



THE SENATE
INSURANCE COMMITTEE
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Senate Committee on Insurance
Minutes

A meeting of the Senate Insurance Committee was held on Tuesday, July 18, 2012, at 8:09 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 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.

Senator Hune entertained a motion to adopt the minutes from the June 12, 2012 Insurance committee meeting. Senator Marleau so moved. Without objection the minutes were adopted.

Senator Hune invited Clifford Taylor representing Miller Canfield to testify in support of SB1115-1118.

Senator Hune invited Natalie and Bruce Medina Hockzr to testify in opposition to SB 1115-1118.

At 8:45 a.m. Senator Robertson entered the meeting.

Senator Hune invited Tami Finley representing herself and her family to testify in opposition to SB 1116.

Senator Hune invited Michael Behm representing the Michigan Association of Justice to testify in opposition to SB 1115-1118.

At 9:04 a.m. Senator Smith entered the meeting.

Senator Hune invited Cheryl Gibson Fountain, MD to testify in support of SB 1115-1118.

Senator Hune invited Kathryn Sanderson representing herself to testify in opposition to SB 1115-1118.

Senator Hune invited Lynn Foley a plaintiff attorney to testify in opposition to SB 1115-1118.

Senator Hune invited Jeff Meyers representing himself to testify in opposition to SB 1115-1118.

Senator Hune invited Julia Smith representing the People of Michigan to testify in opposition to SB 1115-1118.

Senator Hune invited Carol Oliver representing herself to testify in opposition to SB 1115-1118.

Senator Hune invited Jennifer Marty representing her mother to testify in opposition to SB 1115-1118.

Senator Hune invited Patrick Haddad representing the Michigan State Medical Society to testify in support of SB 1115-1118.

Senator Hune invited Reenie Zdunowzki to testify in opposition to SB 1115-1118.

Senator Hune invited Brandon Mackenzie representing Great Lakes Surgical Assistants to testify in opposition to SB 1115-1118.

At 10:38 a.m. Senator Brandenburg entered the meeting.

Senator Hune invited Rodger Macarthur, MD representing himself to testify in opposition to SB 1115-1118.

Senator Hune invited Steven Newman MD representing the Michigan State Medical Society to testify in support of SB 1115-1118.

Senator Hune invited Brian Benner representing 5000 patients against Dr. Yasser Awaad to testify in opposition to SB 1115-1118.

Senator Hune invited Tami Evans representing her daughter to testify in opposition to SB 1115-1118.

Senator Hune invited Charlene M. Tope representing Michigan Guardianship Association to testify in opposition to SB 1115-1118.

Senator Hune invited Miles Hurwitz to testify in opposition to SB 1116.

Senator Hune invited Arnold M. Podolsky MD representing himself to testify in opposition to SB 1115-1118.

Senator Hune invited Rev. Paul McCoy representing himself to testify in opposition to SB 1115-1118.

Senator Hune invited Stephen Goethel representing Rev. Paul McCoy to testify in opposition to SB 1115-1118.

Senator Hune invited Debra Ramsey representing herself to testify in opposition to SB 1115-1118.

Senator Hune invited John Bizon, MD representing the Michigan State Medical Society to testify in support of SB 1115-1118.

Senator Hune invited Marla Linderman representing families to testify in opposition to SB 1115-1118.

Senator Hune invited Lee Tilson representing two injured family members to testify in opposition to SB 1115-1118.

Senator Hune invited Keith Collins representing himself to testify in support of SB 1115-1118.

Senator Hune invited Genevieve Kotasek representing Mitchell Grecca to testify in opposition to SB 1115-1118.

The following individuals submitted testimony cards in opposition to SB 1115-1118 but did not wish to speak:

- Maureen Neilmann representing Johnson Law
- Russell Douthat (self)
- Jamie Dybdahl (self)
- Devin Girbach (self)
- Amber Girbach (self)
- Nancy Savagean representing patients
- Karen Giacoletti
- Rob Palmer representing Sinas, Dramis, Brake, Boughton and McIntyre
- Andrew Kay (self)
- Cinthya Guevara (self)
- Jennifer Dromm (self)
- Ronald Weiner
- Linda Turek representing Michigan Citizens
- Judith Onusko representing People of Michigan
- Richard Fox
- Bishop Charles H. Ellis 3 representing Greater Grace Temple
- Sarah Gray
- Joe Bourgon representing Patients first-Doctor Accountability
- Matthew Curtis representing the People/Patients
- Anne Schoepfhe representing Victims of Medical Malpractice

- Carol Cline Barnosky (self)
- Bing Li (self)
- Erin Bilitzke (self)
- Caitlin Morris (self)
- JoAnn Recchia (self)
- Tamara Loranovic (self)
- Bill Harsha
- Ron Bowling (self)
- Carl Girbach (self)
- JoAnne Girbach (self)
- Phyllis Czapski (self) and fellow citizens
- Alexis Fernandez (self) and citizens
- Lissa Racer (self) and citizens
- Susan Reiter (self)
- Rebecca Walsh representing the Michigan Association of Justice
- Carrie Bierschbach
- Keitha Cowen (self), family and neighbors
- Bradley Glazier
- Jodie Legg (self)
- Thomas Stephanoff (self)
- Ashleigh Marino (self)
- Gerald Thurswell
- Sarah Thurswell
- Stacey White
- Paul Stevenson (self)
- Roland Schneider (self)
- Mary Pollock representing the Michigan National Organization for Women
- Lisa Canada representing IUOE #324
- Raymond W. Morganti representing Michigan Defense Trial Counsel
- Birhan and Tina Mekuria representing KEYA
- Brian N. Stuart representing S.P.A.'s
- Kathryn Jaskolski
- John Dama (self)
- David Priehs representing Citizen of Michigan
- Kara Priehs
- David Mittleman representing Victim of Survivors
- Michael Keller representing MI AFL-CIO
- Dennis Giblin representing Chapa, Giblin, Count, Reponing
- Debra Pospiech representing Patients
- Sherrie Doucette representing McKeen and Associates
- Cynthia J. Kelly representing McKeen and Associates
- Myra Manalo representing McKeen and Associates
- Mary Sheridan
- Derin Berry
- Amy Cooper
- Vanessa Ferriole
- Derek Brackon
- Shea Bronster
- Pamela Marrs
- Stelle Semerly
- Ina Samra
- Ted Samra representing Church-Wyble Law
- Regina Hollis (self)
- Jesse Reiter (self)
- Alyssa Reiter (self)
- Jenni Secorski (self)
- Geoff Secorski (self)
- Mary Dama
- Brad Jaskolski
- Gary Giblin representing Chapa, Giblin, Count, Reponing
- Bessy Naitt representing victims
- Albert S. Yenoick
- Bonnie Roddenberg (self)
- Dianna Evans
- Leah Franke
- Cathy Vossler
- Gayle Chacon
- J. Douglas Peters representing Patients
- Christine Consales representing self and family's health care
- Victor S. Valenti representing Citizens of Michigan
- Patricia Grooms (self)
- Karen Herndon representing Erlich, Rosen, Bartnick and Cook and (self)
- Marybeth Stieber (self)
- Jane Gonzalez (self)

- Mason Bushnell
- Leslie Christensen
- Eric Misterovich
- Marian Misterovich
- Michael Marrs
- Teresa Corey (self)
- Janna Vande Griend representing Patient Rights and Safety
- Rachel Vande Griend representing Patient Rights and Safety
- Chad Sluss representing patient rights
- Kevin Lespesmce
- Lindsay Gogulski representing Injured Patients
- Steven J. Schwartz
- Scott Roland
- Tad Roumayah
- Andy Dragovic
- Jesse Young (self)
- Daniel L. Jousma 3
- Don Ferris representing Ferris and Salter, PC
- Matt Klakulak representing clients
- Jason Blankenship (self)
- Scott Weidenfeller
- Dick Jasinski
- Virginia Cardosa
- Kaylea Cardosa
- Robert J. Buchanan representing Injured Patients and Patients' Rights
- Erin Andrews (self)
- Jeffrey S. Cook (self)
- Norman H. Rosen (self)
- David Christensen (self)
- Rick Merpi representing Sinas, Dramis, Brake, Boughton and McIntyre PC
- Louis Sova representing Michigan
- Kara Sova representing Michigan
- Brian Bourbeau representing Self and Family
- Sima G. Patel
- Heather Glazer
- John Cooper
- Chris Dawe representing Patient Safety
- John Yaved
- Vanessa Crocetto (self)
- Stephen Hopkins (self)
- Craig Forhan (self)
- Bob Ehrenberg
- Cynthia Ehrenberg
- Michael Schwartz
- Dan Swanson
- Cami McEvers (self)
- Michelle Kreger (self)
- Judy Susskind representing self and Injured Patients in Michigan
- Lisa A. Welton (self)
- Mona Paleno (self)
- Susan Bilsky representing Concerned Citizens
- Samantha Denys a concerned citizen
- Teresa Murray a concerned citizen
- Linda C. Roberts a concerned citizen
- Janice Kocher a concerned citizen
- Danielle Schoeny a concerned citizen
- Chelsea Richardson a concerned citizen
- Kimberly Simpson (self)
- Nora Camoy (self)
- Ardiana Culoy (self)
- Lucinda Gonzales (self)
- Larry Medley (self)
- Beverly Medley (self)
- Suzanne Dietrich a Patient Care Advocate
- Dianne Hammond representing concerned citizens
- Judith Susskind (self)
- Alana Wiaduck representing McCroskey Law
- Jennifer Goetz-Carey representing McCroskey Law
- Robert Chessman representing McCroskey Law
- Greg Bereznoff from the Michigan Association of Justice
- Theresa Paulcawis
- Lucille Kloe (self)
- Susan C. Steeby (self)
- Celina DiRago (self)
- Mark A. Steeby (self)
- Rod Evans representing his daughter

- Karen Williams-Price representing McKeen and Associates
- Randy J. Wallace
- Renee Edel a concerned citizen
- Mark Miller
- Lisa Black
- Leslie Davis representing Michigan Nurses/Pt. Safety
- Christine L. Guccua (self)
- Donna Fish (self)
- Barry Waldman (self)
- Neil Miller (self) and family
- Richard Warsh representing the Michigan Association of Justice
- Joel Alpent (self)
- Gerald E. Edwards
- Steven R. Ries
- Julie Kilqore
- Debbie Fisher
- Barbara L. Bound
- Kate Hinote
- James Hofer representing Sinas, Dramis et al
- Teri Lynne Griffes representing Sinas, Dramis
- Daniel Zick representing Dinas, Dramis Law Firm
- Dan Moraniec representing Sinas Dramis
- David Houbeck representing Sinas Dramis Law Firm
- Deborah Oliver representing husband
- Lawrence Thurswell
- Peter Dunlap representing the Michigan Defense Trial Council
- Sheldon Erlich representing Victims of Medical Malpractice
- Alessandra Navetta representing Patients
- Theresa Blick
- Julie Shaw representing Injured
- Stephen Sinas (self)
- Laura Orłowski
- Michael Janet
- Robert Sickels representing Carrie miller
- Carrie Miller representing Beau Miller
- K. Sands (self)
- Ryan Warren
- Alysha Dronzkowski
- Shane Warren
- Norman D. Tucker representing Patients (SB 1116)
- Annette Hodges (self)
- Bryan Waldman (self)
- Tara Davis
- Dianah L. Moore representing Patients
- Liisa Speaker (self)
- Frank Londy
- Phillip McRoberts
- Phil Toutant (self)
- Terry Dawes representing clients
- Dayna Jousma
- Helen Hicks, RN
- Cheryl Arney
- Peter Dunlap representing MDTC
- Dr. Werner Spitz representing doctors and nurses
- Brian Dailey
- Nettie Wood (self)
- Barry Gates representing Michigan Association for Justice
- Euel W. Kinsey
- Dorma McGruder representing People of Michigan
- Chad Engelhardt representing the Center for Medical Truth and Justice
- Matthew Bowen (self)
- Kelly Stimac
- Jeffrey Kaplan
- Jonathan H. Frank
- Charles Ash representing victims
- David R. Parker

The following individuals submitted testimony cards in support of SB 1115-1118 but did not wish to speak:

- Dr. John Pfenninger, MD representing MAFP
- Dr. Lynn Bray, MD representing MAFP

- Dr. Gary King, MD representing Michigan Academy of Family Physicians (MAFP)
- Dr. David Walsworth, MD FAAFP representing Michigan Academy of Family Physicians
- Dr. Barbara Saul, MD representing MAFP
- Dr. Danny Greig, MD representing Michigan Academy of Family Physicians
- Dr. Edward Jackson, MD representing Michigan Academy of Family Physicians
- Doug and Tina Tanner, MD representing the Michigan Academy of Family Physicians
- Dr. Donna Lenore Angell, MD representing MAFP
- Dr. Jacqueline Friedman, MD representing MAFP
- Dr. Mark Berdud, MD representing MAFP
- Dr. C. David Wright, MD representing MAFP
- Abigail Urish, MD representing MAFP
- Dr. Leanne Swiderski, MD representing MAFP
- Dr. Chris Bush representing MAFP
- Dr. Angelo Patsalis, MD representing MAFP
- Dr. Karen Mitchell representing MAFP
- Alice Betz representing the Michigan Chapter of the American College of Cardiology
- Chris Mitchell representing Michigan Health and Hospital Association (SB 1115, 1117, 1118)
- Donald Peven, MD
- Christopher Grek representing Shoreline Vision
- Michael Hordiman, D.O. representing Burgess Women's Health
- Catherine Burtrum, D.O.
- Kenneth Elmassian, DO
- Pyara Chauhan, MD
- James Mitchiner, MD
- Jan Jackson representing Kalamazoo Academy of Medicine
- Debby Barkett
- Amit Ghose, MD
- Raghuram Elluru, MD
- Rose Ramirez, MD
- Richard Hartman, DO
- Kathryn Adams
- Christie Dando
- Dennis Ponk, MD
- Chris Longton, RN
- Francis Horvath, MD
- Sandra O'Reilly representing Neuro Pain Consultants
- Patricia Dalton representing Kent County Medical Society
- Bob Wolford representing Grand Rapids Ophthalmology
- Kristi Knox representing Gynecologic Oncology of West Michigan
- Adrian Christie, MD
- Gary Paavola representing Michigan Vascular Center
- Diane Bristol representing Midland OB/GYN
- Arnold Podolsky, MD
- Peter Levine representing Genesee County Medical Society
- Sherry Jones representing Huron Valley Radiology
- Warren White, FACMPE representing ER one

- Donna Lake
- John Vassallo, MD
- Regina Hollis
- Lakshmi Tummala representing Michigan State Medical Society Alliance
- Sandy Sprague representing the Great Lakes Eye Institution
- Malissa Becksvoot
- Dustin Tsai representing Oakland University William Beaumont School of Medicine
- Kenisha Evans representing Wayne State University School of Medicine
- Cynthia Drueger, MD
- Amy Tzmtzun representing the Kent County Medical Society
- Karin Maupin
- Navneet Kuman, MD
- Michelle Cassens representing Shoreline ASC Inc.
- Velynda Makhene
- Rima Jibaly, MD
- Sean Murphy representing Kent Radiology PC
- James J. Rice, MI FACS
- Tammy Allastella representing MSMS Alliance
- Clara Sumeghy representing MSMS Alliance
- Trudy Ritter representing MSMS Alliance
- Nancy Fody representing MSMS Alliance
- Cindy Acherman representing MSMS Alliance
- Deb Droste representing Pediatric Ophthalmology
- Keith Collin representing Huron Valley Radiology
- John O'Donnell, MD representing the Michigan State University College of Human Medicine
- Wayne Vaupel representing MSMS physicians Insurance Agency.
- Robert Karam representing MMFMA

With no further business before the committee Chairman Hune adjourned the meeting at 11:59 a.m.

Date approved by the Committee: September 19, 2012

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