

28th Annual Health Law Conference

April 20*, 21-22, 2016 • Royal Sonesta Hotel Houston • Houston, TX

Wednesday Evening, Apr. 20, 2016

	PRE-CONFERENCE CONCURRENT SESSIONS Please select on registration form. Each session includes a 15-minute break.
6:00 pm	Registration Opens
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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 coverage and reimbursement issues. Violet M. Anderson, CHRISTUS Health - Irving, TX 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 (Limited to In-House Counsel ONLY)	
7:00 pm 2.00 hrs	In-House Counsel Issues <i>Limited to in-house counsel only</i> to involve active discussion and sharing among the panelists and participants. Topics include implementation of the 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: Deborah Gordon, Memorial Hermann Health System - Houston, TX D. David Hearne Jr., CHI St. Luke's Health - Houston, TX Alexandria H. McCombs, Humana Inc. - Irving, TX Andy G. Navarro, CHRISTUS Health - Irving, TX
9:15 pm	Adjourn

Thursday Morning, Apr. 21, 2016

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 Hear an entertaining and informative overview of important healthcare developments in the past year, including court decisions, regulatory changes, politics and policy initiatives. Jack S. Schroder Jr., Retired, Alston & Bird LLP - Big Canoe, GA
9:45 am 0.75 hr	Managed Care: Trends in Medicaid and Commercial Partnerships and Reimbursement On a daily basis, healthcare providers and plans work on ways to improve the cost, quality and accountability of healthcare in Texas. Consider the recent developments and trends in value-based purchasing and reimbursement, collaborative partnerships between payers and providers, and recent regulatory developments and pressure points on plans and providers. Janet Walker Farrer, Ascension Health - Austin, TX Leah Stewart, Beatty Bangle Strama, P.C. - Austin, TX
10:30 am	Break
10:45 am 1.00 hr	All in the Family: Trends in Hospital, Physician and Payer Consolidation and Alignment Activities Explore the current landscape of consolidation among hospitals with other hospitals and hospital systems, physicians and physician groups and payer organizations, and the market and regulatory forces impacting such arrangements. Lisa Atlas Genecov, Norton Rose Fulbright - Dallas, TX Deborah Gordon, Memorial Hermann Health System - Houston, TX Joseph Sowell, HCA Holdings, Inc. - Nashville, TN
11:45 am 0.75 hr	Practical Advice on Physician Compensation: Achieving Compliance and Fair Market Value Physician compensation issues such as pay for performance, shared savings and commercial reasonableness all continue to be at the forefront of the changing healthcare landscape. Explore these current issues and gain practical tips on internal compliance and assuring fair market value. Jen Johnson, VMG Health - Dallas, TX Kevin A. Reed, Reed, Claymon, Meeker & Hargett, PLLC - Austin, TX Gary Kay Ruff, Tenet Healthcare Corporation - Dallas, TX
12:30 pm	Break

Thursday Afternoon, Apr. 21, 2016

Presiding Officer:

David W. Hilgers, Husch Blackwell LLP - Austin, TX

Optional Table Topics Luncheon

Join a discussion group with conference faculty and fellow registrants. See registration form to select a Table Topic and purchase your ticket for lunch.

TOPIC A: Stark and Anti-Kickback Issues

12:50 pm

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TOPIC B: HIPAA Challenges

12:50 pm

TOPIC B: HIPAA Challenges

TOPIC C: Telemedicine

12:50 pm

TOPIC C: Telemedicine

TOPIC D: Physician/Hospital Relationships

12:50 pm

TOPIC D: Physician/Hospital Relationships

1:35 pm

Break

1:50 pm
1.00 hr
0.50 hr ethics

Cybersecurity

It seems barely a day goes by without a “cyber breach” headline in the news. Such an event should be of particular concern for health care organizations, with highly complex requirements and sensitive information. Examine the legal, regulatory, and corporate governance issues every health care organization should consider, and how best to prepare for, and remediate, a cybersecurity breach.

Roger C. Geer, U.S. Department of Health and Human Services - Dallas, TX
John P. Tomaszewski, Seyfarth Shaw LLP - Houston, TX

2:50 pm
0.75 hr

Healthcare Delivery and Innovation Waivers in Texas

In the wake of healthcare delivery and payment reform, quality and efficiency are prioritized by government and commercial payers. Texas has led the way with delivery reform through the 1115 Medicaid Delivery and Transformation Demonstration Waiver. Hear an overview of the pending continuation of 1115 Waiver application, future possibilities for providers with a state 1332 Innovation Waiver, the status of new provider delivery models and an update on ACA enrollment in Texas.

Michelle Apodaca, Haynes and Boone, LLP - Austin, TX
Rudy Villarreal, Texas Health and Human Services Commission - Austin, TX

3:35 pm

Break

3:45 pm 0.75 hr	<p>CMS Update: What is an SIA and How to Keep Your Hospital from Needing One</p> <p>Medicare-participating hospitals must comply with the program's Conditions of Participation. The CMS Dallas Regional Office enforces these Conditions within Texas and surrounding states through on-site surveys and regulatory actions, which can result in terminating a hospital from the Medicare and Medicaid programs. Hear a discussion of the current regulatory environment, government expectations and systemic approach to compliance, including CMS' recent increased use of Systems Improvement Agreements (SIAs) for hospitals struggling with compliance, and tips for hospitals to avoid needing an SIA.</p> <p>Hilary H. Young, Joy & Young LLP - Austin, TX Dodge Guioa, Centers for Medicare and Medicaid Services - Dallas, TX</p>
4:30 pm 1.00 hr 0.50 hr ethics	<p>False Claims Act Enforcement and Investigations</p> <p>In 2015, the government reported a significant number of new False Claims Act (FCA) actions and approximately \$3.5 billion in FCA judgments and settlements. It was also a record-breaking year for whistleblower recoveries in non-intervened FCA cases. These high stakes, coupled with the erosion of traditional FCA defenses, the DOJ's aggressive policies on FCA investigations, more streamlined government intervention decisions, and courts' acceptance of novel theories of FCA liability, continue to change the landscape for FCA enforcement. Take a closer look at this new age of FCA enforcement and investigations and what that means for the healthcare industry.</p> <p>B. Scott McBride, Baker & Hostetler LLP - Houston, TX Adam Robison, King & Spalding - Houston, TX</p>
5:30 pm	Adjourn
	<p>Networking Reception (5:30 p.m. - 6:30 p.m.)</p> <p>THANK YOU TO OUR SPONSORS</p> <p>Join us for drinks and hors d'oeuvres with program faculty and attendees.</p>

Friday Morning, Apr. 22, 2016

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 1.00 hr	<p>Regulatory and Operational Hot Button Issues</p> <p>Examine recent key developments in the regulatory and operational area for hospitals and other healthcare providers. Hear practical suggestions for dealing with these changes, including NPDB reporting, CMS Conditions of Participation, credentialing and sharing peer review information within healthcare systems, and telemedicine agreements.</p> <p>Joanne P. Hopkins, Law Office of Joanne P. Hopkins - Austin, TX Susan F. Monaco, Tenet Healthcare Corporation - Dallas, TX Allison D. Shelton, Brown & Fortunato, P.C. - Amarillo, TX</p>
10:30 am	Break
10:45 am 0.50 hr	<p>Stark Update</p> <p>A focus on recent regulatory and administrative developments relating to the Stark Law, as well as enforcement actions.</p> <p>Donna Schmerin Clark, Baker & Hostetler LLP - Houston, TX</p>
11:15 am 0.75 hr	<p>Key Labor and Employment Issues in the Healthcare Sector</p> <p>A discussion of evolving employment law issues facing healthcare employers, including new guidance and initiatives by the Department of Labor, social media use and related privacy concerns and National Labor Relations Board enforcement initiatives, the interaction of ADA accommodations and FMLA-driven leave programs, contractor classification complications, and Texas' new open carry statute.</p> <p>Jason Boulette, Boulette Golden & Marin L.L.P. - Austin, TX Kimberly S. King, CHRISTUS Health - Irving, TX</p>
12:00 pm 1.00 hr ethics	<p>Ethical Behavior, Legal Ethics, and Professionalism in Negotiations</p> <p>The structuring of many deals involves the creation of multiple entities, which in turn raises potential conflicts of interest and litigation issues. Consider the ethical questions arising in multiple entity deals, particularly who is the client, and who owns the privileges.</p> <p>Thomas H. Watkins, Husch Blackwell LLP - Austin, TX Commentator: Brenda T. Strama, Beatty Bangle Strama, P.C. - Austin, TX</p>
1:00 pm	Adjourn