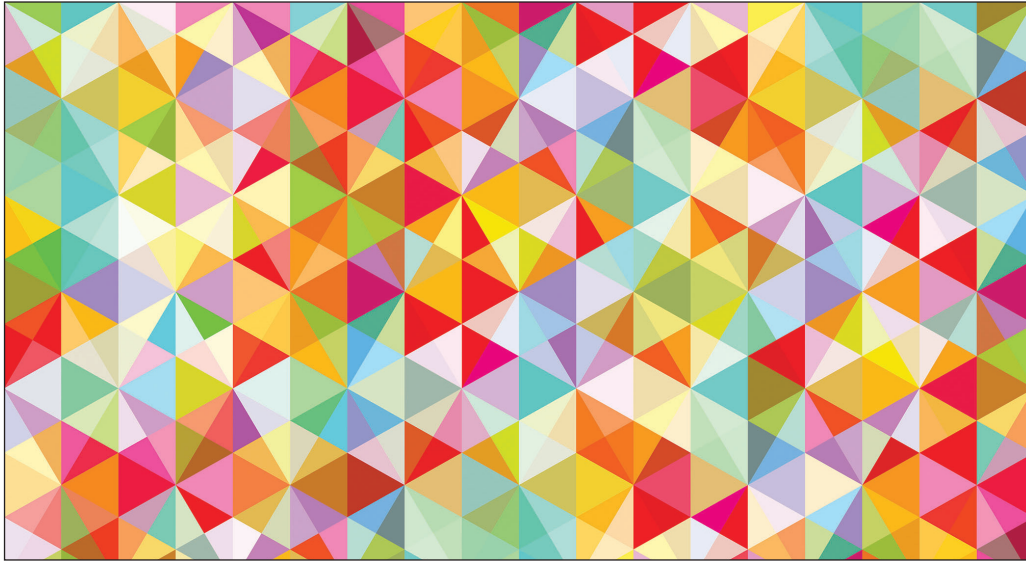


33RD ANNUAL
HEALTH LAW CONFERENCE



PRE-CONFERENCE

April 6, 2022

CONFERENCE

April 7–8, 2022

Royal Sonesta Hotel Houston ■ Houston, Texas

SPONSORS

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Pre-Conference – MCLE Credit: 2.00 Hours

Conference – MCLE Credit: 12.00 Hours | 2.50 Hours Ethics

Approved in TX, CA, OK, and PA; Expected in LA (Hours Vary By State)

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

Professional Accreditation Available for TX Accounting CPE

2022

HEALTH LAW PRE-CONFERENCE

April 6, 2022 ■ Royal Sonesta Hotel ■ Houston, Texas

Earn up to 2.00 Hours of Credit

Specialization Credit Approved for: Administrative Law, Health Law

Times listed are in Central Time

WEDNESDAY EVENING, APR. 6, 2022

*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.

Kenneth J. Kramer, Texas Health Resources, Arlington, TX
Virginia Alverson Mimmack, Jackson Walker LLP, Dallas, 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 course materials for *Health Law Fundamentals* and *Advanced Issues in Health Law* presentations. In addition, the eConference—including papers, slides, audio, and CLE credit for presentations—will be available in "Your Briefcase" within 4–6 weeks after the conference.

PLEASE NOTE:

The presentation *Cybersecurity and Healthcare: Lessons Learned in 2021* will not be recorded.

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

ADVANCED ISSUES IN HEALTH LAW

Presiding Officer:
George Hernandez, University Health, San Antonio, TX

7:00 p.m. 1.00 hr

Cybersecurity and Healthcare: Lessons Learned in 2021

The speakers identify and discuss trends and lessons learned from cybersecurity events and near misses in the last year. They also discuss the FBI's role in cybersecurity and what to expect when working with law enforcement.

Nowell Agent, Federal Bureau of Investigation, Houston, TX
Carolynn R. Jones, Harris Health System, Houston, TX
William A. Phillips Jr., University Health System, San Antonio, TX

This presentation will not be recorded.

8:00 p.m. 15-Minute Break

8:15 p.m. 1.00 hr

Innovations in Healthcare Delivery: From Start-Ups to Stand-Bys

From "hospital at home" to med spas, from infusions and injections for cash to the latest digital devices and remote monitoring. Alternative methods of care are proliferating—what are the precipitating factors and legal issues, and who's going to pay for it all?

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

9:15 p.m. Adjourn

IN-HOUSE COUNSEL HOT TOPICS

7:00 p.m. 2.00 hrs

In-House Counsel Hot Topics (Limited to in-house counsel only)

Participate in an interactive discussion and sharing among in-house counsel panelists and participants. Hear about hot topics for in-house counsel, including updates on state and federal legislation, legal operational matters, and health law regulatory and enforcement matters.

Moderator:

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

Panelists:

R. David Evans, Hendrick Health System, Abilene, TX
Lisa M. Frenkel, Children's Health, Dallas, TX
Sara Thomas, Harris County Attorney's Office, Harris Health System, Houston, TX
Stephen G. (Steve) Wohleb, Texas Hospital Association, Austin, TX

9:15 p.m. Adjourn

PRE-CONFERENCE ACCREDITATION

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 2.00 hours. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and Oklahoma Bar Association MCLE presumptively approved provider (#169).

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33RD ANNUAL
HEALTH LAW CONFERENCE

April 7-8, 2022 ■ Royal Sonesta Hotel ■ Houston, Texas

Earn up to 12.00 Hours of Credit Including 2.50 Hours of Ethics Credit

Specialization Credit Approved for: Administrative Law, Health Law

Times listed are in Central Time

THURSDAY MORNING, APR. 7, 2022

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

**2022 State and Federal Healthcare
Legislative Landscape**

A discussion on the 2022 election cycle and healthcare regulatory and legislative hot topics at the Texas and Washington, D.C. levels.

Michelle "Missy" Apodaca, Apodaca Advocacy
Group, LLC, Dallas, TX

Freddy Warner, Memorial Hermann Health System,
Houston, TX

9:15 a.m. .75 hr

**Impact of Social Determinants of Health in
2022 and Beyond**

Discuss the relationship and impact of social determinants of health on health equity. Examine the relationship between systemic bias and racism as it related to incarceration practices in the US and its impact on the health of our communities.

George B. Hernandez Jr., University Health, San
Antonio, TX

Dr. Esmail Porsa, Harris Health System, Houston, TX

10:00 a.m. .50 hr

Medical Staff: Its Health and Membership

Concerns arising with the aging medical staff and policy considerations in light of the pending *EEOC v. Yale New Haven Hospital* litigation, as well as the expansion of advanced practice professionals in the hospital setting and their integration with the medical staff.

Joanne P. Hopkins, Law Office of Joanne P. Hopkins,
Austin, TX

10:30 a.m. 15-Minute Break

10:45 a.m. .75 hr

**Paradigm Shifts in Managed Care and the
Delivery of Health Care**

Learn about the transformational shifts in the managed care space accelerated by the pandemic, including a discussion on recent tensions between payors and providers, increased implementation of alternative payment models, and an examination of the increased focus on social determinants of health. The panel addresses how these matters have and will affect hospitals, physicians, and other providers.

Kathy L. Poppitt, King & Spalding, Austin, TX
Janet Walker, Crowell & Moring, LLP,
Washington, DC

Marinan Williams, Ascension Texas Insurance
Services

11:30 a.m. .75 hr

**Future of Financing of Medicaid 1115
Waivers**

In 2011, Texas received federal approval of a waiver that allowed the state to expand Medicaid managed care while preserving hospital funding and providing incentive payments for health care improvements. On April 16, 2021, the Centers for Medicare & Medicaid Service rescinded a 10-year extension of Texas' Medicaid 1115 Waiver that the previous administration approved in January 2021. CMS and HHSC continue to negotiate the future of the waiver and its related payment programs. This presentation outlines the basics of the state's waiver, its 10-year impact, the consequences of the ongoing impasse, and potential next steps.

Jennifer Banda, Texas Hospital Association,
Austin, TX

Katherine Yoder, Parkland Health and Hospital
System

Carlos Zaffirini Jr., Adelanto HealthCare Ventures
LLC, Austin, TX

12:15 p.m. Break for Lunch

CONFERENCE ACCREDITATION

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 2.50 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 Oklahoma Bar Association MCLE presumptively approved provider (#169).

THURSDAY AFTERNOON, APR. 7, 2022

Presiding Officer:

**Jennifer L. Rangel, Holland & Knight
LLP, Austin, TX**

Optional Table Topics Luncheon

Join fellow registrants and conference faculty for informal networking and discussions in key areas of the healthcare practice area. Please select a Table Topic on the registration form to attend (\$50 additional charge).

12:45 p.m.

TOPICS:

- A:** COVID-19 The Fallout and Future Impact
- B:** Managed Care Issues and Hot Topics for Both Hospitals and Physicians
- C:** Trends and Tips for Getting Deals Done
- D:** Reimbursement and Care Delivery Innovations

1:30 p.m. 10-Minute Break

1:40 p.m. .75 hr

**Buyer Beware: Will the No Surprises Act
Eliminate Surprise Billing?**

Address the price transparency requirements for hospitals and payers, the No Surprises Act and litigation challenging it, and the challenges facing providers and payers operationalizing these rules. Examine the policy goals underlying these requirements and how they will affect the healthcare industry and consumers.

A. Xavier Baker, Sheppard Mullin Richter & Hampton
LLP, Washington, DC

Susan Feigin Harris, Norton Rose Fulbright, Houston, TX

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

2:25 p.m. .75 hr

**Legal and Operational Considerations of
COVID Vaccine Mandates**

This presentation centers on mandatory vaccination, union responses to employee mandates, healthcare employee shortages, and management of pandemic-related employment issues. The discussion is led by a labor and employment law expert, as a health system in-house counsel raises common scenarios facing employers in various settings in the healthcare industry.

Violet M. Anderson, CHRISTUS Health, Irving, TX
Felicity A. Fowler, McGinnis Lochridge, Dallas &
Houston, TX

3:10 p.m. 15-Minute Break

3:25 p.m. .75 hr

Texas' Mental Health System: Overviews and Local Solutions

Hear overviews of the public mental health system in Texas and programs developed through the Southwest Texas Regional Advisory Council's Crisis Collaborative. Examine the legal basis for this system, the roles of each type of facility, points of access, and funding. Learn how efforts to implement collaborative, local solutions at the cross-payor level are now moving upstream to address access to care before mental health crises arise.

Pamela L. Beach, Texas Council Risk Management Fund, Sugar Land, TX
Dr. Sally E. Taylor, University Health System, San Antonio, TX

4:10 p.m. .75 hr | .25 hr ethics

The Future of Telehealth: A Legal Discussion of Current Trends and Future Innovations

Review recent trends in the application of, and legal issues associated with, telehealth and digital health technology, including policy trends, future innovations, and the opportunities and challenges beyond a global pandemic. Discuss ethical issues associated with health inequities affecting patient access to telehealth services and digital health technology highlighted during the COVID-19 pandemic..

Charles Dunham, Greenberg Traurig, LLP, Houston, TX

4:55 p.m. .75 hr | .25 hr ethics

Enforcement Trends Across the Healthcare Industry

The federal government and various states continue to investigate and litigate healthcare fraud cases 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 2022 and beyond.

Wilson G. Jones, Bracewell LLP, Dallas, TX
B. Scott McBride, Morgan, Lewis & Bockius LLP, Houston, TX

5:40 p.m. Adjourn to Reception

NETWORKING RECEPTION

5:40 p.m. – 6:40 p.m.

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

Are you a 1st or 2nd year attorney? Attend most UT Law CLE conferences for just \$150!

Call 512.475.6700 to register.

FRIDAY MORNING, APR. 8, 2022

Presiding Officer:
Kathy L. Poppitt, King & Spalding, Austin, TX

7:30 a.m. **Conference Room Opens**
Includes continental breakfast.

7:55 a.m. **Morning Announcements**

8:00 a.m. .75 hr

Getting Private Equity and Hospital Physician Deals Done During the Pandemic and Beyond...

Discuss how the pandemic has influenced changes in the landscape, dynamics and pace of physician practice acquisitions. Our panelists, who represent and work with hospitals and private equity firms, compare and contrast the different approaches to physician practice transactions and the regulatory and other trends that they see impacting the healthcare M&A outlook post-COVID.

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

Panelists:
Chris J. Kehres, GI Alliance, Southlake, TX
Colin M. McDermott, VMG Health, Dallas, TX
Brandee L. Todd, CHRISTUS Health, Irving, TX

8:45 a.m. 1.00 hr

Operational Impact of Significant Cases

Take an in-depth look at the key legal developments and significant cases affecting healthcare operations, including credentialing and liability issues, that impact health systems and other providers. The written materials represent a comprehensive annual survey of noteworthy cases from around the country.

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

9:45 a.m. 1.00 hr

Operational Issues for Hospitals

Operational issues affecting both large hospital systems and small rural hospitals including the "Heartbeat Bill", Hospital at Home model, CMS COVID-19 mandate, workplace safety, and other relevant issues.

Trent Krienke, Reed, Claymon, Meeker & Hargett, PLLC, Austin, TX
Brad Nitschke, Parkland Health & Hospital System, Dallas, TX
Serina Rivela, University Health System, San Antonio, TX

10:45 a.m. 15-Minute Break

ACTION THROUGH EDUCATION

Our efforts for real change against racism.

Learn how we as lawyers can join the fight against racial injustice.

Visit www.utcle.org for more.

11:00 a.m. 1.00 hr ethics

The Importance of Legal Representation for a Healthy Community: Medical-Legal Partnerships in Support of Community Health

Medical-legal partnerships (MLP) integrate the unique expertise of public interest lawyers into health care settings to help clinicians, case managers, and social workers address structural problems at the root of so many health inequities. Explore the role and responsibilities of attorneys who participate in delivering "legal" care to individuals and communities.

Moderator:
Sheryl T. Dacso, Seyfarth Shaw LLP, Houston, TX

Panelists:
Christina Fok, The University of Texas Health Science Center at Houston, Houston, TX
Keegan D. Warren-Clem, Health Management Associates and The University of Texas at Austin, Austin, TX

12:00 p.m. 1.00 hr ethics

Crisis Standards of Care

When medical needs of the community overwhelm hospital capacity, the Crisis Standards of Care guide who is prioritized to receive scarce medical resources. Gain insights on the current state of Crisis Standards in Texas, how guidelines were developed before and modified during the COVID-19 pandemic, and the concerns of people with disabilities and other marginalized groups regarding distribution of scarce medical resources under crisis standards.

Jennifer B. Claymon, Reed Claymon Meeker & Hargett, PLLC, Austin, TX
Dr. Robert Fine, BSWH Office of Clinical Ethics and Palliative Care, Dallas, TX
Lisa Snead, Disability Rights Texas, Austin, TX

1:00 p.m. Adjourn

UT Law CLE is committed to Practice Excellence.

We are here to support our community while we navigate the coronavirus pandemic together. Information and updates regarding our in-person conferences and live webcasts will be posted at www.utcle.org.

In addition, we continue to offer multiple educational opportunities online—both live and on-demand—by bringing practitioners together virtually. We are fortunate to serve so many of you who strive for excellence in the practice of law.



REGISTRATION FORM

HPL22/HL22

Register:
www.utcle.org/conferences/HPL22/signup
www.utcle.org/conferences/HL22/signup

Mail:
The University of Texas School of Law
ATTN: Registration
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.

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Telephone _____ Fax _____

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Invoices, confirmations and receipts are emailed to these addresses.

CONFERENCE REGISTRATION

LIVE EVENT REGISTRATION

Special group registration rates available. Call 512.475.6700

Pre-Conference Registration

Includes Electronic Course Binder Download (PDF) in "Your Briefcase."

Individual Registration \$75 | \$125 after March 30

Select One

- Health Law Fundamentals
- Advanced Issues in Health Law
- In-House Counsel Issues (Limited to In-House Counsel ONLY)

Pre-Conference Registration Total \$ _____

Conference Registration

Includes Electronic Course Binder Download (PDF) in "Your Briefcase."

Individual Registration \$625 | \$675 after March 30

Add Optional Thursday Table Topics Luncheon—Select One \$50

- TOPIC A: COVID-19 The Fallout and Future Impact
- TOPIC B: Managed Care Issues and Hot Topics for Both Hospitals and Physicians
- TOPIC C: Trends and Tips for Getting Deals Done
- TOPIC D: Reimbursement and Care Delivery Innovations

Conference Printed and Shipped Binder with Registration (Shipping Included) – Available Through Friday, April 8

Please Note: Printed binder will arrive 2-3 weeks after the conclusion of the live conference. Delivery to P.O. boxes is not permitted. Binders will not be distributed on-site.

Printed and Shipped Course Binder \$70.36 (\$65*)

Conference Registration Total \$ _____

REGISTRATION SUBTOTAL **\$** _____

POST-CONFERENCE PRODUCTS

Pre-Conference eConference – For Texas and California MCLE Credit

Includes Electronic Course Binder Download (PDF) and program audio. Available 4–6 weeks after live event. Hours may vary depending on actual event runtime.

Pre-Conference eConference \$100

Pre-Conference Post-Course Electronic Binder – For Research and Self-Study

Comprehensive Electronic Binder with papers and slides, available for delivery 2–3 weeks after live event.

Electronic Post-Course Download (PDF) \$70.36 (\$65*)

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Includes Electronic Course Binder Download (PDF) and program video. Available 4–6 weeks after live event. Hours may vary depending on actual event runtime.

Conference eConference \$745

Conference Post-Course Binder – For Research and Self-Study

Comprehensive binder with papers and slides, available for delivery 4–6 weeks after live event.

Electronic Post-Course Download (PDF) \$265.21 (\$245*)

Printed Post-Course Binder \$319.34 (\$295*)

Conference Post-Conference Products Subtotal \$ _____

TOTAL POST-CONFERENCE PRODUCTS **\$** _____

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METHOD OF PAYMENT

Check (make check payable to The University of Texas at Austin) VISA MasterCard American Express P.O.

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SCAN TO VIEW OUR COVID-19 PROTOCOLS

See what we're doing differently this year to address the safety concerns of our staff and attendees at in-person events.



HLP22/HL22

HOUSTON

April 6, 7–8, 2022

CONFERENCE LOCATION



Royal Sonesta Hotel
2222 West Loop South
Houston, TX 77027-3502
713.627.7600
855.463.3091 (reservations)

Special Room Rate: \$179
good through March 13, 2022
(subject to availability)

Parking:

Self-parking \$12 daily; \$18 overnight
Valet \$18 daily; \$27 overnight
(subject to change)

Parking:

Please visit www.utcle.org/conferences/HL22
for daily and overnight rates

KEY DATES

March 30, 2022

Last day for early registration rates

April 1, 2022

Last day for full refund cancellation

April 4, 2022

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

April 6, 2022, 7:00 p.m., CT

Pre-conference begins

April 7, 2022, 8:20 a.m., CT

Conference begins

April 8, 2022

Last day to order a printed and shipped course binder with conference registration.

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