

26<sup>TH</sup> ANNUAL  
**HEALTH LAW CONFERENCE**



April 9\*, 10–11, 2014

\*Pre-Conference Concurrent Sessions: Fundamentals and In-House Counsel Issues

Four Seasons Hotel ■ Houston, Texas

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Specialization Credit Approved for Health Law

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**WEDNESDAY EVENING, APRIL 9, 2014**

**\*Pre-Conference Concurrent Sessions**

Please select on registration form. Each session includes a 15-minute break.

**6:00 p.m. Registration Opens**

**HEALTH LAW FUNDAMENTALS**

**7:00 p.m. 2.00 hr**

**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 p.m. Adjourn**

**IN-HOUSE COUNSEL ISSUES**

**7:00 p.m. 2.00 hr | .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 include implementation of Affordable Care Act, health information privacy and security post-Omnibus Rule, physician contracting and compliance concerns, risk management and litigation and the nature of relationships with outside counsel, including billing.

**Moderator:**  
 Robert F. Corrigan Jr., Baylor College of Medicine, Houston, TX

**Panelists:**  
 Andy G. Navarro, Christus Health, Irving, TX  
 Pamela D. Tyner, Houston Methodist, Houston, TX

**9:15 p.m. Adjourn**

**THURSDAY MORNING, APRIL 10, 2014**

**Presiding Officer:**

**Yvonne K. Puig, Norton Rose Fulbright, Austin, TX**

**7:30 a.m. Registration Opens**

Includes continental breakfast.

**8:20 a.m. Welcoming Remarks**

**8:30 a.m. 1.25 hr**

**Healthcare Year-in-Review**

An entertaining and informative overview of important healthcare developments in the past year, including regulatory changes, politics and policy initiatives.

Jack S. Schroder Jr. (Ret.), Alston & Bird LLP, Big Canoe, GA

**9:45 a.m. .75 hr**

**The Physician's Future:**

**An Examination of the Continuum of Options for Physician Relationships**

Physicians are facing overwhelming changes in clinical reimbursement, ancillary service options, practice structures, as well as the constant drumbeat of hospital and insurer consolidation. Evaluate the pressures on physicians and examine the options available to physicians as they try to make their way in this new world. What are the pluses and minuses of employment by non-physicians and the different possible types of employers? Are ACO's a viable option for all specialties? Is it possible to remain independent through affiliations with the employers, as in co-management agreements or personal service arrangements? How can the lawyer help the physician client make these very complex and difficult decisions? The physician world will look very different in 5 years and this session assists the lawyer in preparing their clients for that future.

David W. Hilgers, Husch Blackwell LLP, Austin, TX  
 Sidney S. Welch, Kilpatrick Townsend & Stockton LLP, Atlanta, GA

**10:30 a.m. Break**

**10:45 a.m. .75 hr**

**Clinical Integration/Networks**

Demands for high quality, efficient healthcare, coupled with the regulatory waivers granted to MSSP ACO's, have led health organizations to take a new look at physician-hospital networks. A look at antitrust and other regulatory issues related to structuring and operating these networks.

Bernard A. Duco Jr., Memorial Hermann Health System, Houston, TX  
 Matthew J. Reilly, Simpson Thacher & Bartlett LLP, Washington, DC

**11:30 a.m. .75 hr**

**Data Privacy and Security: Anatomy of a Healthcare Breach Investigation and Reporting**

With the rising popularity of electronic health records and electronic data repositories, the risk of a substantial data breach is increasing. Healthcare organizations should have a process in place now to respond quickly to a potential breach. Learn how to navigate through the investigation and reporting of a sample breach of health information.

Kristen B. Rosati, Polsinelli PC, Phoenix, AZ

**12:15 p.m. Break**

**M  
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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 13.00 hours, of which 2.00 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), and an Oklahoma Bar Association MCLE presumptively-approved provider (#169).

## THURSDAY AFTERNOON

### Presiding Officer:

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

### Optional Table Topics Luncheon

Discussion groups with conference faculty and registrants. See registration form to select a Table Topic and purchase your ticket for lunch.

12:30 p.m.

#### TOPICS

A: What They Didn't Teach You in Law School:  
Top 10 Tips for New Attorneys

B: HIPAA: The Saga Continues

C: Lightning Round: Tips and Trends in Operations

D: What's New in the Transactional World?

1:15 p.m. Break

1:30 p.m. .75 hr

### Healthcare Transactions in a Post-Reform World

Like most aspects of healthcare, the Affordable Care Act is transforming M&A transactions. Hear what's hot in M&A and what you need to know for your next transaction.

Douglas K. Anning, Polsinelli PC, Kansas City, MO  
Paul Alan Castanon, Tenet Healthcare Corporation,  
Dallas, TX

2:15 p.m. 1.00 hr | .25 hr ethics

### The New Age of False Claims Act Enforcement and Investigations

In 2013, the government reported a record-breaking 846 new FCA actions and approximately \$4 billion in FCA judgments and settlements. These high stakes, coupled with the erosion of traditional FCA defenses, more streamlined government intervention decisions, and courts' acceptance of novel theories of FCA liability, have changed the landscape for FCA enforcement. Get a closer look at this new age of FCA enforcement and investigations and what it means for the healthcare industry.

B. Scott McBride, Baker & Hostetler LLP, Houston, TX  
Adam Robison, King & Spalding, Houston, TX

3:15 p.m. Break

3:30 p.m. 1.25 hr | .25 hr ethics

### When the Stark Law Meets the FCA: Lessons Learned from Tuomey, Bradford, Halifax, All Children's, and Citizens

An exploration of developing FCA and other case law related to hospital compensation arrangements with physicians, including what constitutes fair market value; when does compensation take into account the value and volume of referrals; and what does commercial reasonableness mean? Learn practical lessons from the ongoing litigation.

S. Craig Holden, Ober Kaler, Baltimore, MD  
Kevin G. McAnaney, Law Office of Kevin McAnaney,  
Washington, DC

4:45 p.m. .75 hr

### Labor and Employment Issues

Avoid labor pains by staying up to date on the latest employment law trends.

Connie L. Cornell, Cornell Smith Mierl & Brutocao, LLP,  
Austin, TX

5:30 p.m. Adjourn

#### RECEPTION

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## FRIDAY MORNING, APRIL 11, 2014

### Presiding Officer:

Mary M. Bearden, Brown & Fortunato, P.C.,  
Amarillo, TX

7:30 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. 1.00 hr

### Operational Impact of Significant Cases

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.

Yvonne K. Puig, Norton Rose Fulbright, Austin, TX

9:30 a.m. .75 hr

### Compounding Pharmacy Issues

An overview of where compounding pharmacies fit in the continuum of patient care relative to drug manufacturers and retail pharmacies. State and federal laws and regulations relevant to compounding pharmacies are reviewed, including the new Drug Quality and Security Act.

John H. McEniry IV, mediStat Specialized Pharmacy  
Services, Foley, AL  
David G. Miller, R.Ph., International Academy of  
Compounding Pharmacists, Alexandria, VA

10:15 a.m. Break

10:30 a.m. 1.00 hr

### Impact of the Affordable Care Act on Texas

With a focus on the ACA and its impact on Texas from the perspective of providers, insurers and regulators, industry experts give insight on the topics that are currently making news, and discuss various ACA-related topics including Medicaid expansion, ACOs, the collision of state and federal law and actions, network adequacy, delivery reform initiatives in various states, and regulatory issues impacting healthcare providers and insurers.

#### Moderator:

Kathy L. Popitt, Cox Smith, Austin, TX

#### Panelists:

Michelle Apodaca, Waller Lansden Dortch &  
Davis, LLP, Austin, TX

Susan Feigin Harris, Baker & Hostetler LLP,  
Houston, TX

Patricia McCandless, Blue Cross Blue Shield of Texas,  
Austin, TX

11:30 a.m. 1.00 hr ethics

### Ethics Roundtable

Explore the ethical dilemmas most commonly encountered by health lawyers, both in transactions and operations.

#### Moderator:

Brenda T. Strama, Beatty Bangle Strama PC,  
Austin, TX

#### Panelists:

Michael P. Maslanka, Constangy, Brooks & Smith, LLP,  
Dallas, TX

Thomas H. Watkins, Husch Blackwell LLP, Austin, TX

12:30 p.m. Adjourn

### ABOUT THE COVER



Now and Then .039 (2005), 26" x 19 1/2",  
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The University of Texas  
School of Law  
Attn. Registration  
PO Box 7759  
Austin, TX 78713-7759

**Fax:**  
512.475.6876

**Questions? 512.475.6700**

*Dietary requirements or Accessibility needs?  
Call 512.475.6700 or email service@utcle.org*

## REGISTRATION BENEFITS

**Before the Conference:** Access course materials—downloadable PDFs of papers and slides—and speaker and attendee roster in *Your Briefcase* 48 hours before the conference.

**After the Conference:** Unlimited access to final, complete course materials—downloadable PDFs of papers and slides—in *Your Briefcase*.

**Bonus eCourses:** Complimentary 180-day access to Bonus eCourses—with papers, slides, and audio—for CLE credit you may have missed at the conference. Available in *Your Briefcase* 6–8 weeks after the conference.

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## IN-HOUSE AND CONFERENCECOMPLETE MATERIALS

### In-House

Bring the Health Law Conference in-house. Audio presentations and written materials for learning with your colleagues—for Texas MCLE credit. We manage the accreditation process from approval to reporting. Custom packages available.

### ConferenceComplete Materials

Comprehensive Binder and Audio products from the live conference—for research and self-study. Available for download and shipping.

## REGISTRATION FORM

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HL14

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### REGISTRATION—Includes Course Materials and the Thursday Evening Reception

For Group registration, call 512.475.6700.

#### 1. Select Registration Type

- Individual registration by Wednesday, April 2, 2014. . . . . \$595  
 Individual registration after Wednesday, April 2, 2014. . . . . \$645

#### 2. Select Course Materials Format

- Electronic Course Binder on USB Key ONLY  
 Printed Course Binder ONLY

#### 3. Add Pre-Conference Sessions—Select One . . . . . \$50

- Health Law Fundamentals  
 In-House Counsel Issues

#### 4. Add Thursday Table Topics Luncheon—Select One . . . . . \$20

- A: What They Didn't Teach You in Law School  
 B: HIPAA: The Saga Continues  
 C: Lightning Round: Tips and Trends in Operations  
 D: What's New in the Transactional World?

### IN-HOUSE—For Texas MCLE Credit

ConferenceComplete package includes Audio CD Set plus a Printed Binder and MCLE Reporting Form for each participant. Available for delivery 3–5 weeks after conference date. Shipping included.

- In-House for 2. . . . . \$850  
 \_\_\_\_\_ Additional participant(s) for \$275 each . . . . . \$ \_\_\_\_\_

### CONFERENCECOMPLETE MATERIALS<sup>†</sup>—For Research and Self-Study

Comprehensive Binder and Audio products from the live conference. Available for delivery 3–5 weeks after conference date. Shipping included.

- eBinder Download (PDF). . . . . \$225  
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**HOUSTON**

April 9\*, 10–11, 2014

**CONFERENCE LOCATION**



**Four Seasons Hotel**  
 1300 Lamar Street  
 Houston, Texas 77010  
 713.650.1300

**Special Room Rate: \$225**  
 good through March 26, 2014  
 reference "UT Law Health Law"  
 (subject to availability)

**Parking:**

Valet \$15 per day; overnight \$30  
 Self-parking available in nearby lots

**KEY DATES**

**April 2, 2014**

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

**April 4, 2014**

*last day for cancellation (full refund)*

**April 7, 2014**

*last day for cancellation (partial refund)*  
 \$50 processing fee applied

**April 9, 2014, 7:00 p.m.**

*\*Pre-Conference Concurrent Sessions begin*

**April 10, 2014, 8:20 a.m.**

*Conference begins*

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