

21ST ANNUAL
HEALTH LAW CONFERENCE

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Specialization Credit Approved for Health Law



April 15*, 16 - 17, 2009
Four Seasons Hotel • Houston, Texas

*Optional Wednesday Evening Sessions

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WEDNESDAY EVENING, APRIL 15, 2009	THURSDAY MORNING, APRIL 16, 2009	THURSDAY AFTERNOON
<p>6:00 p.m. Registration Opens</p> <p>Concurrent Sessions * Optional Sessions: See registration form to select and purchase session.</p>	<p>Conference begins at 8:45 a.m.</p> <p>Presiding Officer: David W. Hilgers, Austin, TX</p>	<p>Presiding Officer: Mary M. Bearden, Amarillo, TX</p>
<p>7:00 p.m. 2.00 hrs</p> <p>Health Law Primer This session provides an introduction to basic health law, with emphasis on fraud and abuse, managed health care, and Medicare reimbursement issues. Kenneth J. Kramer, Arlington, TX Marie C. Berliner, Austin, TX</p>	<p>7:45 a.m. Registration Opens Includes continental breakfast.</p> <p>8:35 a.m. Welcoming Remarks Jerry A. Bell, Austin TX</p> <p>8:45 a.m. .50 hr</p> <p>State Legislative Update An overview of key issues that impact health care being debated by the Texas Legislature, including the state budget. John Hawkins, Austin, TX</p>	<p>12:15 p.m. Luncheon Table Topics Discussion groups with conference faculty and registrants. See registration form to select a Table Topic and purchase ticket.</p> <p>TOPIC A: Hospital-Physician Deals TOPIC B: Compliance and Self-Disclosure Issues TOPIC C: Physician Profiling and Economic Credentialing TOPIC D: Options for Providers in Recessionary Times</p>
<p>7:00 p.m. 2.00 hrs including .50 hr ethics</p> <p>In-House Counsel Issues This session is limited to in-house counsel and is intended to include free discussion between panelists and participants. Topics covered include medical staff and credentialing issues (including codes of conduct, disputes over scope of practice, and dealing with aging practitioners), labor and employee relations issues (including union organizing), medical liability litigation trends, Federal policy and health care reform issues, retail medicine and institutional medical delivery issues, and other topics of current interest for in-house counsel. Moderator: Michael J. Regier, Irving, TX James Gilman, San Antonio, TX Margaret Mary O'Donnell, Houston, TX</p>	<p>9:15 a.m. .75 hr</p> <p>Federal Health Policy Update A discussion of upcoming health care initiatives of the Obama administration; what's ahead and what's likely to be enacted this year. Alex R. White, Austin, TX</p>	<p>1:00 p.m. Break</p> <p>Concurrent Break-Out Sessions See registration form to select Track.</p> <p>TRACK A: HOSPITAL ISSUES</p> <p>Presiding Officer: Mary M. Bearden, Amarillo, TX</p>
<p>7:00 p.m. 2.00 hrs including .50 hr ethics</p> <p>Compliance Officers: Reporting Responsibilities, Legal and Ethical Issues A facilitated discussion of the current legal and ethical dilemmas that compliance officers and compliance programs face. The session also covers the role of the compliance officer in reporting issues to various entities, both internal and external to the organization. Audrey T. Andrews, Dallas, TX Brian Beard, Tomball, TX Allyson Kinzel, Houston, TX</p> <p>9:00 p.m. Adjourn</p>	<p>10:00 a.m. Break</p> <p>10:15 a.m. 1.00 hr</p> <p>Quality of Care Issues The government regulators and private sector participants are demanding health care providers increase their quality of care. What are the market and regulatory forces behind this change? What are the liability and regulatory risks for health care providers? Steven M. Berkowitz, Austin, TX</p> <p>11:15 a.m. 1.00 hr including .25 hr ethics</p> <p>Health Law Year-In-Review An overview of important health care developments in the past year, including regulatory changes, politics and policy initiatives. Beth Schermer, Phoenix, AZ</p>	<p>1:15 p.m. .75 hr</p> <p>Current Tax Issues Involving Nonprofits: Focus on the New Form 990 This session examines current issues affecting tax-exempt health care providers, including the new Form 990 reporting requirements covering executive compensation, governance, and community benefits. R. Todd Greenwalt, Houston, TX</p> <p>2:00 p.m. .75 hr</p> <p>Recovery Audits CMS is in the process of implementing the newest weapon in its arsenal, the Recovery Audit Contractors (RAC) program. RACs are incentivized to find and recoup claims paid by Medicare that fail to meet requisite coverage criteria. This presentation provides an overview of the RAC process and associated target dates for implementation and includes a discussion of the results from the demonstration project and the lessons learned. Denise M. Fletcher, Amarillo, TX Brian G. Flood, Austin, TX</p>

2:45 p.m. .75 hr

**The Practical and The Possible:
Some Sensible Solutions to Operational
and Peer Review Problems**

A discussion of important sections from various agreements, policies and procedures, bylaws, credentialing manuals and consent forms as they relate to key operational and peer review problems. The laws impacting these sections are also included in the discussion. The handouts for this "nuts and bolts" session include sample provisions from relevant health care documents that can be adapted and used by audience participants.

Moderator: Mary M. Bearden, Amarillo, TX
J. Richard Cheney, Houston, TX
Rosemaria Levinsky, Abilene, TX

Concurrent Break-Out Sessions End

Return to General Session

TRACK B: PHYSICIAN ISSUES

Presiding Officer:

Susan Feigin Harris, Houston, TX

1:15 p.m. .75 hr

**Hospital/Physician Arrangements:
Two Sides to Every Story**

An examination of hospital/physician arrangements, including a point-counterpoint between hospital and physician perspectives. The session addresses practical approaches to resolving ten hot button issues, and includes sample provisions from relevant contracts and documents that can be adapted and used by audience participants.

Debbi M. Johnstone, Houston, TX
Stuart Farrell Miller, Houston, TX

2:00 p.m. .75 hr

Innovative Payment Arrangements

This session includes CMS's and commercial payors' move to value-based purchasing (refusal to pay for certain Hospital-Acquired Conditions or never events, pay-for-performance to reward high-performance providers) as well as spillover to managed care payment arrangements (higher out-of-pocket costs for patients through tiering, out-of-network reimbursement, usual and customary pricing, payment denials, etc.)

Elizabeth N. Rogers, Austin, TX

2:45 p.m. .75 hr

Physician Employment Agreements

A discussion of key issues in physician employment arrangements, e.g. "standard and unique" and review and analysis of typical contract provisions. Sample contract provisions are included in materials.

Sheryl T. Dacso, Houston, TX
Patrick Owens, Dallas, TX

Concurrent Break-Out Sessions End

Return to General Session

3:45 p.m. .50 hr

**Managed Care Today: Current Trends and
Challenges**

Employers, health plans and governmental agencies are once again looking to managed care to lower health care costs, increase the quality of care, and increase access for the uninsured. Will it be déjà vu all over again?

Donnie Hromadka, Austin, TX
Hal S. Katz, Austin, TX

4:15 p.m. 1.00 hr

**Setting the Legal GPS System: Stark and
Fraud and Abuse Developments**

A review of key Stark and fraud and abuse developments and hot spots, including how to respond to situations involving Stark non-compliance, periods of dis-allowance, repayment obligations and self disclosure. The session also addresses regulatory developments for P4P and shared savings programs under Stark, Anti-Kickback and CMP provisions and the restructuring of "under-arrangements" transactions under recent amendments to the Stark Law.

Beth Schermer, Phoenix, AZ
Donna Schmerin Clark, Houston, TX

5:15 p.m. **Adjourn to Sponsored Reception**

FRIDAY MORNING, APRIL 17, 2009

Presiding Officer:

Jerry A. Bell, Austin, TX

8:00 a.m. **Conference Room Opens**

Includes continental breakfast.

8:30 a.m. .75 hr

**Corporate Practice of Medicine, Nonprofit
Health Organizations and Hospital-Employed
Physicians**

A discussion of issues affecting nonprofit health organizations (formerly known as 5.01(a) organizations), including governance, practice management, tax exemption and developments in the prohibition on the corporate practice of medicine, as well as an overview of requirements for the formation of nonprofit health organizations.

Jennifer B. Claymon, Austin, TX
Bernard A. Duco, Houston, TX

9:15 a.m. .75 hr

Operational Impact of Significant Cases

A discussion of key legal developments affecting health care operations, e.g. *Poliner*, *Kedlec*, and other significant cases. The session also covers credentialing and issues impacting hospitals and health care providers. Written materials contain a comprehensive review of recent decisions affecting the liabilities and duties of health care providers.

Yvonne K. Puig, Austin, TX

10:00 a.m. **Break**

10:15 a.m. 1.00 hr ethics

**Engagement Letters: Sandbags Against the
Tide**

Engagement letters and their impact on protecting against malpractice. Good checklists and covers fees, conflicts and confidential information are covered.

Thomas H. Watkins, Austin, TX

11:15 a.m. 1.50 hrs including .50 hr ethics

**Enforcement and Compliance Panel,
Including Self-Disclosure Issues**

A discussion of current Medicare and Medicaid enforcement initiatives, including recent judicial interpretations of the False Claims Act (FCA); the Grassley/Baucus FCA "corrections" legislative proposal and parallel State FCA actions. The session also explores strategies for assessing internal compliance and minimizing FCA risks, as well as, self-disclosure, advisory opinion, and other proactive approaches for providers.

Moderator: Gary W. Eiland, Houston, TX
Gregory M. Luce, Washington, DC
James G. Sheehan, Albany, NY

12:45 p.m. **Adjourn**

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Course Binder

Don't miss papers on current developments—*Health Law Year-in-Review, Hospital/Physician Arrangements, Stark Developments, Enforcement and Compliance*, and much more. The Health Law Conference generates the year's definitive set of resource materials including sample forms and agreements.

Audio CD Set

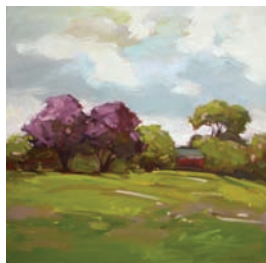
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In-House CLE

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ABOUT THE COVER

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Mail this registration form to:

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P.O. Box 7759, Austin, TX 78713-7759 **or fax a copy to: (512) 475-6876**
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CONFERENCE REGISTRATION

Includes Course Binder and Thursday Afternoon Concurrent Break-out Sessions

- Early Registration Fee due by Wed. April 8, 2009..... \$525.00
 Registration Fee after Wed. April 8, 2009 \$575.00

Wednesday Evening Sessions (Select a Topic Below): \$75.00

- Health Law Primer In-House Counsel Issues
 Compliance Officers

Thursday Luncheon Table Topics (Select a Topic Below):\$25.00

- Topic A: Hospital-Physician Deals
 Topic B: Compliance and Self-Disclosure Issues
 Topic C: Physician Profiling and Economic Credentialing
 Topic D: Options for Providers in Recessionary Times

Thursday Afternoon Concurrent Break-Out Sessions (Select a Track Below):

- Track A: Hospital Issues Track B: Physician Issues

CONFERENCE PUBLICATIONS AND MEDIA

Allow 2-4 weeks from the conference date for delivery.

- Course Binder Without Conference Registration \$225.00
Note: Conference registration includes Course Binder.
 Audio CD Set \$175.00
 eBinder on CD (PDF format) \$225.00/\$50.00
(\$225 purchased alone, \$50 with registration or purchase of Course Binder or Audio CD Set)

IN-HOUSE CLE: Bring the conference in-house and learn at your convenience.

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- In-House CLE for 2—Includes Audio CD Set and Course Binder \$750.00
_____ Add participants (includes Course Binder) for \$225 each \$ _____

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HOUSTON

April 15*, 16-17, 2009



CONFERENCE LOCATION

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713-650-1300

SPECIAL ROOM RATE \$225
good through March 25, 2009
(subject to availability)

Parking: Valet only—\$13 day;
\$28 overnight (subject to change)

KEY DATES

Registration & Cancellation

April 8, 2009—5 p.m.

last day for early registration
additional fee for registrations
received after this time

April 10, 2009—5 p.m.

last day for full refund

April 13, 2009—5 p.m.

last day for partial refunds
\$50 processing fee applied

April 15, 2009—7 p.m.

optional Wed. evening sessions begin

April 16, 2009—8:45 a.m.

conference begins
Note Early Start Time

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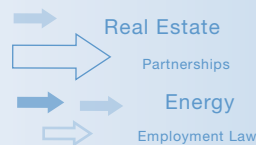
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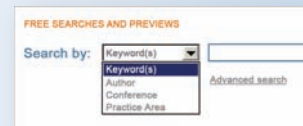
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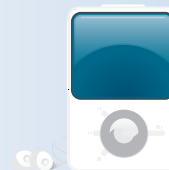
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