

31<sup>ST</sup> ANNUAL  
**HEALTH LAW CONFERENCE**



March 27\*, 28–29, 2019  
Royal Sonesta Hotel ■ Houston, Texas

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**SPONSORS**

Baker Donelson	Jackson Walker LLP
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Earn up to 12.00 Hours of MCLE Credit, Including 1.50 Hours of Ethics Credit

Pre-Conference: 2.00 Hours | Conference: 10.00 Hours | 1.50 Hours Ethics

TX Board of Legal Specialization Credit Approved for Administrative Law and Health Law

Earn up to 14.50 Hours of TX Accounting CPE Credit

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Pre-Conference: 2.00 Hours | Conference: 10.00 Hours | 1.50 Hours Ethics

TX Board of Legal Specialization Credit Approved for Administrative Law and Health Law

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**WEDNESDAY EVENING, MAR. 27, 2019**

**\*Pre-Conference Concurrent Sessions**

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

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

Includes light refreshments.

**HEALTH LAW FUNDAMENTALS**

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

**Health Law Fundamentals**

Explore the basics of health law, with an emphasis on fraud and abuse (including the Stark law and the federal anti-kickback statute), managed healthcare, HIPAA, and Medicare coverage and reimbursement issues.

Violet M. Anderson, CHRISTUS Health, Irving, TX  
 Kenneth J. Kramer, Texas Health Resources, Arlington, TX  
 Kristin M. Roshelli, King & Spalding, Houston, TX

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

**Want to attend more than one Pre-Conference Session on Wednesday Evening? No Problem!**

Conference registration includes all of the course materials for the *Health Law Fundamentals* and *"Deeper Dives": Health Law and Compliance Essentials* presentations. In addition, the eConference—including papers, slides, audio and CLE credit for these presentations—will be available in "Your Briefcase" within 4–6 weeks after the conference

PLEASE NOTE: Course materials and audio recordings for the *In-House Counsel Issues* panel are not included. Registration is limited to in-house counsel only who attend the live presentation.

**"DEEPER DIVES": HEALTH LAW AND COMPLIANCE ESSENTIALS**

**Presiding Officer:**

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

**7:00 p.m. 1.00 hr**

**Stark Law and Anti-Kickback Update and Examples**

Get updated on the regulatory, administrative, case law, and enforcement actions related to the Stark and anti-kickback laws, and review examples of arrangements attracting scrutiny by the enforcement agencies.

Donna S. Clark, Morgan, Lewis & Bockius LLP, Houston, TX  
 Donald H. Romano, Foley & Lardner LLP, Washington, DC

**8:00 p.m. Break**

**8:15 p.m. 1.00 hr**

**State of Transition: A Look at the Movement to Value in 2019**

Review the state of the movement to value, including a look at alternative pricing arrangements involving professional and institutional providers. Examine the state of payment reform and recent CMS efforts to reinforce the shift to value. Discuss the use and application of data in developing pricing and payment structures.

Janet Walker, Ascension, Austin, TX  
 Jeff Wurzburg, Norton Rose Fulbright, San Antonio, TX

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

**IN-HOUSE COUNSEL ISSUES**

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

**In-House Counsel Issues**

**Limited to in-house counsel only.** Participate in an active discussion and sharing among panelists and participants. Hear about hot topics for in-house counsel, including updates on state and federal legislation, healthcare transactions, payment and reimbursement issues, and privacy regulation and enforcement.

**Moderator:**

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

**Panelists:**

Tracie Bedeaux, Tenet Healthcare Corporation, Dallas, TX  
 David Ellenbogen, Baylor Scott & White Health, Austin, TX  
 W. Christopher Shea, Memorial Hermann Health System, Houston, TX  
 Stephen G. Wohleb, Texas Hospital Association, Austin, TX

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

**UPCOMING CONFERENCES (Live Webcasts Available)**

**LABOR AND EMPLOYMENT LAW CONFERENCE**  
 May 9-10, 2019  
 AT&T Conference Center  
 Austin, TX

**LLCs, LPs AND PARTNERSHIPS**  
 July 18-19, 2019  
 AT&T Conference Center  
 Austin, Texas

**CORPORATE COUNSEL INSTITUTE**  
 May 16-17, 2019  
 The Whitehall Hotel  
 Houston, Texas

**MERGERS AND ACQUISITIONS INSTITUTE**  
 October 10-11, 2019  
 The Ritz-Carlton  
 Dallas, Texas  
 (no live webcast available)

**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. .75 hr****Top Health Industry Issues of 2019: New Health Economy Comes of Age**

The US healthcare industry has often lagged other industries (like tech, retail, hospitality) when it comes to modernizing. Once thought to operate outside the greater US economy, the healthcare industry—and its byzantine payment system, complicated regulatory barriers and reliance on face-to-face interactions—is being disrupted. Finally, there's robust evidence that new economic realities are kicking into gear.

Benjamin Isgur, PricewaterhouseCoopers LLP,  
Dallas, TX

**9:15 a.m. 1.25 hr****Healthcare Year in Review**

Hear an informative and entertaining overview of important healthcare developments in the past year, including policy initiatives, regulatory changes, and court decisions.

Speaker To Be Announced

**10:30 a.m. Break****10:45 a.m. .75 hr****2019 State and Federal Healthcare Legislative Landscape**

Discuss how the 2018 elections and new House speakers have reshaped the state and federal legislative branches, significant legislation making its way through the 86<sup>th</sup> Texas Legislature, and legislative priorities and initiatives of the 116<sup>th</sup> U.S. Congress.

**Moderator:**

Michelle Apodaca, Katten Muchin Rosenman LLP,  
Austin, TX

**Panelists:**

Tom Banning, Texas Academy of Family Physicians,  
Austin, TX  
Stephen G. Wohleb, Texas Hospital Association,  
Austin, TX

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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 12.00 hours, of which 1.50 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), and an Oklahoma Bar Association MCLE presumptively approved provider (#179).

**11:30 a.m. .75 hr****Health Plans, Providers, and Current Payment Issues**

Examine payment issues and challenges between healthcare providers and health plans, and outline practical strategies for avoiding and (when necessary) resolving or mitigating these payment and dispute issues with both litigation and in-house perspectives and expertise. Explore common sources of payment disputes, including high-cost and chargemaster reimbursement issues, payment disputes in the context of both plan and provider mergers and acquisitions, and patient cost-sharing issues.

**Moderator:**

Leah Stewart, The University of Texas at Austin Dell  
Medical School, Austin, TX

**Panelists:**

Meredith D. Duncan, Aetna, Austin, TX  
Christian K. Puff, Hall, Render, Killian, Heath & Lyman,  
P.C., Dallas, TX

**12:15 p.m. Break****THURSDAY AFTERNOON****Presiding Officer:**

**Kevin A. Reed, Reed Claymon Meeker &  
Hargett, PLLC, Austin, TX**

**Optional Table Topics Luncheon**

Join a discussion group with conference faculty and fellow registrants. Please select a Table Topic on the registration form to attend (\$40 additional charge).

**12:35 p.m.****TOPICS:**

- A:** Stark and Anti-Kickback
- B:** Physician and Hospital Relationships
- C:** Payor Issues and Payor Hot Topics (or HIPAA)
- D:** Tips and Trends in Operations

**1:20 p.m. Break****1:30 p.m. 1.00 hr****Operational Impact of Significant Cases**

Take an in-depth look at key legal developments and significant cases affecting healthcare operations, including credentialing and liability issues that impact hospitals and providers. Receive a comprehensive review of recent decisions affecting the liabilities and duties of healthcare providers in the written materials.

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

**2:30 p.m. .75 hr****Reimbursement Changes and the Modern-Day Physician Practice**

Hear a discussion on physician responses to changes in reimbursement methodologies and payor relationships. Explore the ways physician groups are transforming themselves through IPAs, ACOs, and partnerships with practice management companies. Analyze the pros and cons of those choices and how physicians might best position themselves for the future.

**Moderator:**

Kenya S. Woodruff, Katten Muchin Rosenman LLP,  
Dallas, TX

**Panelists:**

Patricia Kroken, Kroken Consulting, LLC,  
Albuquerque, NM  
Jim Walton, Genesis Physicians Group, Dallas, TX

**3:15 p.m. Break****3:30 p.m. .75 hr****Labor and Employment Issues in the Healthcare Industry**

The healthcare industry faces unique challenges as an employer. From whistleblower lawsuits to disruptive behavior in a healthcare workplace, get practical tips for addressing these potential landmines.

Kimberly King Webb, CHRISTUS Health, Irving, TX

**4:15 p.m. .75 hr | .25 hr ethics****Digital Health and Telehealth**

Amidst a continued increase in connectivity—from the internet of things to remote diagnoses—developments in technology regularly bring change to the healthcare industry. Explore how technological innovations continue to disrupt traditional practices, and discuss the benefits and risks technology brings.

René Quashie, Consumer Technology Association,  
Alexandria, VA

Julian L. Rivera, Husch Blackwell LLP, Austin, TX

**EARN YOUR FULL TEXAS  
MCLE REQUIREMENTS**

UT Law CLE is committed to helping attorneys meet their annual MCLE requirements. Attendees of this conference will receive a promotional code for a free eSupplement following the event that will bring their total available hours to 15.00, including 3.00 hours of ethics.

**YOUNG ATTORNEY RATES**

Are you a 1<sup>st</sup> or 2<sup>nd</sup> year attorney?

Attend most UT Law CLE  
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Call 512.475.6700 to register.

5:00 p.m. .75 hr | .25 hr ethics

### Enforcement Trends Across the Healthcare Industry

Criminal and administrative cases are still making creative use of new theories and trends, and the investigation and litigation of healthcare fraud cases continue across all sectors of the industry. Hear an overview of the latest trends in enforcement, and analyze what the new theories and trends mean for 2019 and beyond.

**Moderator:**

B. Scott McBride, Morgan, Lewis & Bockius LLP, Houston, TX

**Panelists:**

George W. (Bill) Morrison, Haynes and Boone, LLP, Dallas, TX  
Jill O. Venezia, U.S. Attorney's Office, Southern District of Texas, Houston, TX

5:45 p.m. Adjoin to Reception

### NETWORKING RECEPTION

#### THANK YOU TO OUR SPONSORS

5:45 p.m. – 6:45 p.m.

Join us for drinks and hors d'oeuvres with program faculty and attendees.

#### THANK YOU TO OUR SPONSORS

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King & Spalding

Morgan, Lewis & Bockius LLP

Norton Rose Fulbright

Reed Claymon Meeker & Hargett, PLLC

Seyfarth Shaw LLP

## FRIDAY MORNING, MAR. 29, 2019

### Presiding Officer:

Kathy L. Poppitt, King & Spalding, Austin, TX

### 7:30 a.m. Conference Room Opens

Includes continental breakfast.

### 8:30 a.m. 1.00 hr

### Affiliations, Sales, and Conversions Among Non-Profit and For-Profit Healthcare Organizations

Examine the corporate, regulatory, tax and other considerations involved in transactions among various non-profit and for-profit healthcare entities, including State Attorney General approvals, the role of private equity, and recent transactions.

**Moderator:**

Lisa Atlas Genecov, Katten Muchin Rosenman LLP, Dallas, TX

**Panelists:**

Jerry A. Bell Jr., Norton Rose Fulbright, Austin, TX  
Daphne Walker, United Surgical Partners, Addison, TX

### 9:30 a.m. 1.00 hr

### Operational Hot Button Issues

Take a break from the business side to explore some exciting (and frequently maddening) health law operational issues and developments for hospitals and other healthcare entities. Hear an interactive presentation with updates, practical tips and guidance on in-facility DNRs, medical staff and credentialing issues including ACOs, responding to immigration enforcement officers in the facility, changes in payments for out-of-network services, HIPAA and other topics.

**Moderator:**

Kathy L. Poppitt, King & Spalding, Austin, TX

**Panelists:**

D. Cameron Duncan III, Texas Hospital Association, Austin, TX  
Joanne P. Hopkins, Law Office of Joanne P. Hopkins, Austin, TX

### 10:30 a.m. Break

10:45 a.m. .75 hr

### The Opioid Crisis

Explore the role of regulatory forces in the evolution of the opioid crisis and hear the latest on national and state opioid enforcement efforts including *State of Texas v. Purdue Pharma*.

Beth Anne Jackson, Brown & Fortunato, P.C., Amarillo, TX

Patrick K. Sweeten, Office of the Texas Attorney General, Austin, TX

11:30 a.m. .75 hr

### Blockchain: A Primer

Distributed Ledger Technology (aka Blockchain) is a new way to manage trust in a distributed network. But what does that really mean? Look at the basics of Blockchain, how it works, why it can be trusted, and what some of its applications can be in the healthcare space. Gain a basic understanding on the trust model which uses Distributed Ledger Technology, as well as some ideas on how this technology and its trust model can be a way to improve the delivery of healthcare.

John P. Tomaszewski, Seyfarth Shaw LLP, Houston, TX

12:15 p.m. 1.00 hr ethics

### Wellness and Well-Being: Ethical and Professionalism Implications

Identify current life challenges facing lawyers, the professional responsibility and professionalism issues raised by lawyer impairment, and current efforts by the organized bar and legal employers to address issues of lawyer wellness and well-being.

Andrew Demetriou, Lamb & Kawakami LLP, Los Angeles, CA

1:15 p.m. Adjoin

## PLANNING COMMITTEE

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## HOW TO REGISTER

### Online:

www.utcle.org/conferences/HL19

### Mail:

The University of Texas  
School of Law  
Attn. CLE  
PO Box 7759  
Austin, TX 78713-7759

### Fax:

512.475.6876

**Questions? 512.475.6700**

If you have dietary requirements or would like to request accommodations under the ADA, please contact Customer Service at 512.475.6700 or service@utcle.org at least 10 business days prior to the Conference.

## REGISTRATION BENEFITS

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

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

**eConference:** Complimentary access to the eConference—with papers, slides, and video—for CLE credit (TX and CA) you may have missed at the live conference. Available in "Your Briefcase" 4–6 weeks after the event.

**TX MCLE Credit Reporting:** UT Law CLE can report credit on your behalf directly to the State Bar of Texas. Track your Texas MCLE credit claimed and reported through UT Law CLE in "Your Account."

**Your Account:** Activate "Your Account" online at www.utcle.org. Your UT Law CLE Account is created for you as a first-time conference registrant (mail and fax registrations) with the email address(es) provided.

## CAN'T MAKE THE CONFERENCE? PRE-ORDER THE ACCREDITED ECONFERENCE TODAY

While nothing can replace the experience and networking opportunities of the live event, you can still catch up on all the latest developments in Health Law with the eConference.

The online eConference includes papers, slides and video – and CLE credit (TX and CA) – from this year's live conference. Available in "Your Briefcase" through the user's account at www.utcle.org 4-6 weeks after the live event.

## REGISTRATION FORM

PLEASE PRINT CLEARLY

HL19

Bar Card# \_\_\_\_\_  TX  Other State: \_\_\_\_\_  N/A

Name [ Mr. / Ms. ] \_\_\_\_\_

Firm \_\_\_\_\_

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Registrant's Email (required) \_\_\_\_\_

Assistant's Email (optional) \_\_\_\_\_

*Invoices, confirmations, and receipts are emailed to these addresses.*

**REGISTRATION—Includes Electronic Course Materials, Continental Breakfasts and Thursday Evening Reception. eConference access is also included and available 4–6 weeks after the Conference.**

Special group registration rates available. Call 512.475.6700.

### Select Registration Type

- Individual registration by March 20 . . . . . \$625  
 Individual registration after March 20 . . . . . \$675

### Add Pre-Conference Session—Select One . . . . . \$75

- Health Law Fundamentals  
 "Deeper Dives": Health Law and Compliance Essentials  
 In-House Counsel Issues (Limited to In-House Counsel ONLY)

### Add Thursday Table Topics Luncheon—Select One . . . . . \$40

- TOPIC A: Stark and Anti-Kickback  
 TOPIC B: Physician and Hospital Relationships  
 TOPIC C: Payor Issues and Payor Hot Topics (or HIPAA)  
 TOPIC D: Tips and Trends in Operations

### Printed course binder available for an additional fee through March 20

*Conference registration includes Electronic Course Binder Download (PDF) in "Your Briefcase" at www.utcle.org.*

- Printed Course Binder . . . . . \$37.89  
*Price includes 8.25% Sales Tax*  
 Printed Course Binder for tax exempt registrants . . . . . \$35  
*(e.g., government employees and nonprofits)*

**FIRST AND SECOND YEAR ATTORNEYS MAY ATTEND FOR JUST \$150! CALL 512.475.6700 TO REGISTER.**

## POST-CONFERENCE PRODUCTS

### eConference—For Texas MCLE Credit

Complete eConference package includes all conference materials for download from "Your Briefcase" at www.utcle.org. Available 4–6 weeks after the live conference date.

- Individual eConference . . . . . \$575  
*Call 512.475.6700 or fax 512.475.6876 to register additional participants.*

### Complete Conference Binder<sup>†</sup>—For Research and Self-Study

Comprehensive Binder with papers and slides from the live event. Available for delivery 4–6 weeks after conference date. Texas customers add 8.25% sales tax.

- eBinder Download (PDF) . . . . . \$225  
 Printed Materials Binder (*shipping included*). . . . . \$275  
<sup>†</sup>Texas customers—add 8.25% sales tax or include an exemption certificate. . . . . \$ \_\_\_\_\_  
*Sales tax will be invoiced separately on taxable orders for which payment does not include tax.*

### Annual eLibrary Subscription<sup>†</sup>—For Research and Self-Study

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- eLibrary 12-Month Subscription . . . . . \$295  
<sup>†</sup>Texas customers—add 8.25% sales tax or include an exemption certificate. . . . . \$ \_\_\_\_\_  
*Sales tax will be invoiced separately on taxable orders for which payment does not include tax.*

TOTAL \$ \_\_\_\_\_

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**HOUSTON**

**March 27\*, 28–29, 2019**

**CONFERENCE LOCATION**



**Royal Sonesta Hotel**

2222 West Loop South  
Houston, TX 77027-3502  
713.627.7600

855.463.3091 (reservations)

**Special Room Rate: \$172**  
good through March 6, 2019  
(subject to availability)

**Parking:**

Self-parking \$10 daily; \$16 overnight  
Valet \$16 daily; \$25 overnight  
(subject to change)

**KEY DATES**

**March 20, 2019**

*Last day to order a printed binder*

**March 20, 2019**

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

**March 22, 2019**

*Last day for full refund cancellation*

**March 25, 2019**

*Last day for partial refund cancellation*  
\$50 processing fee applied

**March 27, 2019, 7:00 p.m.**

*\*Pre-Conference Concurrent Sessions begin*

**March 28, 2019, 8:20 a.m.**

*Conference begins*

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Irving, TX

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