well attended, but cost a lot to show. She felt this is an issue that needed to be addressed. Jeanne went on to report that the graphics and arts cost for The Bar was at \$4,161.00 YTD. This is the first year that these costs have been incurred. This is a very expensive cost, but it is a non-negotiable expense, as The Bar is the sole supplier. Jeanne requested a detailed breakdown of the cost from Valerie Yarborough. Jeanne is unsure as to why the Section is losing so much money on CLEs. She believes that the video replays may be the issue. We may be wasting money on renting large ballrooms, when we might have other options. The replays can be shown at local county bar offices for free, in most cases. Videos and CDs can count as CLE credits, but they have to be viewed within a certain time frame after the live presentation.

Christine Whitney asked how the health law certification review went. Sandy Greenblatt relayed her opinion, stating that it was good, but not as well attended as it was in 2006. There were about 45 attendees, and the surveys were very good. Sandy then questioned whether or not it should be extended beyond the health law section, perhaps to physicians, etc. Harold Kaplan said that this had been discussed before, mainly as a service provided to health lawyers and it provides a ready source of credits towards The Florida Bar CLE requirements. Lewis Fishman stated that it would need to be advertised appropriately. Sandy Greenblatt added that we would have to keep the curriculum fresh.

Allen Grossman requested a breakdown of each CLE, including costs and revenue, to find out why the losses are occurring. Tapes, videos and CDs might all be sources of revenue. There will be a CLE for health law certification review. The tape, video and/or CD is important, but we may need to have it earlier in the year, as it normally takes The Bar about 3 weeks to produce tapes/CDs/videos.

Jeanne concluded the Financial Report by asking if there were any more questions, and if there weren't, then the report was complete. The financial reports were approved on motion, seconded and unanimously passed following discussion.

Exhibit A

VI. Council of Sections – Christine Whitney

There were no reports from the Council of Sections at this time. The meeting had been cancelled.

VII. Committee Reports

A. Education, Training and Information Committee – Charmaine Chiu

Charmaine Chiu opened by presenting Exhibit D - the upcoming CLE calendar. Charmaine thanked Lester Perling and Allen Grossman for *January 2007 Representing the Physician CLE* and stated that there were glowing reports from surveys. Charmaine also thanked Sandy Greenblatt for Health Law Certification Review supervision.

Charmaine next discussed doing a telephone CLE with 50 – 60 participants on the Health Care Clinic Act. It would be the first telephone CLE, and there would be a small fee to aid in the cost of setting up the telephone line. The next telephone CLE would discuss Emergency Preparedness, organized by Mike Dewberry and Walter Cafora. Charmaine then requested additional topics for future seminars. Harold Kaplan suggested doing 2 or 3 telephone seminars per year, citing advantages like people being able to speak or listen from their offices. He also mentioned that telephone seminars are good revenue producers, as they are very inexpensive to do. Laurie Levin suggested discussing ideas for a fall teleconference on the spot, rather than wait until September of 2007.

Lester Perling contributed the topic *retrospective private payor audits*, explaining further the multimillion dollar overpayments, in which the payors are quick to report providers to federal or state agencies.

George Indest suggested a teleconference on *RACs*.

Harold Kaplan contributed *billing and collection agreements*. He added that most clients do not fully understand the specifics of these agreements.

Sandra Greenblatt elaborated on all topics, adding that she wanted a more advanced level, targeting certain audiences and topics, rather than a general crowd.

Charmaine was assigned to work with potential lecturers to schedule teleconference CLEs.

Harold Kaplan recommended charging \$100 - \$150, but Allen Grossman countered that idea, stating it would be wise to review the costs before setting the rates, as \$100 - \$150 may be too expensive.

B. Section Effectiveness – Lew Fishman

Lew Fishman had nothing new to report, and said he would follow up in the Fall, when the Health Section convenes in Miami. (Harold Kaplan went to Nova - recommended the Fall. Laurie Levin - went to Barry. Gus Weekley went to Stetson - Joint Law/Medicine course to be offered.)

C. Communications and Technology – Bernabe Icaza

Bernabe Icaza indicated that he had received a lot of feedback on the newsletter. A lot of articles on many diverse topics had been received. He was requesting additional articles and topics for the upcoming newsletter.

Bernabe will include the Trickel Award winners in the newsletter. Harold Kaplan asked that the articles be submitted in Word format instead of PDF format and that the articles include end notes instead of footnotes, as endnotes are easier to convert in the newsletter.

i. Website – Chet Barclay

Chet Barclay was absent, so Harold Kaplan reported in his absence. Harold asked for recommendations for a professional co-webmaster. Chet's request for an assistant needed to be reviewed. No further questions or comments were made on the website.

D. HIPAA – Bill Dillon

Bill Dillon reported that there was no longer a HIPAA committee, and that it had been converted to a HIT committee. There had been two meetings of this committee, one in February of 2007, and the other in June of 2007. Each meeting had decent attendance, which included representatives from AHCA. The AHCA is analyzing all health information exchange sources around Florida. The HIT committee will have a report later this year, and will be providing recommendations to AHCA. This may prompt a new law. This new committee may also be good for a CLE topic. The HIPAA reports were approved on motion, seconded and unanimously passed following discussion.

VIII. Old Business

A. William Trickel Writing Competition – Monica Rodriguez

Monica Rodriguez reported on the results of the William Trickel Writing Competition. She said 6 papers were submitted, and one was disqualified for being one page over the limit. Three papers were reviewed, and the top prizes went to Susannah Landes Foster of Georgetown, for \$5,000 and to Leo Beletsky of Tulane, for \$2,500 (See "Exhibit G" for the titles of the papers). Although the writing competition was sent out to numerous law schools, the submissions were poor. Lew Fishman asked that this be placed on the September 6th meeting agenda to allow for brainstorming on how to increase participation. The submissions were very poor quality, and the competition should be Florida-based. A better way should be devised to honor William Trickel's memory.

B. Health Law Handbook – Laurie Levin

Laurie reported on the progress of the Health Law Handbook. The Handbook has already gone out to be printed, but has not arrived yet. It is being printed by The Bar Press. The final papers were due on October 2006, but the deadline was extended until March 2007. Laurie stated that she no longer wishes to be a co-editor. John Buchanan will continue to co-edit the Handbook. Sandra Greenblatt requested a price point. There are currently two volumes of the Handbook.

Harold Kaplan honored Laurie Levin with the Chair's Special Merit Award for her work on the Health Law Handbook. An agenda item was added to the September 2007 meeting to evaluate the continuation of the Handbook.

C. FSU Health Law Chair – Allen R. Grossman and Harold Kaplan

Allen Grossman and Harold Kaplan had nothing to report on the FSU Health Law Chair.

IX. New Business

- A.** Mike Tartaglia of The Florida Bar provided an update regarding the CLE for The Florida Bar. In his discussion, he added that money has never been the focus, but that 99% of the time, money follows the product, which is, in this case, the CLE. He recommended we add ethics courses to the CLE courses to increase attendance. The Florida Bar sells a large volume of these CDs/videos/tapes. Harold Kaplan asked Mike Tartaglia what The Florida Bar typically charges for Sections for telephone CLEs and other live CLEs. Mike said there is no specific charge, but running a

test pilot program, taking into account fees for registration, staff, materials, and anything else directly related to the course. Mike went on to explain that even if The Florida Bar soft charges are removed, the courses are still losing money, mainly due to a lack of registration. He suggested we build programs that people want to attend, for example: Representing the Physicians - January 2007. Section members were charged \$175.00 to attend, and it was cosponsored with the Tax Section. There were approximately 80 registered participants. Valerie Yarborough can get a copy of the CLE program breakdown and costs. Concerns over the cost effectiveness of video replays were discussed. Renting big ballrooms to replay CLEs is not cost effective. Mike explained that the biggest increases (32%) were in live and video replays. Rodney Johnson requested breakdowns of participation in live presentations versus video replays. Discussions regarding same ensued. George Indest wanted insight on how to obtain locations of where the videos were being replayed. He wanted to know who picks the locations. Mike wanted to review specific courses, however, locations are selected by The Bar or the CLE committee. Harold Kaplan suggested a compromise. He suggested that some choices be made by Sections, or at least that they be allowed to give input, since The Florida Bar is making the sections accountable. He added that the CLEs do not always have to be profitable, as it is a benefit to the Section members. The purpose of the CLEs is to help Section members obtain CLE credits.

Christine Whitney recommended e-mail blasting to 1,400 members to find out what CLE they would be interested in. Charmaine Chui recommended establishing a focus group to develop CLE topics. Christine continued on to add that a member survey for the 1,400 members is important and overdue. It would benefit the section to collect information such as where the members practice and what is important to them. Harold Kaplan asked Mike to provide Valerie Yarborough with a CLE breakdown.

- B. Harold Kaplan sent a “thank you” letter to Navigant Consulting for sponsoring the reception.
- C. Gus Weekley introduced a new case out of the 2nd DCA regarding Amendment 7 which was issued June 27, 2007. The case cite is: Morton Plant v. Shavas, 32 FL LAW WEEKLEY D1586A. In addition, Gus is writing a white paper on the North Carolina Case: Acosta v. Bynum, 438 SE 2d 246. Gus’ white paper will be posted on the website.

X. Chair Elect Comments – Laurie Levin

Laurie said she looks forward to a great year. She reminded everyone of the mantra – “ethics, ethics, ethics.” Laurie then conferred an award and a “thank

you” to Harold Kaplan (outgoing chair). Harold received the Chris Rolle Medal of Honor and a plaque.

XI. Next Executive Counsel Meeting

Harold Kaplan concluded the meeting by announcing that the next meeting of the Section would be held on September 6, 2007, in Tampa, at the Tampa Airport Marriot, in connection with The Florida Bar’s general meeting. Motion to adjourn was made, seconded and approved.

	June 2007 Actuals	YTD 06-07 Actuals	Budget	Percent Budget Spent
Health Law				
31435 Admin Fee Adj	4,400	4,400	0	*
31431 Section Dues	0	38,055	42,000	90.61
31432 Affilliate Dues	0	225	300	75.00
31433 Admin Fee to TFB	0	(22,187)	(24,500)	90.56
Total Dues Income-Net	4,400	20,493	17,800	115.13
32012 Sct Share Online CLE	0	335	0	*
32191 CLE Courses	7,113	(5,499)	20,000	(27.50)
32293 Section Differential	313	2,566	0	*
35201 Sponsorships	0	1,200	0	*
36506 Section Handbook	0	1,925	7,500	25.67
36991 Allowances	0	(36)	0	*
38499 Investment Allocatio	2,728	7,526	4,121	182.63
Other Income	10,154	8,017	31,621	25.35
Total Revenues	14,554	28,510	49,421	57.69
84998 Credit Card Fees	0	18	100	18.00
84101 Employee Travel	495	1,042	729	142.94
84001 Postage	2	576	884	65.16
84002 Printing	11	563	1,040	54.13
84003 Officers Office Expe	0	0	100	0.00
84006 Newsletter	0	0	3,000	0.00
84009 Supplies	0	0	50	0.00
84010 Photocopying	4	48	300	16.00
84051 Officers Travel Expe	960	1,606	3,000	53.53
84052 Meeting Travel Expen	0	0	1,250	0.00
84054 CLE Speaker Expense	0	1,402	2,500	56.08
84101 Committee Expenses	0	127	750	16.93
84200 General Meeting	0	328	1,500	21.87
84201 Board Or Council Mee	103	1,227	1,500	81.80
84202 Bar Annual Meeting	5,597	5,587	4,000	139.68
84204 Midyear Meeting	0	3,807	3,500	108.77
84209 Retreat	0	0	5,000	0.00
84301 Awards	223	223	500	44.60
84308 Writing Contest	7,500	7,500	8,500	88.24
84416 Handbook	1,053	1,760	3,350	52.54
84422 Website	0	330	4,500	7.33
84501 Legislative Consulta	0	0	7,500	0.00
84701 Council Of Sections	0	0	300	0.00
84998 Operating Reserve	0	0	5,524	0.00
84999 Miscellaneous	0	0	250	0.00
88252 Course Credit Fee	0	0	150	0.00
Total Operating Expenses	15,948	26,144	59,777	43.74

	June 2007 Actuals	YTD 06-07 Actuals	Budget	Percent Budget Spent
Health Law				
86431 Meetings Administrat	0	0	138	0.00
86543 Graphics & Art	1,970	6,131	946	648.10
Total TFB Support Services	1,970	6,131	1,084	565.59
Total Expenses	17,918	32,275	60,861	53.03
Net Operations	(3,364)	(3,765)	(11,440)	32.91
21001 Fund Balance	0	75,847	58,865	128.85
Total Current Fund Balance	(3,364)	72,082	47,425	151.99

	June 2007 Actuals	YTD 06-07 Actuals	Budget	Percent Budget Spent
Total Health Law CLE				

31436 Course Section Diff	-275	-1,675	0	*
32001 Registrations	0	22,057	0	*
32010 On-Line Seminars	711	4,760	0	*
32201 Audio Tapes	1,435	15,450	0	*
32205 Compact Disc	8,023	9,713	0	*
32292 Videotapes	0	550	0	*
32301 Course Materials	120	805	0	*

Total Revenues	10,014	51,660	0	*

51101 Employee Travel	0	290	0	*
83431 Time CLE Courses	-114	4,686	0	*
86421 C L E Administration	844	4,391	0	*
86543 Graphics & Art	0	462	0	*
86623 Registrars	120	2,160	0	*

Total The Florida Bar Staff Exp	850	11,989	0	*

Total Other Staff	0	0	0	*

84256 Audio Taping/Tech	0	1,775	0	*
86432 Time Taping Editing	1,190	6,390	0	*
88281 A/V Ctr Dup/Prod	-446	979	0	*

Total Cost of AV Media	744	9,144	0	*

86001 Administrative Exp	306	5,356	0	*

Total General and Administrative	306	5,356	0	*

81411 Promotional Printing	0	619	0	*
81412 Promotional Mailing	0	372	0	*
86532 Advertising News	0	2,658	0	*

Total Promotion	0	3,649	0	*

88241 Outline Prt-Inhouse	147	3,468	0	*

Total Printed Course Material	147	3,468	0	*

88231 Speakers Travel	156	2,743	0	*
88232 Speakers Meals	58	531	0	*
88233 Speakers Hotel	190	2,155	0	*
88239 Speakers Other Exp	0	605	0	*

Total Speaker Expense	404	6,034	0	*

	June 2007 Actuals	YTD 06-07 Actuals	Budget	Percent Budget Spent
Total Health Law CLE				

61201 Equipment Rental	552	3,757	0	*
88252 Course Credit Fee	0	300	0	*
88261 Meeting Room Rent	0	1,155	0	*
88262 Meeting Meals	0	3,690	0	*
88263 Meeting Hospitality	0	2,377	0	*
88265 Refreshment Breaks	0	3,696	0	*

Total Presentation Expense	552	14,975	0	*

36998 Credit Card Fees	-67	515	0	*
75102 1st Class & Misc Mai	6	13	0	*
75401 Express Mail	131	467	0	*
84001 Postage	0	70	0	*

Other Expense	70	1,065	0	*

Total Expenses	3,073	55,680	0	*

tal Net General Ledger	6,941	-4,020	0	*

32291 Section Fee	-6,242	3,619	0	*

Net Operations	699	-401	0	*

Exhibit B

	June 2007 Actuals	YTD 06-07 Actuals	Budget	Percent Budget Spent
<u>C0187 Reprsntng Physicians</u>				
32010 On-Line Seminars	0	179	0	*
Total Revenues	0	179	0	*
Total The Florida Bar Staff Exp	0	0	0	*
Total Other Staff	0	0	0	*
Total Cost of AV Media	0	0	0	*
Total General and Administrative	0	0	0	*
Total Promotion	0	0	0	*
Total Printed Course Material	0	0	0	*
Total Speaker Expense	0	0	0	*
Total Presentation Expense	0	0	0	*
Other Expense	0	0	0	*
Total Expenses	0	0	0	*
Total Net General Ledger	0	179	0	*
32291 Section Fee	486	-161	0	*
Net Operations	486	18	0	*

	June 2007 Actuals	YTD 06-07 Actuals	Budget	Percent Budget Spent
C0272 2006 HL Cert Review ~~~~~				
31436 Course Section Diff	-25	-125	0	*
32010 On-Line Seminars	305	2,077	0	*
32201 Audio Tapes	785	5,825	0	*
32301 Course Materials	0	110	0	*

Total Revenues	1,065	7,887	0	*

86421 C L E Administration	2	43	0	*
86623 Registrars	40	210	0	*

Total The Florida Bar Staff Exp	42	253	0	*

Total Other Staff	0	0	0	*

88281 A/V Ctr Dup/Prod	-126	114	0	*

Total Cost of AV Media	-126	114	0	*

96001 Administrative Exp	-7	52	0	*

Total General and Administrative	-7	52	0	*

Total Promotion	0	0	0	*

Total Printed Course Material	0	0	0	*

Total Speaker Expense	0	0	0	*

Total Presentation Expense	0	0	0	*

36998 Credit Card Fees	-5	48	0	*
75102 1st Class & Misc Mai	0	1	0	*
75401 Express Mail	7	53	0	*

Other Expense	2	102	0	*

Total Expenses	-89	521	0	*

Total Net General Ledger	1,154	7,366	0	*

02291 Section Fee	-1,524	-6,629	0	*

Exhibit B

	June 2007 Actuals	YTD 06-07 Actuals	Budget	Percent Budget Spent
C0272 2006 HL Cert Review ~~~~~				
Net Operations	----- -370 -----	----- 737 -----	----- 0 -----	----- * -----

Exhibit B

	June 2007 Actuals	YTD 06-07 Actuals	Budget	Percent Budget Spent
C0373 2006 HL Institute ~~~~~				
31436 Course Section Diff	0	-200	0	*
32010 On-Line Seminars	0	1,083	0	*
32201 Audio Tapes	0	4,775	0	*
32301 Course Materials	0	120	0	*
-----	-----	-----	-----	-----
Total Revenues	0	5,778	0	*
-----	-----	-----	-----	-----
83431 Time CLE Courses	0	14	0	*
86421 C L E Administration	-5	43	0	*
86623 Registrars	10	190	0	*
-----	-----	-----	-----	-----
Total The Florida Bar Staff Exp	5	247	0	*
-----	-----	-----	-----	-----
Total Other Staff	0	0	0	*
-----	-----	-----	-----	-----
88281 A/V Ctr Dup/Prod	-149	121	0	*
-----	-----	-----	-----	-----
Total Cost of AV Media	-149	121	0	*
-----	-----	-----	-----	-----
001 Administrative Exp	-17	50	0	*
-----	-----	-----	-----	-----
Total General and Administrative	-17	50	0	*
-----	-----	-----	-----	-----
Total Promotion	0	0	0	*
-----	-----	-----	-----	-----
Total Printed Course Material	0	0	0	*
-----	-----	-----	-----	-----
Total Speaker Expense	0	0	0	*
-----	-----	-----	-----	-----
Total Presentation Expense	0	0	0	*
-----	-----	-----	-----	-----
36998 Credit Card Fees	-9	50	0	*
75401 Express Mail	0	49	0	*
-----	-----	-----	-----	-----
Other Expense	-9	99	0	*
-----	-----	-----	-----	-----
Total Expenses	-170	517	0	*
-----	-----	-----	-----	-----
Total Net General Ledger	170	5,261	0	*
-----	-----	-----	-----	-----
02291 Section Fee	-153	-4,735	0	*

Exhibit B

	June 2007 Actuals	YTD 06-07 Actuals	Budget	Percent Budget Spent
C0373 2006 HL Institute ~~~~~				
Net Operations	17	526	0	*

Exhibit B

	June 2007 Actuals	YTD 06-07 Actuals	Budget	Percent Budget Spent
C0420 Emergency Pblc Hlth				
31436 Course Section Diff	-25	-550	0	*
32001 Registrations	0	2,325	0	*
32010 On-Line Seminars	0	147	0	*
32201 Audio Tapes	0	1,435	0	*
32205 Compact Disc	165	1,855	0	*
32292 Videotapes	0	550	0	*
32301 Course Materials	0	35	0	*
Total Revenues	140	5,797	0	*
83431 Time CLE Courses	-47	1,547	0	*
86421 C L E Administration	127	1,359	0	*
86543 Graphics & Art	0	231	0	*
86623 Registrars	10	580	0	*
Total The Florida Bar Staff Exp	90	3,717	0	*
Total Other Staff	0	0	0	*
432 Time Taping Editing	-540	3,910	0	*
88281 A/V Ctr Dup/Prod	-299	241	0	*
Total Cost of AV Media	-839	4,151	0	*
86001 Administrative Exp	-103	1,651	0	*
Total General and Administrative	-103	1,651	0	*
81411 Promotional Printing	0	438	0	*
86532 Advertising News	0	1,339	0	*
Total Promotion	0	1,777	0	*
88241 Outline Prt-Inhouse	0	319	0	*
Total Printed Course Material	0	319	0	*
88231 Speakers Travel	0	1,102	0	*
88232 Speakers Meals	0	145	0	*
88233 Speakers Hotel	0	806	0	*
88239 Speakers Other Exp	0	237	0	*
Total Speaker Expense	0	2,290	0	*
61201 Equipment Rental	0	237	0	*
252 Course Credit Fee	0	150	0	*
88261 Meeting Room Rent	0	1,155	0	*

	June 2007 Actuals	YTD 06-07 Actuals	Budget	Percent Budget Spent
C0420 Emergency Pblc Hlth ~~~~~				
88262 Meeting Meals	0	448	0	*
88265 Refreshment Breaks	0	871	0	*
Total Presentation Expense	0	2,861	0	*
36998 Credit Card Fees	-9	86	0	*
75102 1st Class & Misc Mai	0	3	0	*
75401 Express Mail	5	130	0	*
84001 Postage	0	70	0	*
Other Expense	-4	289	0	*
Total Expenses	-856	17,055	0	*
Total Net General Ledger	996	-11,258	0	*
32291 Section Fee	-896	10,132	0	*
t Operations	100	-1,126	0	*

Exhibit B

	June 2007 Actuals	YTD 06-07 Actuals	Budget	Percent Budget Spent
C0487 2007 HL Cert Review ~~~~~				
31436 Course Section Diff	-100	-325	0	*
32001 Registrations	0	19,732	0	*
32205 Compact Disc	7,858	7,858	0	*
32301 Course Materials	120	540	0	*

Total Revenues	7,878	27,805	0	*

51101 Employee Travel	0	290	0	*
83431 Time CLE Courses	-67	3,125	0	*
86421 C L E Administration	662	2,825	0	*
86543 Graphics & Art	0	231	0	*
86623 Registrars	50	870	0	*

Total The Florida Bar Staff Exp	645	7,341	0	*

Total Other Staff	0	0	0	*

84256 Audio Taping/Tech	0	1,775	0	*
8432 Time Taping Editing	1,730	2,480	0	*
281 A/V Ctr Dup/Prod	268	268	0	*

Total Cost of AV Media	1,998	4,523	0	*

86001 Administrative Exp	372	3,452	0	*

Total General and Administrative	372	3,452	0	*

81411 Promotional Printing	0	181	0	*
81412 Promotional Mailing	0	372	0	*
86532 Advertising News	0	1,319	0	*

Total Promotion	0	1,872	0	*

88241 Outline Prt-Inhouse	0	3,002	0	*

Total Printed Course Material	0	3,002	0	*

88231 Speakers Travel	156	1,641	0	*
88232 Speakers Meals	58	386	0	*
88233 Speakers Hotel	190	1,349	0	*
88239 Speakers Other Exp	0	368	0	*

Total Speaker Expense	404	3,744	0	*

1201 Equipment Rental	0	2,968	0	*
252 Course Credit Fee	0	150	0	*
88262 Meeting Meals	0	3,242	0	*

	June 2007 Actuals	YTD 06-07 Actuals	Budget	Percent Budget Spent
C0487 2007 HL Cert Review ~~~~~				
88263 Meeting Hospitality	0	2,377	0	*
88265 Refreshment Breaks	0	2,825	0	*
Total Presentation Expense	0	11,562	0	*
36998 Credit Card Fees	-42	279	0	*
75102 1st Class & Misc Mai	6	7	0	*
75401 Express Mail	109	187	0	*
Other Expense	73	473	0	*
Total Expenses	3,492	35,969	0	*
Total Net General Ledger	4,386	-8,164	0	*
32291 Section Fee	-3,946	7,348	0	*
Net Operations	440	-816	0	*

Exhibit B

	June 2007 Actuals	YTD 06-07 Actuals	Budget	Percent Budget Spent
C0490 HL Hot Topics				
31436 Course Section Diff	-125	-475	0	*
32010 On-Line Seminars	406	1,274	0	*
32201 Audio Tapes	650	3,415	0	*
Total Revenues	931	4,214	0	*
86421 C L E Administration	58	121	0	*
86623 Registrars	10	310	0	*
Total The Florida Bar Staff Exp	68	431	0	*
Total Other Staff	0	0	0	*
88281 A/V Ctr Dup/Prod	-140	235	0	*
Total Cost of AV Media	-140	235	0	*
86001 Administrative Exp	61	151	0	*
tal General and Administrative	61	151	0	*
Total Promotion	0	0	0	*
88241 Outline Prt-Inhouse	147	147	0	*
Total Printed Course Material	147	147	0	*
Total Speaker Expense	0	0	0	*
61201 Equipment Rental	552	552	0	*
Total Presentation Expense	552	552	0	*
36998 Credit Card Fees	-2	52	0	*
75102 1st Class & Misc Mai	0	2	0	*
75401 Express Mail	10	48	0	*
Other Expense	8	102	0	*
Total Expenses	696	1,618	0	*
tal Net General Ledger	235	2,596	0	*

	June 2007 Actuals	YTD 06-07 Actuals	Budget	Percent Budget Spent
C0490 HL Hot Topics ~~~~~				
32291 Section Fee	-209	-2,336	0	*
	-----	-----	-----	-----
Net Operations	26	260	0	*
	-----	-----	-----	-----

	June 2007 Actuals	YTD 06-07 Actuals	Budget	Percent Budget Spent
C0217 2005 HL Cert Review				
Total Dues Income-Net	0	0	0	*
32201 Audio Tapes	0	2,055	0	*
Other Income	0	2,055	0	*
Total Revenues	0	2,055	0	*
36998 Credit Card Fees	(4)	23	0	*
75401 Express Mail	0	19	0	*
88281 A/V Ctr Dup/Prod	(50)	40	0	*
Total Operating Expenses	(54)	82	0	*
86623 Registrars	0	60	0	*
Total TFB Support Services	0	60	0	*
cal Expenses	(54)	142	0	*
Net Operations	54	1,913	0	*
Total Current Fund Balance	54	1,913	0	*

Exhibit B

Section Administrative Support

11 Month

	Time Allocation	G & A Allocation	Total Expense	Section Administrative Fee	Over (Under) Paid	Max Gen Fund Support
Administrative Law	20,362	4,310	24,672	19,623	(5,049)	(11,090)
Appellate Practice	14,736	3,767	18,503	24,421	5,918	(12,750)
Business Law	27,349	15,806	43,155	73,896	30,741	(28,695)
Criminal Law	19,555	5,150	24,705	41,775	17,070	(18,925)
Elder Law	19,766	5,330	25,096	27,128	2,032	(13,255)
Entertainment, Art & Sport	7,728	1,927	9,655	14,050	4,395	(10,000)
Environmental Law	27,170	6,349	33,519	34,325	806	(15,365)
Equal Opportunities Law	2,675	157	2,832	4,267	1,435	(10,000)
Family Law	35,119	18,565	53,684	59,288	5,604	(23,170)
General Practice	22,381	8,654	31,035	32,013	978	(15,800)
Government Lawyer	13,933	1,724	15,657	15,174	(483)	(10,465)
Health Law	10,396	1,969	12,365	22,187	9,822	(11,760)
International Law	17,181	2,348	19,529	15,650	(3,879)	(10,105)
Labor & Employment Law (1)	8,580	3,122	11,702	25,107	13,405	(15,740)
City County & Local Govt'	23,490	4,485	27,975	27,225	(750)	(13,440)
Out of State Division	10,688	2,203	12,891	18,954	6,063	(10,770)
Pract Mgmt & Development	13,006	1,473	14,479	11,622	(2,857)	(10,000)
Public Interest Law	5,784	992	6,776	7,136	360	(10,000)
Real Property Probate Trust	57,643	36,186	93,829	157,830	64,001	(53,345)
Tax	31,385	9,793	41,178	33,295	(7,883)	(15,175)
Trial Lawyers (1)	21,051	11,439	32,490	76,155	43,665	(39,125)
Workers' Compensation	9,492	8,184	17,676	25,796	8,120	(12,765)
	419,470	153,933	573,403	766,917	193,514	

(1) Section Eligible for Provisional Administrative Fee of \$12.50

3/11/11
LH/BJ

Section CLE Earnings (Including the Non-Section Member Surcharge)*

	10Month					
	F/E 6/30/02	F/E 6/30/03	F/E 6/30/04	F/E 6/30/05	F/E 6/30/06	5/3/2007
Administrative Law	2,736	7,120	4,997	7,556	6,645	9,538
Appellate Practice	5,508	5,149	9,064	5,641	9,192	1,973
Business Law	26,912	36,334	24,186	19,337	20,786	59,150
Criminal Law	18,530	17,578	23,668	24,611	16,565	53,361
Elder Law	16,837	12,658	19,119	14,221	15,160	29,385
Entertainment, Art & Sports	3,020	443	1,599	255	0	(261)
Environmental Law	20,822	24,625	21,645	20,969	26,733	30,045
Equal Opportunities Law	668	743	741	0	0	0
Family Law	24,322	11,612	18,225	16,035	56,844	35,768
General Practice	19,152	23,568	31,340	18,006	40,724	105,939
Government Lawyer	9,648	5,175	8,751	6,785	3,766	(350)
Health Law	4,154	7,912	14,414	6,278	11,730	(10,360)
International Law	22,257	21,221	28,481	36,934	26,372	45,648
Labor & Employment Law	10,419	12,383	20,308	15,134	17,935	36,646
City County & Local Govn't	15,514	16,384	21,692	15,789	17,436	27,345
Out of State Division	3,943	3,236	3,748	4,989	1,928	(11,803)
Pract Mgmt & Development	135	(44)	0	613	3,905	(5,481)
Public Interest Law	2,974	1,163	2,035	1,233	1,828	166
Real Property Probate Trust	85,941	49,447	56,896	132,994	119,370	277,975
Tax	26,480	24,221	28,831	45,361	31,794	11,238
Trial Lawyers	32,097	30,372	33,856	24,340	27,331	51,945
Workers' Compensation	7,289	8,748	8,334	8,439	10,875	10,736
Total Section CLE Profit	359,358	320,048	381,930	425,520	466,919	758,604*

Exhibit C

The Florida Bar Health Law Section
CLE Calendar
2007-2008
Laurie Levin, Chair

November – December 2007

Program Title: Lunch & Learn: Timely Topics for Healthcare Attorneys
Location: Telephone CLE
Program Chair:
Brochure Deadline: (12 weeks from date of program)
Material Deadline:

January 17, 2008

Program Title Representing the Physician 2008
Location: Hyatt Regency in Miami
Program Chair:
Lunch: Ether boxed lunches or on your own
Brochure Deadline: October 26, 2007
Material Deadline: November 26, 2007

March 7 & 8, 2008

Program Title Health Law Certification Review
Location: Orlando
Program Chair: Sandra Greenblatt
Brochure Deadline: January 11, 2008
Material Deadline: February 15, 2008

June 20, 2008

Program Title Health Law Update
Location: Boca Raton - The Florida Bar Annual Meeting
Program Chair:
Brochure Deadline: February, 2008
Material Deadline: April 25, 2007

HEALTH LAW SECTION



www.flabarhls.org

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Maria T. Currier
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Coral Springs
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Fort Lauderdale
Graham H. Nicol
Tallahassee

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March 27, 2001

Donald Weidner, Dean
Florida State University
College of Law
425 West Jefferson Street
Tallahassee, FL 32306-1601

Re: Florida Bar Health Law Section Professorship

Dear Dean Weidner:

On behalf of the Health Law Section of The Florida Bar it is my pleasure to provide you with the enclosed check in the amount of \$100,000. This check is provided to establish The Florida Bar Health Law Section Professorship at the Florida State University College of Law pursuant to the previously executed Agreement.

The Section looks forward to its participation in this relationship. I would like to personally thank you for your assistance in completing this process, which I believe furthers the goals of both the Section, and the College.

Very Truly Yours,

Bruce D. Lamb

BDL/keb

Cc: Donna Byrd, Section Administrator
The Florida Bar

THE FLORIDA BAR/650 APALACHEE PARKWAY/TALLAHASSEE, FL 32399-2300

Exhibit E

THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS

DATE	AMOUNT
3-21-01	100000 00
TOTAL	
LESS % DISCOUNT	
LESS	
TOTAL DEDUCTIONS	
AMOUNT OF CHECK	100000 00



THE FLORIDA BAR 03-61
TALLAHASSEE, FL 32399-2300

6552

63-4/630 FL 305

DATE March 21, 2001 \$

PAY TO THE ORDER OF Florida State University Foundation | \$ 100,000.00

One Hundred Thousand Dollars and 00/100 DOLLARS

NationsBank
NationsBank, N.A.
ACH R/T 063000047

[Signature]

⑈006552⑈ ⑆063000047⑆ 001201010733⑈

GUARDIAN & SAFETY

Exhibit E

Agreement Between
Health Law Section of the Florida Bar
and the
Florida State University Foundation, Inc.

I. Introduction

The following sets forth an agreement between the Health Law Section of The Florida Bar (hereinafter "Section") and the Florida State University Foundation, Inc. (hereinafter "Foundation") concerning a gift of \$100,000 to be used to endow, in perpetuity, **The Florida Bar Health Law Section Professorship** at The Florida State University College of Law.

II. Purpose

The Section hereby agrees to make a pledge to The Florida State University College of Law to establish **The Florida Bar Health Law Section Professorship**, the annual earnings of which will support a Health Law Professor at the College of Law.

It is the intent that the faculty member appointed to **The Florida Bar Health Law Section Professorship** will be someone actively teaching and researching in health law areas. The person will be appointed on the condition that he or she be interactive with the Section and the health law profession, by participation in the development and presentation of continuing legal education (CLE) programs of the Section and with a preference to attend at least one meeting of the Health Law Section Executive Council per year to report on the status of his/her work.

Additionally, **The Florida Bar Health Law Section Professor** will advise the Florida State University College of Law in regard to development of Health Law curriculum as determined by the professor through interaction with the Health Law Section. The intent is that the law school have the benefit of the experience of members of the Health Law Section in developing a practical health law curriculum, to include the subjects designated in the Board of Legal Specialization and Education (BLSE) examination in health law. **The Florida Bar Health Law Section Professor** will be held accountable for this involvement by being appointed to the professorship for five-year terms.

III. Schedule and Form of Contribution

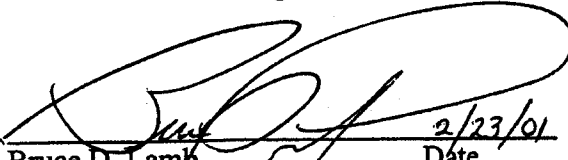
The Section will make a one time contribution in the amount of \$100,000 on or before June 30, 2001. The Florida State University Foundation is instructed to take full and complete advantage of all State of Florida matching gift programs for which this contribution may qualify (which is currently fifty percent). The donor recognizes that the Florida State University Foundation cannot warrant State of Florida matching funds.

IV. Recognition


The Florida State University College of Law wishes to recognize the good works and generosity of the Section and will issue at an appropriate time, a suitable press release to be reviewed by the Section prior to publication in order to announce the gift.

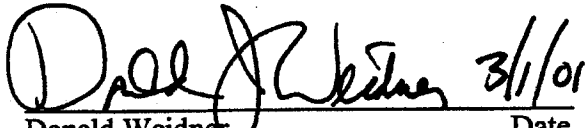
V. Administration

The gift from the Section will be deposited with the Foundation and will be spent in accord with the policies of the Foundation. The Dean of the College of Law will be charged with the administration of the gift in accord with the purpose noted in this agreement.


Bruce D. Lamb
Chair, Health Law Section
The Florida Bar
2/23/01
Date


Talbot D'Alemberte
President
Florida State University
3/2/01
Date


Lawrence G. Abele
Provost
Florida State University
3/5/01
Date


Donald Weidner
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Florida State University
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J. Jeffrey Robison
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August 10, 2007

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