



## THE SENATE

### INSURANCE COMMITTEE

SENATOR JOE HUNE  
CHAIRMAN

#### MEMBERS:

SEN. JAMES MARLEAU, VICE CHAIRMAN  
SEN. JACK BRANDENBURG  
SEN. GOEFF HANSEN  
SEN. DAVE ROBERTSON  
SEN. VIRGIL SMITH, MINORITY VICE CHAIR  
SEN. STEVE BIEDA

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## Senate Committee on Insurance Minutes

A meeting of the Senate Insurance Committee was held on Tuesday, June 5, 2012, at 2:33 p.m. in the Boji Tower Hearing Room.

Attendance was recorded as follows:

Present: Senator(s) Hune (C), Marleau, Brandenburg, Hansen, Robertson, Smith and Bieda.

Absent: NONE

A quorum was established.

Senator Hune announced the order of business:

SB 995 Sen. Walker Health facilities; emergency medical services; amount of liability coverage required for certain hospital aircraft transport vehicles; modify.

SB 1115 Sen. Kahn Torts; medical malpractice; procedures for entry of damage awards; modify and clarify.

SB 1116 Sen. Meekhof Torts; medical malpractice; physician judgment rule; enact.

SB 1117 Sen. Moolenaar Torts; medical malpractice; persons to whom medical malpractice provisions of the revised judicature act apply; include nonlicensed health care providers.

SB 1118 Sen. Hune Torts; medical malpractice; statute of limitations; revise period of limitations for survival actions and disallow prejudgment interest on attorney fees and costs.

Chairman Hune invited Senator Walker, Bill McDonough, Paul Welke and Angel Welke to give a summary and testify in support of SB 995 and the S-1 substitute.

At 2:35 p.m. Senator Hansen and Senator Smith entered the meeting.

The following individuals submitted testimony cards for SB 995:

Support:

-Bret Marr of Muchmore and Harrington representing Michigan Association of Ambulance Services (support S-1 substitute).

Neutral:

-Denise Landis from the University of Michigan Survival Flight.

At 2:41 p.m. Senator Bieda entered the meeting.

Chairman Hune entertained a motion to adopt the (S-1) substitute to SB 995. Senator Hansen so moved.

Yeas: Senator(s) Hune, Marleau, Brandenburg, Hansen, Robertson, Smith and Bieda.

Nays: NONE

The substitute was adopted.

Chairman Hune entertained a motion to report SB 995 with recommendation. Senator Hansen so moved.

Yeas: Senator(s) Hune, Marleau, Brandenburg, Hansen, Robertson, Smith and Bieda.

Nays: NONE

The bill was reported.

Chairman Hune entertained a motion to give SB 995 Immediate Effect. Senator Marleau so moved.

Without objection SB 995 was given Immediate Effect.

Senator Hune entertained a motion to adopt the minutes from the May 29, 2012 meeting. Senator Smith so moved. Without objection the minutes were adopted.

Chairman Hune invited Steven Galbraith representing SBM negligence/Oak City Bar to testify in opposition to SB 1115-1118.

Chairman Hune invited Heidi M. Zabik representing herself to testify in opposition to SB 1115-1118.

Chairman Hune recessed the meeting at 2:59 p.m.

Chairman Hune adjourned the meeting from the Senate floor at 4:15 p.m.

The following individuals submitted testimony cards in opposition to SB1115-1118 but did not wish to speak:

-Ardiana Culoi (self)

-Bridget Benner (self)

-Brian Benner (self)

-Robert Longstreet representing Elder Law Section State Bar

-Ina Samra

-Chris Mitchell from the Michigan Health and Hospital Association (1115,1117,1118)

-Leslie Davis representing nurses/pt safety

-Dianne Hammond representing concerned citizens

-Christine Gucwa (self)

-Erin R. Bilitzke (self)

-Caitlin Morris (self)

- Brittany Harris (self)
- Anne Schoepfhe (self)
- JoAnn Recchia (self)
- Stephanie L. Arndt
- Donna Mackenzie
- Beverly Medley (self)
- Michael Harris representing Brittany Harris
- Rodney Evans representing his Daughter/Awaad Patient
- Norman Tucker from Michigan Association for Justice representing Clients
- Andrea Mannino (self)
- Genevieve Kotasek representing victims of medical malpractice
- Teresa Corey (self)
- Erin Andrews (self)
- Linda Turek representing family members
- Ann Amenta (self)
- Cary Makrouer (self) and concerned citizens
- John Hone representing Michigan
- Cami McEvans
- Chad Engelhandt
- Stephen Goethel from MAS
- Michelle Kreger (self)
- Sonya Kasper (self)
- Erik Proulx (self)
- Diego Avila
- Jill Perelman Mittleman
- Doug Smith representing small business owners
- Susan Smith (self)
- Robert Palmer representing Sinas, Dramis, Brake, Boughton and McIntyre
- Shelly Allyn-Podolsky
- Ruth Tobias
- Erin Walker
- Arnold Podolsky
- Andrew Muth
- Robert Naitt (self) and concerned citizens
- Tamara Jovanovic (self)
- Teri Lynne Griffes representing Sinas Dramis Law Firm
- James Hofer representing Sinas Dramis Law Firm
- Hazel Gooding from representing Sinas Dramis Law Firm
- Daniel Zick representing Sinas Dramis Law Firm
- Mona Paleno
- Ron Bowling (self)
- Sarah Thurswell
- Scott Goodwin (self)

The following individuals submitted testimony cards in opposition to SB 1115-11118 but were unable to speak due to time constraints.

- Gerald Thurswell representing Shirley Haywood
- Shirley Haywood
- Amber Girbach representing Jason Adams, Breanna Davis and Tina Eads

- Judy Suskind representing injured victims of malpractice
- Tina Eads (self)
- Jason Adams (self)
- Breanna Davis (self)
- Elliot Grysen (self)
- Nida Doner Consumer Advocate
- Tim McKay representing Philip McKay
- Carol Oliver (self)
- Joe Bourbeau from Bone Bourbeau
- William C. Gage
- Rebecca Walsh from the Michigan Association for Justice
- Mitch Grecca representing Derek Grecca
- Paul Stevenson (self)
- Ted Samra (self)
- Alison Hirschel from the Michigan Campaign for Quality Life
- Ryan O'Donnell (self)
- Rachel Slocum (self)
- Laurie Harris representing Brittany Harris
- Tamara Evans
- Nancy Savaglan representing victims of Dr. Awaad
- Brian McKeen representing the estate of David Mannino
- Annita Mannino representing the estate of David Mannino
- Brian Benner representing victims of Dr. Awaad
- Stephen M. Gaus, Medical Malpractice Defense Attorney
- Ronda Little representing Angela Chahine
- Angela A. Chahine representing George Balowski
- Martha Shaw (self)
- Amy R. Tripp representing Elder Law Disability Rights Section State Bar of Michigan

Chairman Hune adjourned the meeting from the Senate floor at 4:15 p.m.

**Date approved by the Committee: 6/12/12**

(An audio recording of this committee meeting is available upon request for a minimal fee.)