



## 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

505 FARNUM  
P.O. BOX 30036  
LANSING, MICHIGAN 48909-7536  
PHONE: (517) 373-2420  
FAX: (517) 373-2764

## Senate Committee on Insurance Minutes

A meeting of the Senate Insurance Committee was held on Tuesday, June 12, 2012, at 2:02 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:

- |         |                  |   |
|---------|------------------|---|
| HB 4455 | Rep. Shaughnessy | Insurance; no-fault; duties of the assigned claims facility; transfer to Michigan automobile insurance placement facility.  |
| 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 Matt Wesolek from Representative Deb Shaughnessy's office to summarize HB 4455.

Chairman Hune invited Terri Miller from the Michigan Automobile Insurance Placement Facility (MAIPF) to testify, indicating a neutral position, to HB 4455.

The following individuals submitted testimony cards in support of HB 4455 but did not wish to speak:

- Teri Morante, Office of Financial and Insurance Regulation
- Eric Musser, Michigan Insurance Coalition
- Peter Kuhnmuensch, Insurance Institute of Michigan
- Chris Hackbarth, Michigan Secretary of State

Chairman Hune invited Rebecca Walsh from the Michigan Association for Justice to testify in opposition to SB 1115-1118.

Chairman Hune invited Kevin Komar representing Livingston County to testify in opposition to SB 1115-1118.

Chairman Hune invited Gerald Thurswell representing Shirley Haywood to testify in opposition to SB 1115-1118.

Chairman Hune entertained a motion to adopt Smith Amendment to HB 4455. Senator Smith so moved.

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

Nays: NONE

The amendment was adopted.

Chairman Hune entertained a motion to report HB 4455 as amended with recommendation. Senator Smith 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 HB 4455 Immediate Effect. Senator Marleau so moved. Without objection HB 4455 was given Immediate Effect.

Senator Hune entertained a motion to adopt the minutes from the June 5, 2012 meeting. Senator Brandenburg so moved. Without objection the minutes were adopted.

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

Chairman Hune invited Laurie Harris representing Brittany Harris to testify in opposition to SB 1115-1118.

Chairman Hune invited Reenie Zdunowski representing Starilyn Decker to testify in opposition to SB 1115-1118.

Chairman Hune invited Adam Candeub 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:

- Stephen B. Goethel
- Michelle Kreger (self)
- Cami McEvers
- Carrie Bierschbach (self) and medical malpractice victims

- Hazel Goveling representing Sinas Dramis Law Firm
- Robert Palmer from the Sinas, Dramis, Brake, Boughton and McIntyre
- Sarah Thurswell (self)
- Norman D. Tucker representing injured patients
- Frank Mafrice (self)
- Ashleigh Marino (self)
- Sarah Gorski (self)
- Judith Onusko
- Linda Turek
- Eileen E. Kroll, RN, JD
- Sherry Lynne Davis
- Tammy Good
- Deborah Oliver
- Euel Kinsey representing McKeen and Associates
- Susan Smith (self)
- Michael Behm
- Emily Grace Thomas
- Traci Kornak
- Rodney Evans representing his daughter, a Dr. Awaad patient
- Bridget Benner (self) and people against Dr. Awaad
- Donna MacKenzie
- Bob Darleng
- Jules Bolsman
- Marina Heos (self)
- Michelle Lefke
- Denice Underwood
- Bette Avila
- Diego Avila
- Amanda Fisher from the (NFIB)
- Christine Gucwa representing victims of medical malpractice
- Denise Doherty supporter of victims of medical malpractice
- Janice Koehler representing victims against medical malpractice
- Suzanne Dietrich representing victims of medical malpractice
- Sue Beeker
- Tina Mekuria representing Keya Mekuria
- Max Mittleman (self)
- Chris Mitchell representing the Michigan Health and Hospital Association (1115,1117,1118)
- Lindsay Gogulski representing injured patients
- Laura Orłowski
- David Maresca
- Greg Bereznoff representing Carson Sharp and Angela Chahine
- Robert Buchanan representing injured patients
- Helen Hicks, widow of medical malpractice victim
- Ardiany Culo (self)
- Erin Walker
- Jeremy Walker
- Shelly Allyn
- Liisa R. Speaker representing injured accident victims
- Chad Engelwalt representing the Center for Medical Truth and Justice
- Celia Eaton representing the taxpayers of the State of Michigan
- Erin Andrews (self)
- Genevieve Kotasek representing Mitchell Greca and Kathy Greca
- Jesse Reiter (self)
- Teresa Corey representing Patricia Hall
- Brain Benner representing 5000 patients and their parents against Dr. Yasser Awaad
- Dale Decker
- Michael Marrs representing Barbara Runyon and self
- Barry Gates representing the Michigan Association for Justice
- Arnold Podolsky, M.D. J.D.
- Lori Shemka
- Zachary Gerish representing self/daughter/wife
- Carol Oliver (self)
- Milt Greenman representing Maurice Roberts
- Susan M. Lane (self)
- Anne Schoefke representing Susan Lane
- Brian McKeen (self)
- Cheryl Arney (self)
- Nancy Savagean representing victims of Dr. Awaad
- Tamara Evans representing daughter, patient of Dr. Awaad
- Paul Longhway
- Kelly Stimac
- Matthew J. Heos
- Andrea Mannino representing David Mannino
- Tara Davis
- Jane Bailey
- Erik Proulx (self)
- Celina DiRago (self)

- Kimberly Simpson (self)
- Sonya Kasper (self)
- Brain Bourbeau representing self and family
- Beth Cochran
- Leslie Davis, Nurses of Michigan
- Gregg Hermap (self)
- Teri Lynne Griffes representing Sinas Damis Law Firm
- James M. Hofer
- Jennifer Drumm (self)
- Amber Girbach
- Erin Bilitzke (self)

- Caitlin Morris (self)
- Beverly Medley (self)
- Ron Bowling (self)
- Derek Brackon
- Jody Aaron (self)
- Keitha Cowen representing self and medical malpractice victims
- Cinthya Guevara (self)
- Lucinda S. Gonzales (self)
- Katelyn Shiel (self)
- Tamara Govanovic (self)

With no further business before the committee Chairman Hune adjourned the meeting at 2:56 p.m.

**Date approved by the Committee: 7/18/12**

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