

20TH ANNUAL HEALTH LAW CONFERENCE

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Specialization Credit Expected for Health Law



March 26*, 27 - 28, 2008
Four Seasons Hotel • Houston, Texas

*Optional Wednesday Evening Sessions

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WEDNESDAY EVENING, MARCH 26, 2008	THURSDAY MORNING, MARCH 27, 2008	THURSDAY AFTERNOON
<p>6:00 p.m. Registration Opens</p> <p>Concurrent Sessions</p> <p>*Optional: Additional fee. Please select session on registration form.</p> <p>7:00 p.m. 2.00 hrs</p> <p>Health Law Primer</p> <p>This session provides an introduction to basic health law, with emphasis on fraud abuse, managed health care, and Medicare reimbursement issues.</p> <p>Marie C. Berliner, Austin, TX Kenneth J. Kramer, Arlington, TX</p> <p>7:00 p.m. 2.00 hrs</p> <p>In-House Counsel Issues</p> <p>This session is designed for in-house counsel only. Topics will include current operational issues (such as quality of care and its impact on reimbursement, reporting to state regulatory and other bodies, and credentialing issues) and issues that may arise during the coming 2009 legislative session, such as potential amendments to the Texas Advance Directives Act.</p> <p>Moderator: Michael J. Regier, Austin, TX Cynthia Duggins, Austin, TX Lance Lightfoot, Houston, TX</p> <p>7:00 p.m. 2.00 hrs including 1.00 hr ethics</p> <p>Legal Liabilities and Ethical Issues for Compliance Officers</p> <p>This session is restricted for hospital compliance officers only; it will cover topics and issues of interest to compliance officers including ethical concerns, reporting responsibilities, and legal liability issues faced by compliance officers. A panel of compliance officers will explore practices in dealing with these matters.</p> <p>Moderator: Connie J. Wallace, Houston, TX Audrey Andrews, Dallas, TX Brian Beard, Tomball, TX</p> <p>9:00 p.m. Adjourn</p>	<p>Presiding Officer: Hon. Jimmy Carroll, Temple, TX</p> <p>8:00 a.m. Registration Opens</p> <p>Includes continental breakfast.</p> <p>8:50 a.m. Welcoming Remarks</p> <p>Jerry A. Bell Jr., Austin, TX</p> <p>9:00 a.m. 1.25 hrs</p> <p>Year-In-Review</p> <p>This session will provide an overview of important health care developments in the past year. Policy changes, politics, and health care environment will be addressed.</p> <p>Jack S. Schroder Jr., Atlanta, GA</p> <p>10:15 a.m. Break</p> <p>10:30 a.m. 1.00 hr</p> <p>Quality in Today's Healthcare</p> <p>Both the private sector and government regulators are providing incentives to health-care providers to increase their quality of care. The preliminary results are in: it's working. The panelists will discuss market and government forces leading this charge, as well as highlight regulatory risks for providers trying to keep up with this important and emerging trend.</p> <p>Dr. Steven M. Berkowitz, Austin, TX Jeff Layne, Austin, TX</p> <p>11:30 a.m. .50 hr</p> <p>Hospital Physician Relationships</p> <p>This presentation will address current legal issues affecting relationships between hospitals and physicians. Some of the topics that will be addressed include physician-owned specialty hospitals and physician/hospital joint ventures, current trends in the Texas prohibition on the corporate practice of medicine, and an update on the status of the Stark Law whole hospital exception.</p> <p>Lisa A. Genecov, Dallas, TX</p>	<p>Presiding Officer: Hon. Jimmy Carroll, Temple, TX</p> <p>12:15 p.m. Luncheon Break-Out Sessions</p> <p>Discussion groups with conference faculty and registrants. See registration form to purchase tickets and select topic.</p> <p>Topic Titles</p> <p>Topic A: Stark III and Other Regulatory Developments Topic B: The State of the Physician Practice Topic C: Compliance Issues Topic D: Current Healthcare Transactions</p> <p>1:15 p.m. Break</p> <p>Concurrent Break-Out Sessions</p> <p>Please select track on order form.</p> <p>TRACK A: PHYSICIAN ISSUES</p> <p>1:30 p.m. .75 hr</p> <p>What Can Doctors Do?</p> <p>In today's healthcare industry, physicians must consider alternatives to simply practicing medicine. This session will explore options available to physicians to expand their income and their practices, including mergers with other physician practices. The limitations on alternative practice options will also be examined.</p> <p>David W. Hilgers, Austin, TX Debbi M. Johnstone, Houston, TX</p> <p>2:15 p.m. .75 hr</p> <p>Managed Care...Will We Ever Figure It Out?</p> <p>This session will touch upon common issues present in the managed care marketplace. The panel is composed of provider and health plan representatives and will include a lively discussion of issues, such as:</p> <p>1) "Usual and Customary"—your best friend or your worst enemy, how payors determine out-of-network rates and what motivates providers to be in-or out-of-network;</p>

- 2) Physician profiling, how data is used to determine participation in specific "select" networks;
 - 3) Provider collection strategies for out-of-network services;
 - 4) Current confusion regarding carrier products and consolidation among networks.
- Moderator: Susan Feigin Harris, Houston, TX
 Becky Korenek, Seabrook, TX
 Shara McClure, Houston, TX

3:00 p.m. .75 hr

Representing Doctors before Disciplinary Boards

The representation of a physician whose license has been referred to the Medical Board can be a highly complicated, and frustrating experience for both the physician and the attorney. This session will discuss the referral and disciplinary process within the Medical Board and provide insight and guidance regarding what attorneys need to know to maximize the likelihood of success in this arena.

William E. Hopkins, Austin, TX
 Michael R. Sharp, Austin, TX

3:45 p.m. .50 hr

HIPAA Security Update—Reasons Not to Neglect the "Other" HIPAA Rule

This session will focus on the federal government's recent announcements regarding increased scrutiny of HIPAA security rule compliance and provide advice for preparing for the increased security.

Cyndi Bailly, Houston, TX

Concurrent Break-Out Session Ends Return to General Session

TRACK B: HOSPITAL ISSUES

1:30 p.m. 1.00 hr

Operational Potpourri

Recent developments on the operational front will be addressed, including credentialing and peer review, EMTALA, licensing, the impact of Joint Commission Standard 1.20, and health-care blogs.

Mary M. Bearden, Amarillo, TX
 Kevin A. Reed, Austin, TX

2:30 p.m. .50 hr

The New Orleans Experience

Applying the lessons learned from the New Orleans experience to today's operations, including the new emerging standard of care in emergency situations.

Conrad Meyer, New Orleans, LA
 Kimberly Ryan, New Orleans, LA

3:00 p.m. .75 hr

Trends in Transactions: Joint Ventures, Mergers, and Hospital/Physician Arrangements

The panelists will review the latest trends in healthcare transactions and will discuss the various financial and legal factors that motivate providers to make the transaction choices that they do.

Mark Easterly, Houston, TX
 Allyson Kinzel, Houston, TX
 Randall J. Zarin, Houston, TX

3:45 p.m. .50 hr

Non-Profit Tax Issues

This session will highlight current tax issues affecting non-profit healthcare providers, including compensation, governance, and the current state of the community benefit standard.

R. Todd Greenwalt, Houston, TX

Concurrent Break-Out Session Ends Return to General Session

4:15 p.m. 1.00 hr

Stark III Fraud Update

Stark III brought clarifications and concerns to the healthcare industry. The impact of Stark III will be addressed in this session.

Sanford V. Teplitzky, Baltimore, MD

5:15 p.m. Adjourn to Sponsored Reception

FRIDAY MORNING, MARCH 28, 2008

Presiding Officer: Yvonne K. Puig, Austin, TX

8:00 a.m. Registration Opens

Includes continental breakfast.

8:30 a.m. 1.00 hr

Universal Healthcare: A Look Ahead to Federal and State Initiatives

A discussion of what is on the horizon for expanded and universal healthcare at the Federal and State level, with select commentary on the politics and economics of various approaches.

Jonathan K. Henderson, Fort Worth, TX
 William M. Sage, Austin, TX

9:30 a.m. .50 hr

Competition in Healthcare

Antitrust and economic issues when physician-owned hospitals compete with traditional community-care hospitals.

William R. Pakalka, Houston, TX

10:00 a.m. Break

10:15 a.m. 1.00 hr ethics

Target-at-Law: Legal Ethics When the Lawyer Is under Investigation

When a lawyer's client is under investigation, the lawyer may well come under scrutiny, too. Using real-life examples, this session will explore key red flags and danger zones for lawyers; professional obligations to the client when the lawyer is under investigation; the potential conflict between effective representation and self-protection; and ethical considerations for lawyers functioning in non-lawyer roles.

William W. Horton, Birmingham, AL

11:15 a.m. .75 hr including .25 hr ethics

Federal and State Enforcement Actions

Leading DOJ attorneys review recent fraud, abuse, and FCA settlements and decisions and highlight the direction and focus of national and local healthcare industry enforcement initiatives.

Moderator: Gary W. Eiland, Houston, TX
 Andrew A. Bobb, Houston, TX
 Michael K. Loucks, Boston, MA

12:00 p.m. 1.00 hr including .25 hr ethics

Effective Strategies for Handling Criminal and Civil Enforcement Action

Experienced prosecutors and defense counsel will present and discuss criminal and civil investigative techniques and offer advice and insights concerning effective (and not so effective) strategies for defending companies under investigation.

David L. Douglass, Washington, DC
 Michael K. Loucks, Boston, MA
 Wendy L. Weiss, Los Angeles, CA

1:00 p.m. Adjourn

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Course Binder

The Health Law Conference generates the year's definitive set of resource materials. Don't miss papers on current developments, compliance issues, and effective strategies for handling investigations. The binder also includes a comprehensive primer and glossary, plus topics of interest for in-house counsel and compliance officers.

Audio CD Set

The Health Law Conference presentations are available on CD. Listen to the entire conference or individual sessions at your convenience.

eBinder on CD

Get the entire conference binder on CD, in electronic PDF format. Only \$50 if added to a registration or purchase of Course Binder or Audio CD Set. \$200 purchased alone.

In-House CLE

Would your firm like to run an in-house version of this conference, with full participatory credit? Order In-House CLE and we'll also provide an Audio CD Set for the group and a Course Binder for each participant.



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Online registration available at www.utcle.org

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REGISTRATION – Includes Course Binder

- ☐ Early Registration Fee due by Wed. March 19, 2008..... \$495.00
☐ Registration Fee after Wed. March 19, 2008 \$545.00

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

- ☐ Health Law Primer ☐ In-House Counsel Issues
☐ Legal Liabilities and Ethical Issues for Compliance Officers

Optional Thursday Luncheon Break-Out Sessions (Select a Topic Below):\$25.00

- ☐ Topic A: Stark III and Other Regulatory Developments
☐ Topic B: The State of the Physician Practice
☐ Topic C: Compliance Issues
☐ Topic D: Current Healthcare Transactions

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

- ☐ Track A: Physician Issues ☐ Track B: Hospital Issues

CONFERENCE PUBLICATIONS AND MEDIA

Allow 2-4 weeks from the conference date for delivery.

- ☐ Course Binder *Without* Conference Registration \$200.00
Note: Conference registration includes Course Binder.
☐ Audio CD Set \$175.00
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METHOD OF PAYMENT

TOTAL ENCLOSED \$ _____

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HOUSTON

March 26*, 27-28, 2008



CONFERENCE LOCATION

Four Seasons Hotel

1300 Lamar Street
Houston, TX 77056
713-650-1300

SPECIAL ROOM RATE \$215

good through March 5, 2008
(subject to availability)

Parking: Valet only--\$13 day;
\$27 overnight (subject to change)

KEY DATES

Registration & Cancellation

March 19, 2008—5 p.m.

last day for early registration
additional fee for registrations
received after this time

March 21, 2008—5 p.m.

last day for full refund

March 24, 2008—5 p.m.

last day for partial refunds
\$50 processing fee applied

March 26, 2008—7 p.m.

optional Wed. evening sessions begin

March 27, 2008—9 a.m.

conference begins

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This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 12.75 hours, of which 2.50 credit hours will apply to legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944).

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