MINUTES OF THE HEALTH LAW SECTION
EXECUTIVE COUNCIL REGULAR MEETING
OF JANUARY 16, 2003
HYATT REGENCY HOTEL – MIAMI, FLORIDA

***Updated attendance list**

I. Call to Order

Chair Buchanan called the meeting to at approximately 3:30 p.m. on January 16, 2003 at the Hyatt Regency Hotel in Miami. Executive Council members in attendance, either in person or by telephone, were:

James M. Barclay
Michael Bittman
John D. Buchanan
Greg Chaires (by phone)
Professor Mary Crossley
James Andrew Farrell
Monica Lee Felder (Rodriguez)
Michael Joseph Glazer
Allen R. Grossman
George F. Indest III (by phone),
Louise Jeroslow
Harold Kaplan
Bruce D. Lamb
Jodi Lifshutz Laurence
Laurie Levin
Lester Perling
Steve Siegel
William Spratt, Jr.
Augustine S. Weekley, Jr.
Christine Cannell Whitney,,,,

Tod Aronovitz, President of The Florida Bar,
Ray Ferrero, President of Nova Southeastern University
Joseph D. Harbaugh, Associate Dean
Paul Hill, General Counsel, The Florida Bar
Lori Holcomb, The Florida Bar
Mark Killian, The Florida Bar News.
Donna Byrd, Program Administrator

II. Minutes

Minutes of the September 12, 2002 meeting were approved unanimously.

III. Financial Report

The Section's Treasurer, Chet Barclay, presented the Financial Report. Total revenues to date for this year are at $17,858 and total expenditures for this fiscal year to date are at $14,082. The Section's current fund balance is $126,167. The Financial Report was approved unanimously.

IV. Committee/Division Reports

A. Section Administration

The Section Administration Report was presented by Chair-Elect Whitney. Several recommendations for new guidelines for the Trickel Writing Award were recommended and approved unanimously. The changes will be incorporated in the materials for the next contest.

B. Legislative Committee

William Spratt, Jr. reported that he will be stepping down as the Committee Chairperson. Section Secretary Allen R. Grossman agreed to assume the position of Chairperson for this Committee. It was also reported that The Florida Bar approved each of the legislative positions requested by the Section.

C. Education Committee

Certification Review Sub-Committee Chairperson Jodi L. Laurence reported on the preparations for the certification examination review course scheduled for April 4-5, 2003. All plans and arrangements are in place and the program is expected to be a success.

CLE Sub-Committee Chairperson Monica L. Felder (Rodriguez) reported that last year's programs had been a great success. The Sub-Committee recommended offering the Health Law Update again at the Annual Meeting. The Committee also sought the Executive Council's permission co-sponsor a privacy program with the CPA Committee. This recommendation was moved by George Indest and seconded by James Farrell. The motion passed unanimously.

V. Old Business

A. Nova Southeastern University Masters In Health Law Program

Chair-Elect Whitney introduced the topic to the meeting and provided a brief history of previous consideration of this issue. Section guests were introduced:

Tod Aronovitz, President of The Florida Bar
Michael J. Glazer, Health Law Section Board of Governor's Liaison
Ray Ferrero, President of Nova Southeastern University
Joseph D. Harbaugh, Associate Dean

The meeting was advised of the "acquiescence" process through the American Bar Association. Members of the Executive Council and the Section expressed concerns about public misunderstanding and potential for misrepresentation. President Aronovitz thanked President Ferrero and Dean Harbaugh for attending the meeting and offered to hold further discussions on the issue. Motion by Allen Grossman to enter into discussions with the University was seconded by Harold Kaplan and passed unanimously.

Before leaving, President Aronovitz suggested that the Section promptly pursue some alternative names for the program and set-up another meeting with representatives of the University. He indicated that this issue is of significant concern to The Florida Bar.

B. Dignity In Law Campaign

Michael J. Glazer, the Health Law Section's Board of Governor's Liaison reported on the Dignity In Law Campaign. A request was made for the Section to provide financial support to the Campaign. After some discussionHarold Kaplan moved that the Section donate $10,000 to the Campaign. The motion was seconded by Laurie Levin and passed with one dissenting vote (Chair-Elect Whitney).

C. Legislative Position Supporting Amendments to §456.072, Florida Statutes

Past Chairman, Bruce D. Lamb, presented a legislative proposal to amend Chapter 456, Florida Statutes. Monica L. Felder (Rodriguez) moved to seek approval for the new legislative position. The motion was seconded by Harold Kaplan and passed unanimously. It was further agreed that the Section should prepare to respond to the medical malpractice issues likely to be before the legislature in the 2003 session.

D. Ad Hoc Legislation Committee Final Report

Immediate Past Section Chairman, Dr. Gus Weekley, Jr., presented the Final Report of the AD Hoc Committee. The Committee recommended that the Final Report be printed in the Section Newsletter and that comments from the Section membership be solicited. It was also recommended that the Section develop a new legislative position based on the conclusions of the report.

E. Health Law Handbook

Chairman Buchanan reported that the price of the Section's new handbook will be $100 for Section members and $150 for non-members.

VI. New Business

A. 2003-2004 Proposed Budget

The proposed budget for 2003-2004 (Attached hereto as Exhibit A.) was reviewed and discussed. Laurie Levin moved adoption of the proposed budget. The motion was seconded by Chair-Elect Whitney and passed unanimously.

B. Medical Malpractice Crisis From A Legal Standpoint

Former Chief Justice Stephen Grimes made a presentation to the meeting on the issues and legal implications surrounding the current medical malpractice crisis in Florida.

C. Dates For Annual Meeting In June

It was agreed that the Section Executive Council meeting at The Florida Bar Annual Meeting should be held on the afternoon of Thursday June 26, 2003 to be followed immediately by a Reception. The Section's CLE program should be on the following day.

VII. Adjournment

At approximately 6:00 p.m. Chairman Buchanan adjourned the meeting.