

19TH ANNUAL

HEALTH LAW CONFERENCE

Earn up to 12.50 Hours of Credit Including 1.25 Hours of Ethics Credit
Specialization Credit Expected for Health Law



April 11*, 12-13, 2007
Four Seasons Hotel • Houston, Texas

*Optional Wednesday Evening Sessions

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WEDNESDAY EVENING, APRIL 11, 2007

6:00 p.m. Registration Opens

CONCURRENT SESSIONS

*Optional: Please select session on registration form.

7:00 p.m. 2.00 hr

Health Law Primer

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

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

7:00 p.m. 2.00 hr

In-House Counsel Issues

This session is designed for in-house counsel only. We will cover a number of topics of interest to in-house health lawyers, including hot issues in the legislative session, current compliance issues, ongoing operations issues (including patient safety and the ever-popular "transparency"), and other topics of current interest to in-house practitioners.

Moderator: Michael J. Regier, Austin, TX
Amy Branaman, Dallas, TX
Rosemaria Levinsky, Abilene, TX

9:00 p.m. Adjourn

THURSDAY MORNING, APRIL 12, 2007

**Presiding Officer: Hon. Jimmy Carroll,
Temple, TX**

8:00 a.m. Registration Opens

Includes continental breakfast.

8:50 a.m. Welcoming Remarks

9:00 a.m. .75 hr

Liability Case Law Update

Recent case law developments and annual survey of significant cases.

Yvonne K. Puig, Austin, TX

9:45 a.m. .50 hr

Fraud Abuse Stark Update

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

Donna S. Clark, Houston, TX

10:15 a.m. Break

10:30 a.m. .75 hr

Practical Approaches and Solutions to Current Compliance Issues

An interactive discussion among a panel of experienced compliance officers, addressing: responding to a major PHI breach; promoting reports of questionable practices; and what to do when a government agent knocks at the door.

Moderator: Gary W. Eiland, Houston, TX
Julian De La Rosa, Dallas, TX
Carolee King Lyons, Houston, TX
Connie J. Wallace, Houston, TX

11:15 a.m. .75 hr

Fear and Loathing on the Colorado and Potomac—Legislative Initiatives in Austin and D.C.

The panelists will attempt to explain the studied indifference, intransigence, and gridlock that has typically characterized healthcare policy in both venues, and make their best, informed guesses as to the final disposition on pending health care matters in 2007. Topics will range from "converting dollars from doughnut holes and other windfalls in Medicare Part D" to "why legislators fix the Medicaid hole by blaming the patient."

Susan Feigin Harris, Houston, TX
Kimble Ross, Austin, TX

12:00 p.m. Round Table Luncheon

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

Business Issues for Physicians

Topic A: Joint Venture Trends: Hospital Issues

Topic B: Joint Venture Trends: Physician Issues

Topic C: Compliance Issues: Audit, Internal Investigation, and Self-Disclosure

Topic D: Physician Recruitment Issues

Topic E: Issues in Buying Physician Practices

THURSDAY AFTERNOON

**Presiding Officer: Hon. Jimmy Carroll,
Temple, TX**

1:15 p.m. .75 hr

The Definitive Guide to Litigating and Drafting Noncompete Agreements in the Healthcare Industry

The presenters will discuss the critical issues involved in drafting agreements containing enforceable restrictive covenants, identify some of the frequent errors made in drafting such provisions, and summarize the

relevant issues in litigating agreements containing restrictive covenants.

Kimberley Elting, Plano, TX
Scott R. McLaughlin, Houston, TX

2:00 p.m. Break

CONCURRENT BREAK-OUT SESSIONS

Please select track on order form.

TRACK A:

2:15 p.m. 1.00 hr

Buying and Selling Medical Practices

Practice acquisitions are poised for another cycle of activity, both in Texas and around the U.S. This nuts-and-bolts course will take buyers and sellers from due diligence through negotiations, the purchase contract, and conclude with the closing. Forms and checklists will be provided with regulatory annotations to corporate practice of medicine, Stark, Anti-Kickback and other health care regulatory concerns.

Lawrence L. Foust, San Francisco, CA
Kevin A. Reed, Austin, TX

3:15 p.m. 1.00 hr

Joint Ventures: Hospitals and Surgery Centers

A discussion of the expanding options for physician joint ventures with hospitals and other providers including cost-sharing ventures, underarrangements as well as full service hospitals and ambulatory surgical surgery centers.

David W. Hilgers, Austin, TX
Joseph A. Sowell, III, Nashville, TN

4:15 p.m. .50 hr

Antitrust Currents Over the Past Year

This session will review healthcare antitrust cases and agency initiatives which have occurred over the past year and speculate on developments to occur in the near future.

Gregory S.C. Huffman, Dallas, TX

TRACK B:

2:15 p.m. 1.00 hr

Managed Care Update: The Good, the Bad and the Ugly

Panelists representing the insurance industry, hospitals, and physicians will discuss the major challenges and opportunities facing the major constituent groups: employers, government, payors, providers, and patients.

Gerald Connor, Dallas, TX
Sheryl T. Dacso, Houston, TX
William D. Darling, Austin, TX

3:15 p.m. 1.00 hr

Under the Microscope: Identifying Solutions to Credentialing and Peer Review Challenges

Complex hypothetical situations will be addressed in an interactive panel discussion. Issues will include the impact of *Poliner*, the use of economic credentialing, the fate of the peer review privilege, and much, much more.

Moderator: Mary M. Bearden, Amarillo, TX
Frankie S. Louis, Houston, TX
Kathy L. Poppitt, Austin, TX
Michael R. Sharp, Austin, TX

4:15 p.m. .50 hr

Nonprofit Tax and Governance Issues

This session will feature a review of current governance and compliance issues facing nonprofit health care providers.

R. Todd Greenwalt, Houston, TX

Concurrent Break-Out Sessions End

Return to General Session

4:45 p.m. .75 hr

Employment and Union Issues

Unions on the horizon in Texas healthcare? Recent news from the front, NLRA basics, and a wrap-up of other employment law developments.

Brian Greig, Austin, TX

5:30 p.m. Adjourn to Reception

Thank you to our sponsors—see front cover.

FRIDAY MORNING, APRIL 13, 2007

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

8:00 a.m. Registration Opens

Includes continental breakfast.

8:30 a.m. 1.25 hr including 1.25 hr ethics

Legal Ethics: From the Practical to the Sublime

This session will involve two presentations, one a case study of the ethical issues and lessons learned from a business situation gone bad, the other a participatory discussion of the theoretical issues involved in the teaching and practice of legal ethics.

Daniel J. Hayes, Houston, TX
E. Peter Urbanowicz, Dallas, TX

9:45 a.m. 1.00 hr

United States v. Tenet and Alvarado Hospital: Criminal Enforcement of the Anti-Kickback Statute and the Future of Relocation Agreements

This presentation will provide background regarding the government's criminal prosecution of Alvarado

Hospital in San Diego for its relocation agreements and its impact on relocation agreements, other physician arrangements, and criminal enforcement of the Anti-Kickback Statute.

Manny Abascal, Los Angeles, CA
David Schindler, Los Angeles, CA

10:45 a.m. Break

11:00 a.m. 1.50 hr

Government Enforcement Practice and Initiatives in the Health Care Sector

New initiatives in enforcement and waves of change.

Brian Flood, Austin
James G. Sheehan, Philadelphia, PA

12:30 p.m. Adjourn

REGISTRATION FOR HL07

Mail this registration form to:

The University of Texas School of Law, Attn. HL07
P.O. Box 7759, Austin, TX 78713-7759 or fax a copy to: (512) 475-6876

PLEASE PRINT CLEARLY

Bar Card# _____ ☐ State: _____ ☐ N/A

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REGISTRATION – Includes Course Binder

☐ Early Registration Fee due by Wed. April 4, 2007..... \$475.00

☐ Registration Fee after Wed. April 4, 2007 \$525.00

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

☐ Health Law Primer ☐ In-House Counsel Issues

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

☐ Topic A: Joint Venture Trends: Hospital Issues

☐ Topic B: Joint Venture Trends: Physician Issues

☐ Topic C: Compliance Issues: Audit, Internal Investigation, and Self-Disclosure

☐ Topic D: Physician Recruitment Issues

☐ Topic E: Issues in Buying Physician Practices

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)

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HOUSTON

April 11*, 12-13, 2007

CONFERENCE LOCATION



Four Seasons Hotel

1300 Lamar
Houston, TX 77010
713-650-1300

SPECIAL RATE \$195

(subject to availability)
good through March 21, 2007

Parking: Valet only—\$13 day
\$26 overnight (subject to change)

KEY DATES

Registration & Cancellation

April 4, 2007-5 p.m.

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

April 6, 2007-5 p.m.

last day for full refund

April 9, 2007-5 p.m.

last day for partial refunds
\$50 processing fee applied

*April 11, 2007-6 p.m.
optional Wed. evening sessions begin

April 12, 2007-9 a.m.
conference begins

M
C
L
E

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 12.50 hours, of which 1.25 credit hour will apply to legal ethics/professional responsibility credit.

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"Sunflowers," pastel on paper,
11"x15", is by Lizanne Geneser Thate.
For more information, visit
www.lizannegeneserthate.com

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