

25th Annual Health Law Conference
April 3*, 4-5, 2013 • Four Seasons Hotel • Houston, TX

Wednesday Evening, Apr. 3, 2013

	PRE-CONFERENCE CONCURRENT SESSIONS Please select on registration form. Each session includes a 15-minute break.
6:00 pm	Registration Opens
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Health Law Fundamentals	
7:00 pm 2.00 hrs	Health Law Fundamentals An introduction to basic health law with an emphasis on fraud and abuse, managed healthcare and Medicare reimbursement issues. Kenneth J. Kramer, Texas Health Resources - Arlington, TX Edgar C. Morrison Jr., Jackson Walker L.L.P. - San Antonio, TX
9:15 pm 0.00 hr ethics	Adjourn
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In-House Counsel Issues	
7:00 pm 2.00 hrs 0.50 hr ethics	In-House Counsel Issues Limited to in-house counsel only to involve active discussion and sharing among the panelists and participants. Topics discussed are co-management arrangements, medical staff credentialing issues, physician contracting and compliance concerns, risk management and medical liability issues, labor and employment litigation, and health information privacy and security requirements. Robert F. Corrigan Jr., Baylor College of Medicine - Houston, TX Joseph Michael Gallagher, Cook Children's Healthcare System - Fort Worth, TX Nancy Collier LeGros, CHRISTUS Health - Houston, TX
9:15 pm 0.00 hr ethics	Adjourn

Thursday Morning, Apr. 4, 2013

Presiding Officer:

Hon. Jimmy Carroll, Scott & White Medical Center - Temple, TX

7:30 am	Registration Opens Includes continental breakfast.
8:20 am	Welcoming Remarks
8:30 am 1.25 hrs	Healthcare Year-in-Review An overview of important healthcare developments in the past year, including regulatory changes, politics and policy initiatives. Jack S. Schroder Jr., Retired, Alston + Bird LLP - Big Canoe, GA
	TRANSACTIONS
9:45 am 0.75 hr	Trends and Issues in Physician-Hospital Contractual Arrangements Hospitals and physicians continue to actively explore and enter into contractual arrangements to maintain and enhance their market position. As hospitals and physicians prepare and respond to commercial and governmental healthcare reform, these arrangements are becoming more critical and creative. This session identifies these various arrangements (and when they are used) and provides the physician and hospital prospective on specific contractual provisions that ensure financial and operational success and minimize liability. Hal S. Katz, Brown McCarroll, L.L.P. - Austin, TX Colbey B. Reagan, Waller Lansden Dortch & Davis, LLP - Nashville, TN
10:30 am	Break
10:45 am 1.00 hr	Traditional and Emerging Healthcare Network Models The VIX™ Index, also called the "fear index," is a popular measure of stock market volatility. If one were to apply the VIX™ to healthcare, it is safe to say that the "fear index" related to the unknown likely never has been higher. Political turbulence, the continuing "economic winter," new payment initiatives and ever changing alliances within the industry have created an environment where providers and payers, including physicians, hospitals, insurers and ancillary providers, continue to look at new and innovative ways to align themselves. Realignment of hospital systems, provider-payer partnerships, accountable care organizations, co-management relationships and the like are increasingly common. This session reviews both traditional and emerging alignment models as well as the legal issues attendant thereto. Richard F. Seiden, Foley & Lardner LLP - Los Angeles, CA
11:45 am 0.75 hr	Organized Chaos: Making Sense of Healthcare Services M&A The pace of consolidation among healthcare service providers has been robust with no signs of letting up while successful deal execution is becoming increasingly complex. An overview of the recurring healthcare M&A planning, due diligence, documentation and execution issues. Linus J. Grikis, Polsinelli Shughart PC - Chicago, IL Jonathan Kiesler Henderson, Polsinelli Shughart PC - Dallas, TX
12:30 pm	Break

Thursday Afternoon, Apr. 4, 2013

Presiding Officer:

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

12:45 pm	Optional Luncheon Table Topics Discussion groups with conference faculty and registrants. See registration form to select a Table Topic and purchase your ticket for lunch.
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HIPAA and Privacy Issues	
12:45 pm 0.00 hr ethics	TOPIC A: HIPAA and Privacy Issues
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Corporate Practice of Medicine/Fee Splitting in Texas	
12:45 pm 0.00 hr ethics	TOPIC B: Corporate Practice of Medicine/Fee Splitting in Texas
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Hospital-Physician Transactions	
12:45 pm 0.00 hr ethics	TOPIC C: Hospital-Physician Transactions
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Stark and Anti-Kickback Developments	
12:45 pm 0.00 hr ethics	TOPIC D: Stark and Anti-Kickback Developments
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1:30 pm	Break
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1:45 pm 1.00 hr	Scope of Practice "Across the Continuum" Representatives of several state healthcare licensing boards discuss issues regarding healthcare provider scope of practice, including statutory limitations, regulations and enforcement. Moderator: Jennifer B. Claymon, Davis & Wright, P.C. - Austin, TX Panelists: Scott M. Freshour, Texas Medical Board - Austin, TX Panelists: Julie Caylor Hildebrand, Texas State Board of Dental Examiners - Austin, TX Panelists: James W. Johnston, Texas Board of Nursing - Austin, TX
2:45 pm	Break

3:00 pm 1.50 hrs ethics	<p>The Prosecution of an In-House Corporate Counsel—A Cautionary Tale and Lessons Learned</p> <p>In 2010, Lauren Stevens, an in-house lawyer at GlaxoSmithKline (GSK), was charged with making false statements and obstruction in connection with responding to a voluntary request for information from the FDA in 2002. GSK formed a team of in-house lawyers, including Ms. Stevens, and hired Mark Brown, a former FDA Associate Chief Counsel and partner at King & Spalding, to help the company respond to the FDA's request. In May 2011, after the government presented its case, the presiding judge dismissed the case, acquitting Ms. Stevens of all charges. Ms. Stevens and Mr. Brown share this cautionary tale and several important lessons for in-house counsel, outside counsel and company executives.</p> <p>Mark S. Brown, King & Spalding - Washington, DC Lauren C. Stevens, Attorney at Law - Durham, NC</p>
4:30 pm 1.00 hr ethics	<p>Ethics Roundtable: Navigating the Challenges</p> <p>A distinguished panel of health lawyers and ethics experts discuss health law issues in a changing healthcare industry, the ethical issues health lawyers face and the distinctions between the unethical and the illegal.</p> <p>Moderator: Brenda T. Strama, Beatty Bangle Strama PC - Austin, TX Panelists: Ramon M. Cantu, The Methodist Hospital System - Houston, TX Panelists: Kevin A. Reed, Davis & Wright, P.C. - Austin, TX Panelists: Thomas H. Watkins, Brown McCarroll, L.L.P. - Austin, TX</p>
5:30 pm	Adjourn

Friday Morning, Apr. 5, 2013

Presiding Officer:

Hon. Jimmy Carroll, Scott & White Medical Center - Temple, TX

8:00 am	<p>Conference Room Opens</p> <p>Includes continental breakfast.</p>
8:30 am 1.00 hr	<p>Operational Impact of Significant Cases</p> <p>An in-depth look at key legal developments and significant cases affecting healthcare operations, including credentialing and liability issues that impact hospitals and providers. A comprehensive review of recent decisions affecting the liabilities and duties of healthcare providers is also provided in the written materials.</p> <p>Yvonne K. Puig, Fulbright & Jaworski L.L.P. - Austin, TX</p>

9:30 am 0.75 hr	<p>Operations and Medicaid</p> <p>The Texas Health and Human Services Commission (HHSC) is fundamentally transforming the Texas Medicaid and uncompensated care programs. Medicaid Managed Care is expanding to the entire state and new funding pools have been created. This transformation is a substantial undertaking for both the HHSC and providers and it affects most everyone in the Texas healthcare industry. HHSC leaders explain and analyze these program changes, provide an update on the status of the changes and the lessons learned so far, and preview what the future may hold.</p> <p>Moderator: Kathy L. Poppitt, Cox Smith - Austin, TX</p> <p>Panelists: Steve Aragón III, Texas Health and Human Services Commission - Austin, TX</p> <p>Panelists: Kyle Janek, Texas Health and Human Services Commission (HHSC) - Austin, TX</p>
10:15 am	Break
10:30 am 0.75 hr	<p>Hi-Tech Issues in Healthcare, Medical Privacy, HIPAA and Audit Protocol</p> <p>An overview of the current status of Health Information Technology, the issues and how to prepare for the future.</p> <p>David Muntz, Office of the National Coordinator for Health Information Technology (ONC) - Washington, DC</p>
11:15 am 1.00 hr ethics	<p>The Complete Professional: Effective Interactions with Courts, Clients, Counsel and Colleagues</p> <p>Being a lawyer requires multi-faceted dealings with several groups, each with its own needs. Get a closer look at the constituencies attorneys service and how best to professionally interact with each.</p> <p>Michael P. Maslanka, Constangy, Brooks & Smith, LLP - Dallas, TX</p>
12:15 pm	Adjourn