

Proclamation

City and County of San Francisco

WHEREAS, the American Association of Nurse Attorneys is an organization of members with dual degrees in nursing and law founded in 1982; and

WHEREAS, the American Association of Nurse Attorneys is an active nationwide organization with 463 national members and local chapters throughout the United States; and

WHEREAS, the American Organization of Nurse Attorneys strives to identify and to serve as a resource

WHEREAS, the American Association of Nurse Attorneys provides education to its members, local chapters and to the public; and

WHEREAS, the American Association of Nurse Attorneys has selected San Francisco to celebrate Nurse Attorneys Day on October 26, 2006 to

WHEREAS, the American Association of Nurse Attorneys foundation provides significant opportunities who make a difference in those local communities, such as the Mission District and the Mission de las Madres in



THEREFORE BE IT RESOLVED, that I, Gavin Newsom, Mayor of the City and County of San Francisco, in honor of your tremendous contributions to the City and County of San Francisco, do hereby proclaim October 26, 2006 as...

AMERICAN ASSOCIATION OF NURSE ATTORNEYS DAY

IN SAN FRANCISCO!

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City and County of San Francisco to be affixed.

Gavin Newsom
Mayor



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On the Cover: Cynthia Mikos, MBA, JD, TAANA President, (right) and Kathleen McCormac, BSN, JD, Conference Co-Chair, (left) are pleased and proud to present the Proclamation from the City and County of San Francisco recognizing October 26, 2006 as American Association of Nurse Attorneys Day at the Opening Reception of the 2006 Annual Meeting & Educational Conference at the Hyatt Fisherman's Wharf.

Vision Statement

"Advocating excellence and creating opportunities for nurse attorneys."

Mission Statement

The American Association of Nurse Attorneys provides resources, education, and leadership to its members and the healthcare and legal communities regarding health law and policy.

Goals

- To promote and enhance TAANA and the profession of the nurse attorney
- To provide educational programs, products, and services to members, chapters, and the public
- To facilitate communication, collaboration, and leadership among members
- To identify and influence health law and policy issues and to serve as a resource for the healthcare and legal communities

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Editor's Message

By Suzanne Edgett Collins, RN, MPH, JD, PhD

Welcome! *Inside TAANA* is provided to you as an informative member benefit. My continued work with the Executive Office staff and volunteer authors is not only fun but easy because of the enthusiasm of all those involved in providing such great, practical information to you.

Our Member Spotlight in this edition introduces us to Melvin G. Hobbs, an associate nurse-attorney at the firm of Alholm, Monahan, Klauke, Hay & Oldenburg, LLC. Hello Melvin!

In this issue, our organizational news reports update what's happening with the Health Law, Legislation and Compliance; Litigation; and Publications and Products sections. Elaine Schembari and Judy Ringholz discuss this year's goals for the health law section and the excellent progress in achieving these goals, particularly with the success of the Nurse Practitioner guidebook. Litigation co-chairs, Sharon Bridges and Trudy Kiaunis, share the strides made in accomplishing the goal of

producing an educational DVD about deposition preparation which will be ready for its debut very soon! Publications and products co-chairs, LaTonia Wright and Nancy Brent, let us know that publication opportunities are as plentiful as described in the calls for publications from the *American Journal of Nursing*; *JONA Healthcare, Law, Ethics, and Regulation*; *Nursing Management*; *RN Magazine*; *Inside TAANA*, and *Journal of Nursing Law*. Take advantage of the chance to see your name and work in print!

This issue's educational offerings present great ideas for practice. Sharon Bridges explores the importance of a committed plan of action to advance law firm diversity. Greg Krehel teaches us about the use of software technology in litigation document management. Dani McAuliffe comments upon *Sullivan's* impact in a recent ruling in Connecticut.

Enjoy this issue and the contributions of so many TAANA members. Your comments are always welcome and you can reach me through the organization at taana@taana.org or directly at secollins@ut.edu. I appreciate your submissions for educational offerings. Please let me hear from you. Thanks!

TAANA Past Presidents

Cynthia E. Northrop*	1982-1984	M. Jeanne Trott	1997
Diane Trace Warlick	1985	Davia Solomon	1998
Katherine J. Pohlman	1986-1989	Sally N. Austin	1999
Mary Powers Antoine	1990	Andrea Gansheimer	2000
Mary Todd Cotton	1991	Diane Kjervik	2001
Karen Shedd Guarino	1992	Virginia Fleming	2002
Tonia D. Aiken	1993	Penny G. Westfall	2003
Linda M. E. Auton	1994	Joanne P. Sheehan	2004
Julie M. Bargnesi	1995	Suzan E. Ziel	2005
Diane M. Rodriguez	1996		

(* denotes deceased)



From the Executive Office

By Brad L. Feldman, MPA,
Executive Director

Celebrate 2006!

The Executive Office and leadership would like to thank all of those who attended the Annual Meeting & Educational Conference in San Francisco... what a great time! For those of you who were unfortunately unable to make it, you missed outstanding sessions, a great location, wonderful networking opportunities, and well-deserved recognition of our volunteers at our Awards Reception. And, as an extra treat many of you were able to see my very first stage production of *Romeo and Juliet* – you just had to be there. Hopefully that is a once in a lifetime show. Believe it or not, we are already starting our work on the 2007 conference for November 1-3, in Newport, Rhode Island so make sure to mark your calendar!

For 2007 we are planning on having a strategic planning session in January and will begin work accordingly to implement. As a component of this plan, we are sending an email survey to our members so that you can help us decide our continued direction for the association. Please take a moment to complete and offer your opinions. Thank you, in advance, for your input.

Since we are coming close to the end of the calendar year, I thought I would provide some highlights for

2006 so that you can see all that happened last year for TAANA –

For 2006, we had 485 members! This is an increase of 26% from 2005, which is incredible, so thank you to all of our new and renewing members. With our Get-A-Member campaign in full force, our goal is to reach 500 members and beyond for next year.

In 2006, we had several teleseminars with 80 locations participating on the calls. These were clearly successful, so look for more in 2007. We introduced a new product for 2006, the *Business & Legal Guidebook* that has sold more than 200 copies. We had several TAANA representatives present sessions at affiliated conferences and exhibit at related tradeshows. Our volunteers have written for industry trade publications and served as liaison with some of those same associations. Our referral program has been very busy this year, taking more than 1,200 referrals just this year alone! Our *Journal of Nursing Law* was published three times this year, and our electronic issue of *Inside TAANA* has been growing in substance and popularity. Finally, our 2006 Annual Meeting & Educational Conference had 40 participants attend the pre-conference sessions and 85 participants for the annual conference with three exhibitors and 13 sponsors.

Thank you to everyone who was a member of TAANA this past year and those who participated in all that we had to offer as well. You really made it a great year and have positioned us well for an outstanding 2007.



JNL Requests Manuscript Submissions

The *Journal of Nursing Law*, TAANA's official journal, seeks manuscripts on law, ethics, and policy topics of importance to nurse attorneys and others in the health and law fields. We seek original articles, case reviews, pro/con debates, ethics perspectives, or letters to the editor. If you would like to work with the editor to refine your idea for a submission, she can be reached at diane_kjervik@unc.edu. Manuscript guidelines can be found online at www.springerpub.com/journalsamples/7472-guidelines.pdf.



Law Firm Diversity: Are You Really Committed?

By Sharon F. Bridges, RN, JD

“Diversity” has become the buzzword in interviewing, client development, and networking amid attorneys and law

firms. When addressing diversity, many law firms are merely talking the talk, without walking the walk. Without a firm commitment by senior management, law firms may be creating a diversity illusion, rather than actively developing and promoting best practices within the workplace. I offer the following considerations as we continue to tackle diversity issues within our own law firms.

Commitment by Senior Management

Senior management’s commitment is crucial in achieving law firm diversity. It can be substantiated by the authorization of diversity statements, diversity task forces, and committees. Participation by non-minority attorneys on diversity committees is clearly a sign that senior management is committed. Action or inaction by senior management is likely to set the stage throughout the law firm on how the firm addresses diversity. Clearly, when senior management is involved in diversity initiatives, there is a trickling down effect, benefiting the entire firm.

Diversity Training

Diversity training and development is imperative in creating a collaborative work environment. Attorney and support staff views on diversity must be examined and clarified. Diversity practices should not only encompass race and gender, but also ethnicity, culture, religion, nationality, age, lifestyle, and physical disability. Building employee awareness will assist law firms in achieving its diversity goals.

Law firms that are committed to diversity include goals in the firm’s strategic planning and business development plan that specifically address diversity. Mentoring, professional development and retention strategies are typically included in the business development plan. As more and more corporate counsel begin to require diversity in their hiring practices involving outside counsel, law firms who refuse to address the diversity issue may be left on the side lines and not given the opportunity to enter the hiring game. Indeed, those law firms that want to maintain their competitiveness in this challenging legal market should embrace diversity.

Sharon F. Bridges is a partner in the law firm of Brunini Grantham Grower & Hewes in Jackson, MS. Ms. Bridges’ litigation practice includes medical malpractice, product liability, and commercial litigation. She serves as co-chair of the Litigation Section of The American Association of Nurse Attorneys, deputy regional director of Region V of the National Bar Association, and chair of the Diversity Committee for the Hinds County Bar Association. She is licensed to practice in Mississippi and Louisiana.





The Bell Curve Document Indexing - Imaging

By Greg Krehel

Introduction

Remember the "bell curve" from statistics class? The bell curve, so named because of its shape, illustrates the frequency distribution of many phenomena, for example, height. Measure a thousand people. For every person over 7', you'll have a mob between 5'6" and 5'10".

Let's apply the bell curve to the document collections produced during discovery. Out of every thousand cases, how many involve 1,000,000+ documents? 100,000+? 10,000? What does this distribution suggest regarding strategies for imaging and searching documents?

Giant Cases – Special Tools Required

We're all familiar with cases in which millions of documents are produced during discovery. But we've also seen individuals over 7' tall. Both instances are outliers occurring infrequently. Out of every thousand cases, only a handful has 1,000,000 or more documents.

Cases with document collections of more than 100,000 are also relatively rare. Do even a hundred cases out of every thousand involve this many documents?

Widespread use of email has dramatically increased the volume of documents present in many cases, but it hasn't turned every case into a document monster.

Dealing with 1,000,000+ documents or even 100,000+ justifies a substantial investment in scanning and coding. This type of case also demands sophisticated software tools such as Concordance, iCONNECT, IPRO, Litigator's Notebook, or Summation to assist with document indexing, image handling, and more.

So that's the story for the giant cases lurking out in one tail of the bell curve. But what about the cases that populate the rest of the curve? How many documents do these cases involve? What's an appropriate image handling and text searching solution for them?

Normal Cases -- Perfect For Adobe Acrobat

Cases with very small document collections fall at the other end of the curve. For every 1,000,000 document case, there's a case that involves a single red weld of documents. These cases with only a single folder or box of documents are probably as rare as the ones with massive quantities of documents.

Which brings us to the approximately 70 percent of all cases that fall into the center area of the bell curve. My experience suggests these cases have between 1,000 and 50,000 documents. A small number relative to a gargantuan million document case, but still a heap of paper. More documents than any trial team can memorize the details about. Certainly a document collection that should be imaged and available in a searchable form.

If your firm has one of the excellent products mentioned above, it can definitely be put to work on smaller matters as well. However, another wonderful option to consider on cases with small or mid-sized document collections is having documents scanned as PDF and using Adobe Acrobat.

There are numerous reasons Acrobat makes a great choice for a case with a normal size document population. The fact that the PDF format has become ubiquitous is a benefit in and of itself. You may already own and be comfortable with Acrobat, perhaps in connection with court-filing requirements. It's very likely expert witnesses, other law firms, and even your clients are familiar with PDF files and have either a full Acrobat license or the free Adobe Reader, making it easy to share case documents.

Why has the PDF format become the de facto standard for electronic versions of paper documents? The primary reason is that a single PDF file can contain the images of all pages of the paper document as well as the associated document text, typically captured by optical character recognition (OCR) software.

If you're new to document imaging, you may be surprised to learn that, prior to the introduction of the PDF format; the standard way to create electronic versions of paper documents was to generate a series of single-page TIFF images and a separate OCR text file. Thus, scanning a 15-page document would yield a total of 16 separate electronic files – 15 Tiffs and a text file.

When scanning first became available, the "many electronic files = 1 paper document" approach was as good as it got and certainly beat nothing at all. However, with the advent of PDF, which meant that "electronic file = paper document," it wasn't long before PDF ruled the roost.

The argument for PDF has become even stronger following Adobe's release of Acrobat 6. This important

new version of Acrobat offers numerous enhancements, including cross-PDF text searching and improved document mark-up functionality. For example, you can search a folder containing any number of PDF files and instantly locate those containing any term or phrase.

Here's a final tip for any reader who's yet to experiment with document imaging: Using Acrobat is a great way to get comfortable using electronic documents without jumping into the deep end of the pool. Don't scan every case document until you're sure it's worth the effort. Instead, identify the 100 or so most critical documents and have them scanned as PDFs and put in a folder on your network from which they can be searched. You'll be able to evaluate the benefits of using electronic versions of case documents with a minimal investment of time and expense.

When you have documents produced during discovery imaged, be sure to let the scanning vendor or your in-house support staff that does the scanning know you want the resulting PDFs to contain both images and text. If you're not clear about this requirement, you may get back PDFs that contain only images and not the associated text of the documents. PDFs that contain only images cannot be searched.

Conclusion

If you only handle cases with a gazillion documents, Adobe Acrobat isn't the right answer for image handling and text searching. However, for the vast majority of us, Acrobat is a fantastic solution for some or all cases. If you haven't put Acrobat to the test, you owe it to yourself to try it on an upcoming matter.

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About The Author

Greg Krehel is CEO of Casesoft. CaseSoft is the developer of the popular software tools CaseMap, TimeMap, DepPrep, and NoteMap. In addition to his background in software development, Mr. Krehel has more than 15 years of trial consulting experience. You can reach him via email at gkrehel@casesoft.com or telephone (904) 273-5000.

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Sullivan’s Impact: A Recent Ruling in Connecticut

A Physician is Not Qualified to Testify Regarding Nursing Standard of Care

By Dani McAuliffe, LHCM, BSN, JD

In *Markland v. Abrams*, 41 CONN. L. RPTR. No. 8, 303 (July 3, 2006), the Superior Court of Connecticut held that a physician is not qualified to provide expert testimony regarding the standard of care required of a nurse.

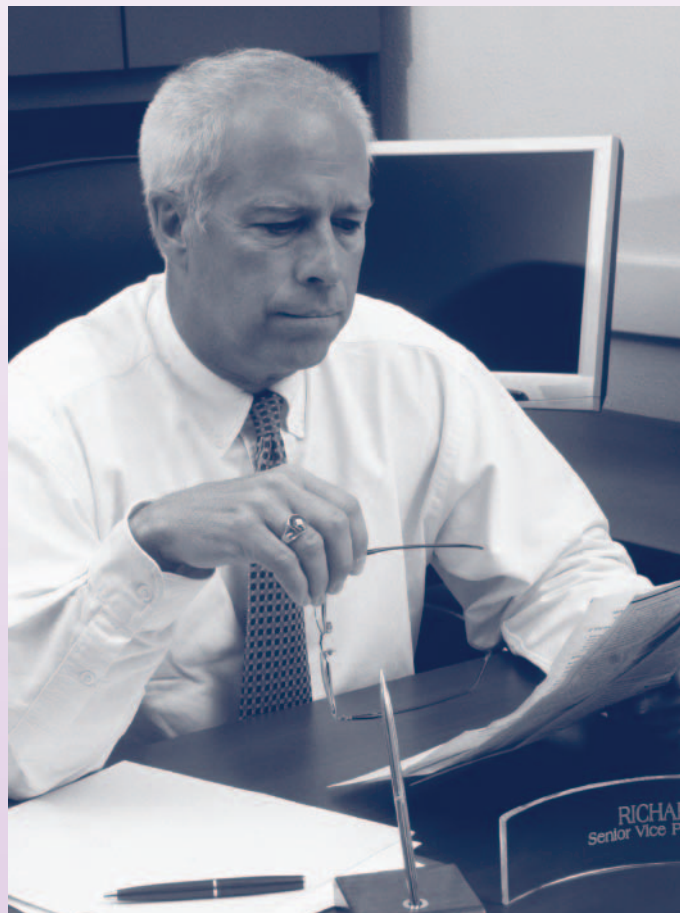
The plaintiff, James Markland, developed a post-operative deep vein thrombosis and pulmonary embolism. As a result, he brought malpractice claims against defendants, Dr. Abrams, a surgeon who is board certified in general surgery, and Bridgeport Hospital. The defendants attempted to preclude expert testimony by plaintiff’s expert witness, Dr. Thomas Godar, who is board certified in internal medicine and pulmonary medicine, on the basis that Dr. Godar is not a “similar health care provider” as defined by Connecticut Statutes.

The *Markland Court* permitted plaintiff’s expert, Dr. Godar, to testify regarding the conduct of defendant, Dr. Abrams. However, it precluded this expert from testifying regarding the standard of care for nurses at Bridgeport Hospital. The court agreed with the hospital’s arguments: Dr. Godar’s testimony did not reveal that he had extensive contact with nurses in a setting of day-to-day care of post-operative patients such as the plaintiff; Dr. Godar had not attended nursing school; he was not licensed to practice nursing; and doctors and nurses are not “similar health care providers.”

Citing several “instructive” out-of-state cases regarding the standard of care for the nursing profession, including *Sullivan v. Edward Hospital*, 209 Ill.2d 100, 806 N.E.2d 645 (2004), the *Markland Court*, 41 CONN. L. RPTR. No. 8, 308-10, noted that the common theme running through these decisions is that physicians have little first hand knowledge of nursing practices and training. The *Markland Court* added, “Physicians rarely teach nursing programs or write nursing texts. Therefore, a physician in most cases would not be familiar with the standard of care or with the nursing policies and procedures governing the standard of care for nurses.” *Id.* at 310. The court concluded, “To allow

Dr. Godar to testify as to the standard of care applicable to the nursing profession implicates the risk of the imposition of a higher standard of care and the mixing of various tenets and practices unique to each profession.”

The decision in *Markland* demonstrates the continued impact of the Amicus brief that was submitted by TAANA to the Illinois Supreme Court in the case of *Sullivan v. Edward Hospital*, supra. In *Sullivan*, TAANA argued that nurses, and only nurses, have the authority and responsibility to define the scope and practice of nursing. Therefore, only a nurse is qualified to offer expert opinion evidence as to the nursing standard of care. It remains the position of The American Association of Nurse Attorneys that the only expert competent to testify as to the standard of care for nurses is a nurse. *Markland* is an example of the positive effect that TAANA’s efforts are having on the identity of professional nursing.



TAANA Offers Publication Opportunities

By LaTonia Wright, LLC, RN, and
Nancy Brent, RN, MS, JD, Co-Chairs

LaTonia Wright and Nancy Brent, co-chairs of the Products and Publications Committee, are pleased to announce that manuscripts continue to be submitted for consideration for publication in various nursing journals, including the *American Journal of Nursing* and *JONA's Healthcare Law, Ethics and Regulation*. Manuscripts submitted are forwarded to the appropriate journal for its consideration for publication based on its respective publication process. If the manuscript is accepted for publication, the journal works directly with the member/author.

Manuscripts or proposals can be submitted to either LaTonia Wright at ldw@nursing-esquire.com or Nancy Brent at njbrent@sprynet.com.

American Journal of Nursing

Starting this year, the committee is pleased to announce TAANA will have a designated quarterly column in the *American Journal of Nursing* (AJN). Authors are needed to draft articles for future columns in 2007. Authors will receive a \$300.00 honorarium. See www.ajnonline.com for author guidelines.

JONA's Healthcare Law, Ethics, and Regulation Journal

Manuscripts are being sought by *JONA's Healthcare Law, Ethics, and Regulation* journal. Published quarterly, the journal is the only journal that focuses exclusively on legal, ethical, and regulatory issues facing nursing management. Prospective authors are asked to review the author guidelines on the journal's website at www.jonalaw.com. Inquiries or manuscripts can be addressed to LaTonia Wright at ldw@nursing-esquire.com or Nancy Brent at njbrent@sprynet.com.

Nursing Management

TAANA members are writing articles for *Nursing Management's Legal Checkpoints* column. TAANA members have been secured to write articles for the remainder of 2006, and members are needed to write articles this year for publication in 2007. www.nursingmanagement.com.

RN Magazine

RN Magazine is interested in receiving articles with a clinical and legal focus from TAANA members. See www.rnweb.com for author guidelines. *RN Magazine* also needs nurse attorneys for its Advice of Counsel column. TAANA members interested in the Advice of Counsel column should submit their CV to Nancy Brent at njbrent@sprynet.com. The CVs will then be forwarded to *RN Magazine*.



Inside TAANA Needs You!

TAANA's quarterly electronic publication, *Inside TAANA*, is seeking contributions from TAANA members to broaden the scope. Articles should be of current interest, easy to read, and can range in topic from risk management, litigation, malpractice, disciplinary defense, health law, regulatory compliance, mediation, etc. All article submissions will be reviewed and contributors will be notified as to the status of their article. Submission deadlines for each issue are noted below. All contributors receive publishing credit. If you have an article you would like to submit, or for more information, please contact the Executive Office at taana.mngeditor@taana.org, or (877) 538-2262.

Membership Committee

By Judith M. Pendergast, RN, JD

The Membership Committee has met via conference call three times in 2006. The goals for the committee include increasing membership to 450 this year, to increase the TAANA database of members and non-members, and to develop and disseminate member surveys.

Increase Membership to 450 this year

The committee reviewed the Member-Get-a-Member Campaign that was developed by the TAANA Executive Office. Members are encouraged to provide potential members' names to the Executive Office. It was promoted to the entire membership via the TAANA E-News. December ends the campaign with an announcement to be made in 2007.

Total membership was 351 in 2005. As of August 22, 2006, TAANA has 485 members.

Increase the TAANA Database

The committee members reviewed the non-renewal list of past members from the recent membership mailing. Committee members made calls to some of those on the list to encourage them to renew their membership. Chapter presidents will also make personal calls to those in their state/area.

Develop and Disseminate Member Surveys

Plans are underway to survey members and lapsed members to determine what benefits they value.

A special thanks to all of our exhibitors and sponsors for their contributions to the 2006 annual meeting and educational conference

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Rosemary McCarthy, MS, JD

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UCSF Nursing Press

Litigation Section

By Sharon F. Bridges, RN, JD, and
Trudy A. Kiaunis, RN, JD, Co-Chairs

The Litigation Section presented a teleseminar on August 29, 2006. The topic was "Prosecuting and Defending the Healthcare Professional in Medical Malpractice Cases." Sharon Bridges, nurse attorney, moderated a thorough presentation. Regina Murphy, nurse attorney, addressed the plaintiff perspective by discussing factors to consider in determining whether to sue a healthcare professional as an individual defendant, types of incidents that lead to lawsuits naming healthcare professionals, and deposing the healthcare professional. Edie Brous, nurse attorney, covered the defense perspective by speaking on strategies to avoid being named in a medical malpractice action, deposition preparation tips for the healthcare professional and protecting a professional license.

The Litigation Section project to produce a DVD on the preparation of a nurse for deposition has proceeded under the direction of section member Dani McAuliffe. With the filming in the can, editing and packaging are being undertaken with a targeted debut of the DVD at TAANA's Annual Meeting & Educational Conference this fall in San Francisco.

The Litigation Section will be meeting as usual in a breakfast session at the Annual Meeting & Educational Conference. We look forward to connecting with all Litigation Section members for networking and setting goals for the next year. If you are a Litigation Section member who will not be joining us in San Francisco, please communicate your ideas for future conference topics, teleseminar topics, section goals or other ideas to the Litigation Co-Chairs, Trudy Kiaunis at tkiaunis@koskoff.com or Sharon Bridges at sbridges@brunni.com.

Health Law, Legislation and Compliance Section

By Elaine E. Schembari and
Judy Ringholz, RN, BSN, JD, Co-Chairs

The Health Law, Legislation and Compliance Section (HLLCS) of TAANA is dedicated to pursuing issues within the realm of health care law and compliance. Membership in the section is activated when TAANA members indicate an interest in joining the section when completing their membership and renewal application forms. However, new section members are welcomed throughout the year. The section is co-chaired by Judy Ringholz and Elaine Schembari. Judy can be reached at (202) 205-5428, and Elaine can be reached at (507) 284-8752.

The section has identified three goals for 2006. These are:

1. Coordinate one or more teleseminar(s) for members.
2. Successfully market the *Business and Legal Guidebook for Nurse Practitioners*.
3. Conduct quarterly section meetings via teleconference.

Our efforts to accomplish these goals are described below:

Goal #1:

A teleseminar on physical and chemical restraints was hosted successfully on May 23, 2006. The presenters were Janet K. Feldkamp, Daniel C. Champney, Michelle R. Hackley and Sharon Smith. If you were unable to attend the seminar, an audio CD is available for purchase by downloading the order form from the TAANA website, www.taana.org, or calling the Executive Office at (877) 538-2262 for a copy of the form.

Goal #2:

We have successfully marketed 50 copies of the *Business and Legal Guidebook for Nurse Practitioners*. Poster board presentations are available for display at conferences and seminars. Anyone planning to attend a conference or seminar targeted toward the appropriate audience is asked to display a poster board to promote the sale of this guide. Contact Amy Jerdee at ajerdee@reinhardt.com, if you would like to use the poster presentation. Section members are planning to use it at several upcoming conferences. We also insert reminders into all newsletters concerning the availability of this valuable publication.

Goal #3:

Our first quarterly section conference call was July 11, 2006. The section found the strong interest in the topics, as evidenced by the active participation of the callers, to be very encouraging. We had another conference call in early October, prior to TAANA's Annual Meeting & Educational Conference. A final conference call for the year will be in December. Topics and or agenda items are welcomed and participation is encouraged.

A particular point of interest is that the section will be requesting permission to change its name from "Health Law, Legislation, and Compliance" to "Health Law and Compliance." This will eliminate the redundancy that results from the use of the words law and legislation. The name of the section will then also be more fluent.



Member Spotlight: Melvin G. Hobbs

In this “Member Spotlight,” *Inside TAANA* interviewed Melvin Hobbs, an associate attorney at Alholm, Monahan, Klauke, Hay & Oldenburg LLC. Hobbs earned an associate’s degree in 1984, passed his state boards, and then went on to complete a bachelor’s degree in nursing from Southern College in 1988. He received his master’s in nursing from the University of Tennessee in 1992, with an emphasis in administration. He subsequently graduated from DePaul University in Chicago with a law degree in 1999, thus beginning his practice.

Hobbs’ nursing education and experience was key in obtaining his initial and present position as an associate at Alholm, Monahan, Klauke, Hay & Oldenburg. As one of only two registered nurses at the firm, his nursing background combined with his master’s degree bring a perspective to the practice of law and the business of how healthcare providers in hospitals/healthcare institutes function in real life. This is often an important component of a developing case.

Having a healthcare background brings definitive advantages to an attorney, particularly in the areas of medical malpractice and healthcare licensure administrative law. “As a ‘new’ attorney, I had already compiled 15 years of varied experiences in healthcare,” Hobbs said. “Upon starting my second career I was faced with having to learn the practice and art of law, and I was fortunate to have had a very strong background in healthcare, allowing me to focus my learning efforts more specifically upon the law.”

Hobbs already knew medical terminology, hospital charting practices, reading poor handwriting, pathophysiology, and the usual customs and practices of nursing. He was already familiar with methods of working with and instructing people from a wide variety of backgrounds, many dealing with crisis. This skill transferred almost directly into the practice of law.

Working at Alholm, Monahan, Klauke, Hay & Oldenburg, helped spark his interest in licensure and disciplinary matters. “I have been involved in Administrative Law and related licensure issues since early in my practice of law,” Hobbs said. “TAANA’s Nurse Attorney Referral program has increased my caseload in these matters as a result of improved contacts with NSO and HPSO Insurance.”

The worker’s compensation defense services at Alholm, Monahan, Klauke, Hay & Oldenburg have also helped him focus his attention on the healthcare aspect of law. As a result Hobbs’ top three areas of practice are malpractice defense, Administrative/ Licensure issues, and general liability defense. His background in nursing allows for a diverse expertise in healthcare, based on practical real world experiences. “In the context of general liability, a healthcare background is not quite as useful as it is in more generally healthcare-related legal issues,” Hobbs said. “However, as is true for most attorneys with a healthcare background, my many years of experience working with a wide variety of patients and co-workers has provided a certain level of comfort in dealing with unusual people and/or situations that most new attorneys have not yet developed.”

Hobbs has had a number of mentors over the course of his career, but he said listing any one person as a mentor would be disingenuous. He has learned throughout his career from a wide variety of people who were kind enough to share their knowledge. Hobbs also said he was very lucky to have been hired into the ideal work environment where the partners themselves mentored the new associates.

This, however, does not mean that he hasn’t had frustrations during the course of his career. “The greatest frustration I’ve had in the law is the scheduling issues when working up a case,” Hobbs said. “In Nursing, the patient-focused care was planned and measured in terms of hours and days, and the administrative functions in terms of weeks or months.” Since the start of his law career Hobbs has had to come to “come to terms” with a very fluid schedule. There is still a sense of “instant gratification,” however, despite the long-term nature of the law. “I experience great satisfaction in helping respectable healthcare providers restore or retain their hard earned licensure,” Hobbs said.

Hobbs is currently the vice president of his local TAANA chapter, and enjoys the many benefits of being a member, including *Inside TAANA*, networking on state and national levels and the referral program. “Both directly through yearly national conferences, newsletters, referrals, etc. and through networking within the organization, TAANA and its local chapters provide an opportunity for professional growth for not only the nurse attorney but also for the individual nurse or individual attorney,” Hobbs said.



The American Association of Nurse Attorneys 2006 Membership Application

Telephone: (614) 221-9588
Toll Free: (877) 53TAANA
Fax: (614) 221-2335

GENERAL INFORMATION (Please print or type)

Name: _____
Employer: _____
Work Address: _____
City: _____ State: _____ ZIP: _____
Work Phone: _____ Fax*: _____
Web Address: _____

*Fax and/or e-mail will be used for member communications.

Referred By: _____

Home Address: _____

City: _____ State: _____ ZIP: _____

Home Phone: _____ Fax*: _____

Preferred Mailing Address: Home Work

Email*: _____

TYPE OF MEMBERSHIP

- \$165.00 Fellow Dues (nurse attorney)
 \$ 90.00 First Year Post Graduate Dues (dual degree professional, recent graduate)
 \$ 25.00 Student Dues (nurse in law school/lawyer in nursing school; copy of ID required)
 \$ 90.00 Affiliate Members (risk managers, physician attorneys, legal nurse consultants, government employees, speakers, and others with an interest in the goals of TAANA)

PAYMENT METHODS

- Check enclosed for **FULL AMOUNT** made payable to the TAANA.
Reminder: No checks will be accepted for partial payment unless accompanied by a credit card.
- Charge my (please circle): VISA MasterCard American Express Discover
 Charge entire amount now
 Charge my account in 2 (now & July) equal payments
 Charge my account in 4 (now, April, July & October) equal payments

If paying in installments, your card must not expire before 12/06.

Account Number _____

Name of Cardholder _____

Authorized Signature _____

Expiration Date _____

PIN/3-4 digit security code
(Located on back of card.)

Address that credit card is issued to:

Home Work Other

Other: _____

Please remit payment to:
TAANA Payment Processing Center
PO Box 71-4913
Columbus, OH 43271-4913

The American Association of Nurse Attorneys (TAANA) provides resources, education and leadership to its members and the healthcare and legal communities regarding health law and policy.

Payment of dues or other contributions to TAANA are not tax deductible as charitable contributions for income tax purposes. They may, however, be tax deductible as ordinary and necessary business expenses.

The American Association of Nurse Attorneys (TAANA) collects credit card information to make it easier for you to register for seminars and events online, as well as paying for other services. TAANA does not use or share credit card information for any other purpose. We retain such information as is needed for standard accounting record keeping requirements. Every step is taken to protect the loss, misuse, and alteration of the information under our control. If you are uncomfortable or wary, please use a check or money order to make any necessary payments. Thank you.

PLEASE COMPLETE OTHER SIDE



The American Association of Nurse Attorneys 2006 Membership Application

Telephone: (614) 221-9588
Toll Free: (877) 53TAANA
Fax: (614) 221-2335

Name: _____

ADDITIONAL INFORMATION (Please select all that apply)

Please select your current area(s) of practice. If your area of practice is not listed, please add it under "other."

- | | |
|---|--|
| <input type="checkbox"/> Administrative Law (ADL) | <input type="checkbox"/> In-house Counsel (IHC) |
| <input type="checkbox"/> Criminal Law (CRL) | <input type="checkbox"/> Mediation/ADR (MDR) |
| <input type="checkbox"/> Health Licensing | <input type="checkbox"/> Medical Malpractice – Defense (MMD) |
| <input type="checkbox"/> Disciplinary Defense | <input type="checkbox"/> Medical Malpractice – Plaintiff (MMP) |
| <input type="checkbox"/> Employment Law (EMP) | <input type="checkbox"/> Personal Injury Defense (PID) |
| <input type="checkbox"/> Faculty/Law School (TLS) | <input type="checkbox"/> Plaintiff's Personal Injury (PPI) |
| <input type="checkbox"/> Faculty/Nursing School (TNS) | <input type="checkbox"/> Probate/Trust/Estates (PTE) |
| <input type="checkbox"/> Family/Domestic Relations (FDR) | <input type="checkbox"/> In-house Compliance Officer |
| <input type="checkbox"/> General Practice (GP) | <input type="checkbox"/> Risk Management (RKM) |
| <input type="checkbox"/> Health Law/Regulatory Compliance (HLR) | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Hospital Administration (HAD) | |

Which TAANA Section(s) do you want to join?

- Education
- Health Law, Legislation, and Compliance
- Legal Nurse Consulting
- Litigation
- Students

Which TAANA Committee(s) do you want to join?

- | | |
|--|--|
| <input type="checkbox"/> Archives | <input type="checkbox"/> Membership |
| <input type="checkbox"/> Awards | <input type="checkbox"/> Publications and Products |
| <input type="checkbox"/> Chapters Presidents Council (Check if
TAANA Chapter President) | <input type="checkbox"/> Nominations and Elections |
| <input type="checkbox"/> Convention Planning | <input type="checkbox"/> NSO/Disciplinary Defense |
| <input type="checkbox"/> Electronic Communications | <input type="checkbox"/> Speakers Bureau |

Are you interested in serving as a "preferred provider" in the NSO Disciplinary Defense referral list?

- Yes No If yes, we will contact you with additional application materials.

EDUCATION

Diploma/Associate Program: AA Diploma Other

Major: _____

School: _____ Year: _____

Undergraduate Degree: BA BS BSN Other

Major: _____

School: _____ Year: _____

Graduate Degree: MA MS MSN LLM Other

Major: _____

School: _____ Year: _____

Law School Degree: JD LLB Other

School: _____ Year: _____

Bar Admissions

Please state the three most current; additional listings will be disregarded.

Bar 1: State _____ Year _____

Bar 2: State _____ Year _____

Bar 3: State _____ Year _____