

18TH ANNUAL

HEALTH LAW CONFERENCE

Earn up to 12.25 Hours of Credit Including 1.25 Hours of Ethics Credit
Specialization Credit Expected for Health Law



April 19*, 20-21, 2006
Four Seasons Hotel
Houston, Texas

*Optional Wednesday Evening Sessions

18TH ANNUAL HEALTH LAW CONFERENCE

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WEDNESDAY EVENING, APRIL 19, 2006

6:00 p.m. Registration Opens

CONCURRENT SESSIONS

*Optional – Please select session on registration form.

7:00 p.m. 2.00 hrs

Health Law Primer

This session provides an introduction to basic health law, with emphasis on fraud and abuse, managed health care, and Medicare reimbursement issues.

Marie C. Berliner, Austin
Kenneth J. Kramer, Arlington

7:00 p.m. 2.00 hrs

In-House Counsel Issues

This program will focus on current topics of practical interest to in-house health care counsel in facing the daily operational challenges including compliance with fraud and abuse laws (such as the Anti-Kickback Statute and the Stark law and related regulations), the potential impact legislative proposals may have on hospitals (such as state legislation on charity care and collections practices), lessons learned in disaster planning and business recovery in the wake of Hurricanes Katrina and Rita, union organizing and labor relations activities in Texas, corporate governance, and other current health care operational issues.

Note: Registration for this session is limited to persons who are in-house counsel.

Moderator: Michael J. Regier, Austin
Lisa Michelle Frenkel, Dallas
John W. McNey, Fort Worth

9:00 p.m. Adjourn

THURSDAY MORNING, APRIL 20, 2006

Presiding Officer: Hon. Jimmy Carroll, Temple

8:00 a.m. Registration Opens

Includes continental breakfast.

8:50 a.m. Welcoming Remarks

9:00 a.m. 1.00 hr

Liability Update

Recent case law developments and annual survey of significant cases.

Yvonne K. Puig, Austin

10:00 a.m. .75 hr

Stark II Fraud and Abuse Update

This session will include an overview of recent case law and regulatory development, as well as pronouncements and settlements relating to the federal Stark and Anti-Kickback laws.

Donna Schmerin Clark, Houston

10:45 a.m. Break

11:00 a.m. .75 hr

Physician Employment and Corporate Practice of Medicine Issues

As hospitals search for ways to survive in an increasingly competitive marketplace, physician employment is again a topic of discussion. Learn what a hospital can and can not do in the area of physician employment and why Texas continues to maintain the prohibition on the corporate practice of medicine.

Kevin A. Reed, Austin

11:45 a.m. Round Table Luncheon

Discussion groups with conference faculty and registrants. See registration form to purchase tickets and select topic.

Topic A: Joint Ventures
Topic B: Anything and Everything?
Topic C: Stark, Fraud, and Abuse Issues
Topic D: Physician Practice Issues

THURSDAY AFTERNOON

Presiding Officer: Hon. Jimmy Carroll, Temple

1:00 p.m. 1.00 hr

Physician Joint Ventures

There has been an increase in the frequency at which physician-owned surgical centers, diagnostic facilities, and hospitals are being created. Sometimes they involve hospital investors and sometimes they don't. Drawing from the authors' experiences with both newly formed and mature joint ventures, this session will discuss how successfully partnership agreements and other organizational documents can address various challenges facing the investors of these facilities.

Lawrence L. Foust, Houston
David W. Hilgers, Austin
Joseph A. Sowell III, Nashville, TN

2:00 p.m. .75 hr

Withdrawal of Care: Two Recent Cases

The panelists will address the highly-publicized concurrent cases involving the withdrawal of care from patients at Texas Children's and St. Luke's Episcopal Hospitals, and what other institutions might learn from this difficult and public experience.

Moderator: Teska J. Moreau, Houston
Lance Lightfoot, Houston
Earnest W. Wotring, Houston

2:45 p.m. Break

CONCURRENT BREAK-OUT SESSIONS

Please select track on order form.

TRACK A:

3:00 p.m. .75 hr

Current Compliance Issues for Nonprofit Providers

This session will focus on areas of current concern to the Attorney General and Internal Revenue Service including compensation, governance, and tax-exempt bond issues.

R. Todd Greenwalt, Houston
Susan K. Staricka, Austin

3:45 p.m. 1.00 hr

Hot Spots in Hospital Operations

This session will focus on current topics relevant to institutional providers. The speakers will identify recent statutory, regulatory, and judicial developments that impact hospitals and other entities in the health care industry. Practical tips will be offered to cool those hot spots that seem to erupt in the wake of natural disasters, EMTALA investigations, peer review interactions, and situations related to outcome data utilization.

Mary M. Bearden, Amarillo
J. Richard Cheney, Houston

TRACK B:

3:00 p.m. 1.00 hr

Managed Care Panel

The panelists will provide an overview of the Medicare Modernization Act with regard to Medicare coordinated care, provision of prescription drug coverage, relevant Medicare pilots as they relate to future Medicare payment issues, the establishment of health savings accounts, and the practical issues surrounding HSA's in commercial and governmental programs. They will address these issues as they impact employers, providers, and consumers.

Denise Webb Glass, Dallas
Ken Janda, Houston
Heidi Margulis, Louisville, KY

4:00 p.m. .75 hr

Financial Incentive and Performance Assessments to Motivate Providers

This session will discuss recent new programs and incentives to reward efficiency and quality among providers of health care services, including pay for performance and transparency in pricing and performance assessments.

Michael L. Ile, Edina, MN

**CONCURRENT BREAK-OUT SESSIONS END
RETURN TO GENERAL SESSION**

4:45 p.m. .75 hr

Avoiding Labor Pains

How to insulate the company from employment law claims and how to strengthen the company's defenses if a lawsuit is inevitable.

Connie L. Cornell, Austin

5:30 p.m. Adjourn

FRIDAY MORNING, APRIL 21, 2006

Presiding Officer: Jerry A. Bell, Jr., Houston

8:00 a.m. Conference Room Opens

Includes continental breakfast.

9:00 a.m. 1.25 hr ethics

**Legal Ethics and Professional Responsibility
in Handling Health Care Transactions**

How do you represent health care clients with serious regulatory issues while maintaining your professional integrity? What is your duty to investigate your clients? What special concerns arise for publicly traded companies and not-for-profits? This session explores these issues, with particular emphasis on the health care sector.

Philip L. Pomerance, Chicago, IL

**FRAUD AND NATIONAL ENFORCEMENT
EFFORTS**

10:15 a.m. .75 hr

**Developments in Parallel Civil and
Criminal Enforcement in the Health Care
Sector**

This session will focus on the law, procedures and developments governing parallel civil and criminal enforcement of the federal fraud and abuse laws. Issues addressed by the panelists will include the interplay of civil and criminal enforcement, information sharing between enforcement agencies and the U.S. Department of Justice, timing of parallel proceedings, and other strategic enforcement concerns.

Civil Perspective: James G. Sheehan,
Philadelphia, PA

Criminal Perspective: Camilla "Cam" Jones,
Memphis, TN

11:00 a.m. Break

11:15 a.m. 1.50 hr

National Enforcement Initiatives

A leading federal prosecutor highlights the direction and focus of national enforcement efforts.

James G. Sheehan, Philadelphia, PA

12:45 p.m. Adjourn

REGISTRATION FOR HL06

Mail this registration form to:

The University of Texas School of Law, Attn. HL06
P.O. Box 7759, Austin, TX 78713-7759

or fax a copy to: (512) 475-6876

PLEASE PRINT CLEARLY

Bar Card# _____ ☐ State: _____ ☐ N/A

Name [Mr. / Ms.] _____

Firm _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Email Address _____

Assistant's Email (optional) _____

Invoices, confirmations and receipts are emailed to these addresses.

REGISTRATION - Includes Course Binder

☐ Early Registration Fee due by Wed. April 12, 2006..... \$450.00

☐ Registration Fee after Wed. April 12, 2006 \$500.00

Optional Wednesday Evening Session (Select a Topic Below): \$75.00

☐ Health Law Primer

☐ In-House Counsel Issues (limited to in-house counsel)

Optional Thursday Round Table Luncheon (Select a Topic Below): \$25.00

☐ Topic A: Joint Ventures

☐ Topic C: Stark/Fraud & Abuse Issues

☐ Topic B: Anything and Everything?

☐ Topic D: Physician Practice Issues

Concurrent Break-Out Sessions, Thursday Afternoon (Select a Track Below):

☐ Track A

☐ Track B

CONFERENCE PUBLICATIONS AND MEDIA

Allow 2-4 weeks from conference date for delivery.

☐ Course Binder \$200.00

Note: Conference registration includes Course Binder.

☐ Audio CD Set \$175.00

☐ eBinder on CD (PDF format) \$200.00/\$50.00

(\$200 purchased alone, \$50 with registration or purchase of Course Binder or Audio CD Set)

In-House CLE: Bring the conference in-house and learn at your convenience.

Allow 2-4 weeks from conference date for delivery.

☐ In-House CLE includes Audio CD Set and Course Binder \$750.00

_____ Add participants (includes Course Binder) for \$200 each \$ _____

METHOD OF PAYMENT

TOTAL ENCLOSED \$ _____

☐ Check (make checks payable to: **The University of Texas at Austin**)

☐ VISA or ☐ Mastercard (sorry, no AMEX or Discover)

Card # - - -

X _____

Authorized Signature

/

Exp. Date (mm/yy)

HOUSTON

April 19*, 20-21, 2006
CONFERENCE LOCATION



Four Seasons Hotel

1300 Lamar
 Houston, TX 77010
 (713) 652-6266

SPECIAL RATE \$180

(subject to availability)
 good through March 28, 2006

Parking:

Valet only: \$12 day/\$25 overnight

KEY DATES

Registration & Cancellation

April 12, 2006-5 p.m.

last day for early registration
 add \$50 for registrations
 received after this time

April 14, 2006-5 p.m.

last day for full refund

April 17, 2006-5 p.m.

last day for partial refunds
 \$50 processing fee applied

*April 19, 2006-7 p.m.
optional Wed. evening primer begins

April 20, 2006-9 a.m.
conference begins

MCLE

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 12.25 hours, of which 1.25 credit hour will apply to legal ethics/professional responsibility credit.

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"Texas Field in Spring," oil on canvas, 24" x 24", is by Laurel Daniel. For more information, contact the Davis Gallery at 512-477-4929 or visit www.davisgalleryaustin.com

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 THE UNIVERSITY OF TEXAS SCHOOL OF LAW
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