

2008 Health Law Conference
March 26*, 27-28, 2008 • Four Seasons Hotel • Houston, TX

Wednesday Evening, Mar. 26, 2008

6:00 pm

Registration Opens

Concurrent Sessions

*Optional: Please select session on registration form.

Health Law Primer

7:00 pm
2.00 hrs

Health Law Primer

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

Marie Christine Berliner, Lambeth & Berliner - Austin, TX

Kenneth J. Kramer, Texas Health Resources - Arlington, TX

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 lawyers. These 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.

Cynthia Duggins, St. David's Medical Center - Austin, TX

Lance Lightfoot, Texas Children's Hospital - Houston, TX

Moderator:

Michael J. Regier, VHA Inc. - Irving, TX

Legal Liabilities and Ethical Issues for Compliance Officers

7:00 pm
2.00 hrs
1.00 hr ethics

Legal Liabilities and Ethical Issues for Compliance Officers

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.

Audrey T. Andrews, Tenet Health System - Dallas

Moderator:

Connie J. Wallace, The Methodist Hospital - Houston, TX

Brian Beard, Tomball Regional Hospital - Tomball, TX

Adjourn

Thursday Morning, Mar. 27, 2008

Presiding Officer:

Hon. Jimmy Carroll, Scott & White Clinic - Temple, TX

8:00 am	Registration Opens Includes continental breakfast.
9:00 am 1.25 hrs	Year-In-Review 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. Jack S. Schroder Jr., Big Canoe, GA
10:15 am	Break
10:30 am 1.00 hr	Quality in Today's Health Care 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. Steven M. Berkowitz, St. David's HealthCare - Austin, TX Jeff Layne, Fulbright & Jaworski L.L.P. - Austin, TX
11:30 am 0.50 hr	Hospital Physician Relationships 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. Lisa A. Genecov, Locke Lord Bissell & Liddell - Dallas, TX

Thursday Afternoon, Mar. 27, 2008

Presiding Officer:

Hon. Jimmy Carroll, Scott & White Clinic - Temple, TX

	Concurrent Session Luncheon Break-out Sessions Discussion groups with conference faculty and registrants. See registration form to purchase tickets and select topic.
Topic A: Stark III and Other Regulatory Developments	
12:15 pm 1.00 hr	Stark III and Other Regulatory Developments

Topic B: The State of the Physician Practice

12:15 pm 1.00 hr	The State of the Physician Practice
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Topic C: Compliance Issues

12:15 pm 1.00 hr	Compliance Issues
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Topic D: Current Health Care Transactions

12:15 pm 1.00 hr	Current Health Care Transactions
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1:15 pm	Break
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Concurrent Session

Please select Track on order form

Physician Issues

1:30 pm 0.75 hr	What Can Doctors Do?
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In today's health care 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.

David W. Hilgers, Brown McCarroll, L.L.P. - Austin, TX
Debbi M. Johnstone, Fulbright & Jaworski L.L.P. - Houston, TX

2:15 pm 0.75 hr	Managed Care...Will We Ever Figure It Out?
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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:

- 1) "Usual and Customary" - your friend or your worst enemy, how payors determine out of network rates and what motivates providers to be in or out of network;
- 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, Baker & Hostetler LLP - Houston, TX
Becky Korenek, KV Resources - Seabrook, TX
Shara McClure, Blue Cross and Blue Shield of Texas - Houston, TX

3:00 pm 0.75 hr	<p>Representing Doctors Before Disciplinary Boards</p> <p>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.</p> <p>William E. Hopkins, Brown McCarroll L.L.P. - Austin, TX Michael R. Sharp, Sharp & Cobos - Austin, TX</p>
3:45 pm 0.50 hr	<p>HIPPA Security Update - Reasons Not to Neglect the 'Other' HIPAA Rule</p> <p>This session will focus on the federal government's recent announcements regarding increased scrutiny of HIPPA security rule compliance and provide advice for preparing for the increased security.</p> <p>Cyndi Baily, Baylor College Of Medicine - Houston, TX</p>

Hospital Issues

1:30 pm 1.00 hr	<p>Operational Potpourri</p> <p>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.</p> <p>Mary M. Bearden, Brown & Fortunato, P.C. - Amarillo, TX Kevin A. Reed, Davis & Wilkerson, P.C. - Austin, TX</p>
2:30 pm 0.50 hr	<p>The New Orleans Experience</p> <p>Applying the lessons learned from the New Orleans experience to today's operations. Including the new emerging standard of care in emergency situations.</p> <p>Conrad Meyer, Chaffe McCall - New Orleans, LA Kimberly Ryan, Tulane Medical Center - New Orleans, LA</p>
3:00 pm 0.75 hr	<p>Trends in Transactions: Joint Ventures, Mergers, and Hospital/Physician Arrangements</p> <p>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.</p> <p>William Mark Easterly, Christus Health - Houston, TX Allyson Kinzel, The University of Texas M.D. Anderson Cancer Center - Houston, TX Randall J. Zarin, UHY Advisors, TX, LLC - Houston, TX</p>
3:45 pm 0.50 hr	<p>Non-Profit Tax Issues</p> <p>This session will highlight current tax issues affecting non-profit health care providers, including compensation, governance, and the current state of the community benefit standard.</p> <p>R. Todd Greenwalt, Vinson & Elkins L.L.P. - Houston, TX</p>

4:15 pm 1.00 hr	<p>Stark III Fraud Update</p> <p>Stark III brought clarifications and concerns to the health care industry. The impact of Stark III will be addressed in this session.</p> <p>Sanford V. Teplitzky, Ober, Kaler, Grimes & Shriver - Baltimore, MD</p>
5:15 pm	<p>Adjourn</p> <p>Adjourn to sponsored reception.</p>

Friday Morning, Mar. 28, 2008

Presiding Officer:

Yvonne K. Puig, Fulbright & Jaworski LLP - Austin, TX

8:00 am	<p>Conference Opens</p> <p>Includes continental breakfast.</p>
8:30 am 1.00 hr 0.25 hr ethics	<p>Universal Health Care: A Look Ahead to Federal and State Initiatives</p> <p>A discussion of what is on the horizon for expanded and universal health care at the Federal and State level, with selected commentary on the politics and economics of various approaches.</p> <p>Jonathan Kiesler Henderson, K&L Gates LLP - Fort Worth, TX William M. Sage, The University of Texas School of Law - Austin, TX</p>
9:30 am 0.50 hr	<p>Competition in Healthcare</p> <p>Antitrust and economic issues when physician-owned hospitals compete with traditional community-care hospitals.</p> <p>William R. Pakalka, Fulbright & Jaworski - Houston, TX</p>
10:00 am	<p>Break</p>
10:15 am 1.00 hr ethics	<p>Target-at-Law: Legal Ethics When the Lawyer Is Under Investigation</p> <p>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 effect representation and self protection; and ethical considerations for lawyers functioning in non-lawyer roles.</p> <p>William W. Horton, Haskell Slaughter - Birmingham, AL</p>

11:15 am
0.75 hr
0.25 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 health care industry enforcement initiatives.

Andrew A. Bobb, Southern District of Texas - Houston, TX

Moderator:

Gary W. Eiland, King & Spalding - Houston, TX

Michael K. Loucks, United States Attorney's Office - Boston, MA

Friday Afternoon, Mar. 28, 2008

12:00 pm
1.00 hr
0.25 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 Douglass, Shook, Hardy & Bacon L.L.P. - Washington, DC

Linda Kontos, U.S. Attorney's Office - Los Angeles, CA

Michael K. Loucks, United States Attorney's Office - Boston, MA

1:00 pm

Adjourn