

26th Annual Health Law Conference
April 9*, 10-11, 2014 • Four Seasons Hotel • Houston, TX

Wednesday Evening, Apr. 9, 2014

6:00 pm	Registration Opens
	PRE-CONFERENCE CONCURRENT SESSIONS Please select on registration form. Each session includes a 15-minute break.
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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	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 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 pm	Adjourn

Thursday Morning, Apr. 10, 2014

Presiding Officer:

Yvonne K. Puig, Norton Rose Fulbright - Austin, 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 entertaining and informative 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
9:45 am 0.75 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 am	Break
10:45 am 0.75 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 am 0.75 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 pm	Break

Thursday Afternoon, Apr. 10, 2014

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.

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

12:30 pm

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TOPIC B: HIPAA: The Saga Continues

12:30 pm

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TOPIC C: Lightning Round: Tips and Trends in Operations

12:30 pm

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TOPIC D: What's New in the Transactional World?

12:30 pm

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1:15 pm

Break

1:30 pm
0.75 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 pm
1.00 hr
0.25 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, BakerHostetler - Houston, TX
Adam Robison, King & Spalding - Houston, TX

3:15 pm

Break

3:30 pm 1.25 hrs 0.25 hr ethics	<p>When the Stark Law Meets the FCA: Lessons Learned from <i>Tuomey, Bradford, Halifax, All Children's, and Citizens</i></p> <p>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? Gain/learn practical lessons learned from the ongoing litigation.</p> <p>S. Craig Holden, Ober Kaler - Baltimore, MD Kevin G. McAnaney, Law Office of Kevin McAnaney - Washington, DC</p>
4:45 pm 0.75 hr	<p>Labor and Employment Issues</p> <p>Avoid labor pains by staying up to date on the latest employment law trends.</p> <p>Connie L. Cornell, Cornell Smith Mierl & Brutocao, LLP - Austin, TX</p>
5:30 pm	<p>Adjourn to Reception</p> <p>Thank You to Our Sponsors</p>

Friday Morning, Apr. 11, 2014

Presiding Officer:

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

7:30 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, Norton Rose Fulbright - Austin, TX</p>
9:30 am 0.75 hr	<p>Compounding Pharmacy Issues</p> <p>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.</p> <p>John H. McEniry IV, mediStat Specialized Pharmacy Services - Foley, AL David G. Miller, RPh, International Academy of Compounding Pharmacists - Alexandria, VA</p>
10:15 am	<p>Break</p>

10:30 am 1.00 hr	<p>Impact of the Affordable Care Act on Texas</p> <p>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.</p> <p>Moderator: Kathy L. Poppitt, Cox Smith - Austin, TX</p> <p>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</p>
11:30 am 1.00 hr ethics	<p>Ethics Roundtable</p> <p>Explore the ethical dilemmas most commonly encountered by health lawyers, both in transactions and operations.</p> <p>Moderator: Brenda T. Strama, Beatty Bangle Strama PC - Austin, TX</p> <p>Panelists: Michael P. Maslanka, Constangy, Brooks & Smith, LLP - Dallas, TX Thomas H. Watkins, Husch Blackwell LLP - Austin, TX</p>
12:30 pm	Adjourn