

19th Annual Health Law Conference
April 11*, 12-13, 2007 • Four Seasons Hotel • Houston, TX

Wednesday Evening, Apr. 11, 2007

6:00 pm	Registration opens
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Health Law Primer	
7:00 pm 2.00 hrs	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, Lambeth & Berliner PLLC - Austin, TX Kenneth J. Kramer, Texas Health Resources - Arlington, TX
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In-House Counsel Issues	
7:00 pm 2.00 hrs	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, VHA Inc. - Irving, TX Amy Branaman, Tenet - Dallas, TX Rosemaria Levinsky, Hendrick Medical Center - Abilene, TX
9:00 pm	Adjourn Adjourn

Thursday Morning, Apr. 12, 2007

Presiding Officer:

Jimmy Carroll, Scott & White Clinic - Temple, TX

8:00 am	Registration opens
8:50 am	Welcoming Remarks Welcoming Remarks

9:00 am 0.75 hr	Liability Case Law Update Recent case law developments and annual survey of significant cases. Yvonne K. Puig, Fulbright & Jaworski L.L.P. - Austin, TX
9:45 am 0.50 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 Schmerin Clark, Baker & Hostetler LLP - Houston, TX
10:15 am	Break Break
10:30 am 0.75 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. Derek Houghs Kang, Texas Children's - Houston, TX Moderator: Gary W. Eiland, King & Spalding - Houston, TX Carolee A. King, University of Texas Medical Branch - Galveston, TX Connie J. Wallace, The Methodist Hospital - Houston, TX
11:15 am 0.75 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, Baker & Hostetler LLP - Houston, TX Kimble Ross, Kimble Public Affairs - Austin, TX

Thursday Afternoon, Apr. 12, 2007

Presiding Officer:

Jimmy Carroll, Scott & White Clinic - Temple, TX

Joint Venture Trends: Hospital Issues

12:00 pm 1.00 hr	Topic A: Joint Venture Trends: Hospital Issues
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Track A

2:15 pm
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, Los Angeles, CA
Kevin A. Reed, Davis & Wilkerson, P.C. - Austin, TX

3:15 pm
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, Brown McCarroll, L.L.P. - Austin, TX
Joseph A. Sowell III, Waller Lansden Dortch & Davis, PLLC - Nashville, TN

4:15 pm
0.50 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, Thompson & Knight LLP - Dallas, TX

Joint Venture Trends: Physician Issues

12:00 pm
1.00 hr

Topic B: Joint Venture Trends: Physician Issues

12:00 pm

Round Table Luncheon

Round Table Luncheon

Track B

2:15 pm
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 W. Connor, Aetna - Dallas, TX
Sheryl T. Dacso, Brown McCarroll, L.L.P. - Houston, TX
William D. Darling, Strasburger & Price, LLP - Austin, TX

3:15 pm 1.00 hr	<p>Under the Microscope: Identifying Solutions to Credentialing and Peer Review Challenges</p> <p>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.</p> <p>Moderator: Mary M. Bearden, Brown & Fortunato, P.C. - Amarillo, TX Frankie S. Louis, Texas Children's Hospital - Houston, TX Kathy L. Poppitt, Thompson & Knight LLP - Austin, TX Michael R. Sharp, Sharp & Cobos - Austin, TX</p>
4:15 pm 0.50 hr	<p>Nonprofit Tax and Governance Issues</p> <p>This session will feature a review of current governance and compliance issues facing nonprofit health care providers.</p> <p>R. Todd Greenwalt, Vinson & Elkins L.L.P. - Houston, TX</p>
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Compliance Issues: Audit, Internal Investigation, and Self-Disclosure	
12:00 pm 1.00 hr	Topic C: Compliance Issues: Audit, Internal Investigation, and Self-Disclosure
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Physician Recruitment Issues	
12:00 pm 1.00 hr	Topic D: Physician Recruitment Issues
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Issues in Buying Physician Practices	
12:00 pm 1.00 hr	Topic E: Issues in Buying Physician Practices
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1:15 pm 0.75 hr	<p>The Definitive Guide to Litigating and Drafting Noncompete Agreements in the Healthcare Industry</p> <p>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.</p> <p>Kimberley A. Elting, Advanced Neuromodulation Systems - Plano, TX Scott Robert McLaughlin, Jackson Walker - Houston, TX</p>
2:00 pm	<p>Break</p> <p>Break</p>

4:45 pm 0.75 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 S. Greig, Fulbright & Jaworski L.L.P. - Austin, TX
5:30 pm	Adjourn to Reception Adjourn to Reception

Friday Morning, Apr. 13, 2007

Presiding Officer:

Jerry A. Bell Jr., Fulbright & Jaworski L.L.P. - Houston, TX

8:00 am	Registration opens
8:30 am 1.25 hrs 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, Jackson Walker L.L.P. - Houston, TX E. Peter Urbanowicz Jr., Tenet Healthcare Corporation - Dallas, TX
9:45 am 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. Manuel Antonio Abascal, Latham & Watkins - Los Angeles, CA David Schindler, Latham & Watkins - Los Angeles, CA
10:45 am	Break Break
11:00 am 1.50 hrs	Government Enforcement Practice and Initiatives in the Health Care Sector New initiatives in enforcement and waves of change. Brian G. Flood, KPMG LLP - Austin, TX James G. Sheehan, Office of the Medicaid Inspector General - Albany, NY

Friday Afternoon, Apr. 13, 2007

12:30 pm

Adjourn

Adjourn
