



AMERICAN BAR ASSOCIATION HEALTH LAW SECTION

in conjunction with

CHICAGO MEDICAL SOCIETY

AND AMERICAN ASSOCIATION FOR PHYSICIAN LEADERSHIP®

PRESENT

PHYSICIANS LEGAL ISSUES CONFERENCE

Thriving in a Time of Change

Attorneys and Physicians Working Together

Palmer House Hilton

CHICAGO, IL

JUNE 10-12, 2015



PROGRAM ORGANIZERS:

IN CONJUNCTION WITH:



www.abanet.org/health



PROGRAM DETAIL

TARGET AUDIENCE & SCOPE OF PROFESSIONAL PRACTICE:

This CME and CLE activity is targeted towards all physicians and attorneys who work with healthcare related matters. Whether you are an experienced healthcare lawyer or a physician in any practice setting or simply entering the field of healthcare, this activity will provide valuable insight and strategies that can improve your practice.

DESCRIPTION:

Physicians, payers, and patients have now had five years to struggle with and address the issues that have accompanied the enactment of the Affordable Care Act (ACA) in 2010. A paradigm shift in the delivery of and payment for care has occurred under the ACA and with this, physicians have been forced to adopt and adapt to strategies and alignments that have sometimes been successful and sometimes not. Physicians have witnessed the erosion of the private practice and now compete with large healthcare systems and payers.

This unique program has been designed to bring physician and legal experts, as well as government and payer representatives, together, from around the country, to provide perspectives and ideas directly to physicians and attorneys on ways for physicians to thrive, not just “survive” in these uncertain times. These speakers will be available to participants for direct conversations and questions that all providers and attorneys are struggling with. Knowledge is power and this program is guaranteed to provide insights that will directly impact the daily life of a practicing physician and insure success and long term viability. Participants will walk away with real time program materials and networking connections that will be invaluable to their success.

REGISTER TODAY

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GLOBAL DESIRED LEARNING OUTCOMES:

At the conclusion of this conference, CME and CLE participants should be able to:

1. Identify emerging trends in innovative payment models that promote clinical integration and encourage the development of collaborative relationships between payers and providers.
2. Determine at least two (2) key contractual provisions in agreements between providers and managed care payers for effective negotiation.
3. Implement new strategies that assist independent provider practices stay successful and thrive in the current industry climate.
4. Review the fundamentals of the Stark Law, Federal Anti-Kickback Statute and HIPAA/HITECH compliance issues affecting today's physician, including lessons from recent government enforcement.
5. Explain the legal and clinical issues that arise from using nurse practitioners and other allied health professionals to fill staffing gaps due to physician shortages.
6. Examine how government enforcement agencies develop and conduct investigations of health care entities and discuss recent government program integrity efforts and priorities.
7. Recognize at least two best practices and two pitfalls for relationships between providers and their vendors.
8. Explain recent developments in telemedicine and its impact on the provision of health care services.
9. Grasp the challenges faced by the medical community and its ability to respond and meet standards of care during times of disasters and pandemics.
10. Identify and address the ethical dilemmas that arise when attorneys represent multiple entities and partners.
11. Identify impairments that can affect a physician's ability to practice medicine, as well as ways to intervene, and understand their potential legal implications.

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Palmer House Hilton
Chicago, IL



WEDNESDAY, JUNE 10, 2015

1:00–2:00 pm	Medicine in Crises: Response and Standards of Care in Disaster and Pandemics
2:00–2:50 pm	The Federal Stark Law and Anti-kickback Statute: Keeping up with Recent Trends
2:50–3:00 pm	Break
3:00–3:50 pm	Negotiating Managed Care Contracts
3:50–4:00 pm	Break
4:00–4:50 pm	OCR's Anatomy—HIPAA Breaches, Investigations, and Enforcement
4:50–5:00 pm	Break
5:00–5:45 pm	Wheel of Fortune—Fun interaction with our speakers and session topics

THURSDAY, JUNE 11, 2015

8:00–8:10 am	Welcome Remarks Michael E. Clark, JD, LL.M. (Health Law), Duane Morris LLP 2014–2015 American Bar Association Health Law Section Chair
8:10–8:50 am	The State of Payment Innovation— Keynote Speaker: Paul H. Keckley, Ph.D., Managing Director, Navigant Healthcare
9:00–10:00 am	Creating a Sustainable, High Performing CIN—Herding Cats is an Understatement
10:00–10:15 am	Break
10:15–11:15 am	Payer and Provider Initiative Under ACA
11:15 am–12:15 pm	Leveraging Professional Liability Companies in a Competitive Market
12:15–12:30 pm	Break
12:30–1:30 pm	Lunch—Programs
12:30–1:00 pm	Community Clinics and Pharmacies: Opportunities for Physicians and Attorneys to Work Together
1:00–1:30 pm	Hot Topics in Healthcare Valuation
1:30–2:30 pm	CMS Program Integrity Activities and Strategic Priorities

THURSDAY, JUNE 11, 2015 CONTINUED

2:30–2:45 pm	Break
2:45–3:45 pm	Navigating the Perilous Waters of the False Claims Act From Medical Necessity to the Anti-Kickback Statute and Beyond
3:45–4:45 pm	Vendor Relationships: What a Physician Needs to Know
4:45–5:00 pm	Break
5:00–7:00 pm	Addressing Access Issues for Diverse Populations in Health Care Deliver Diversity Session & Reception

FRIDAY, JUNE 12, 2015

8:00–8:05 am	Opening Remarks Clay J. Countryman, JD and Kathleen L. DeBruhl, JD Physicians Legal Issues Co-Chairs
8:05–8:50 am	Journey of a Lifetime? What I've learned about healthcare, technology, business and human behavior— Keynote Speaker: Bill Crouse, MD, Senior Director, Worldwide Health, Microsoft
8:50–9:00 am	Break
9:00–10:15 am	Practice Issues—Maintaining and Sustaining an Independent Practice
10:15–10:30 am	Break
10:30–11:15 am	The Physician Shortage Crisis & the Use of Allied Healthcare Providers
11:15 am–12:15 pm	To Whom Shall I Be True: Legal Ethics in the Representations of Physicians, Groups and their Businesses
12:15–12:30 pm	Break
12:30–1:30 pm	Lunch—Healing the Healer: Recognizing and Dealing with Impairments That Can Affect a Physician's Ability to Practice
1:30–2:30 pm	Telemedicine Compliance—Maximizing Patient Care & ROI While <i>Minimizing</i> Government Risks CLE Program Adjourns

**Program and Speakers are subject to change.*

All disclosures will be included in the CME agenda provided on-site prior to the start of the activity.

PROGRAM AGENDA

WEDNESDAY, JUNE 10, 2015

1:00–2:00 pm	<p>Medicine in Crises: Response and Standards of Care in Disaster and Pandemics</p> <p>“Crisis standards of care” planning and implementation provides a roadmap for use during catastrophic events. Planning and coordination are critical to ensuring more successful outcomes under chaotic conditions, thus limiting morbidity and mortality. The standards of care proposed under the delivery of such conditions must represent a reasonable, effective, and equitable approach to healthcare service delivery, albeit with some very unique and challenging conditions that simply do not exist under conventional disaster conditions.</p> <ul style="list-style-type: none">• Existing federal and state legal authorities on the delivery of care under disaster conditions• Issues related to physician liability concerns and the balance of provider protections with patient’s rights• Examples of disaster care, from the perspective of the bedside patient care provider “fits” into the systems approach required for coordination of such complex care and the decision making that accompanies such care <p>> Deidre Golden, MD, JD, University of Detroit Mercy School of Law, <i>Detroit, MI</i></p> <p>> Dan Hantling, MD, National Academies, Institute of Medicine, <i>Bethesda, MD</i></p> <p>> Donna Levin, National Director, Network for Public Health Law, <i>Atlanta, GA</i></p> <p>> Matthew Penn, JD, Centers for Disease Control & Prevention, <i>Atlanta, GA</i></p>
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WEDNESDAY, JUNE 10, 2015 CONTINUED

2:00–2:50 pm	<p>The Federal Stark Law and Anti-kickback Statute: Keeping up with Recent Trends</p> <p>This session will discuss recent case law and rulemaking that may impact or change how counsel may advise clients on Stark and Anti-Kickback application to current business arrangements. This includes developments related to Stark’s application to Medicaid, the meaning of “referral” under the Federal Anti-kickback Statute, and the protection of employed physicians under Stark and the Anti-kickback Statute. This session will also explore high-risk ancillary relationships between physicians and other suppliers and vendors. Last, it will address issues related to self-disclosure and repayment obligations.</p> <p>> Ericka Adler, JD, Kamensky Rubinstein Hochman & Delott LLP, <i>Lincolnwood, IL</i></p> <p>> Adrienne Dresevic, JD, The Health Law Partners, <i>Southfield, MI</i></p>
2:50–3:00 pm	Break
3:00–3:50 pm	<p>Negotiating Managed Care Contracts</p> <p>This session will guide attendees through the entire managed care contract negotiation process from preparation to termination. Drawing on his more than twenty years at the negotiating table, gain practical insights on some of the most challenging contracting issues confronting physicians and their counsel in today’s managed care environment—information you can use in your own negotiations. Topics will include:</p> <ul style="list-style-type: none">• Preparing for Negotiations—Who, When and How?• Critical Issues In Every Managed Care Contract• Common “Gotchas”• Exit Strategies and Contracting Hygiene <p>> Mark S. Kopson, JD, Plunkett & Cooney, <i>Bloomfield Hills, MI</i></p>
3:50–4:00 pm	Break

WEDNESDAY, JUNE 10, 2015 CONTINUED

4:00–4:50 pm	<p>OCR’s Anatomy— HIPAA Breaches, Investigations, and Enforcement</p> <p>Up until 2009, HIPAA was the health care industries’ paper tiger—policies and procedures gathered dust on providers’ shelves, and enforcement was essentially non-existent. Since then, the industry has seen a perfect storm of activity that places patient privacy and information security in the cross-hairs—numerous high-profile breaches, the HITECH Act (and its breach notification rules), the push towards electronic medical records and free-flowing health information exchange, and the 2013 HIPAA Omnibus Rule. These developments have led to an enforcement and regulatory climate where HIPAA and information security are emphasized and fines and enforcement activity are robust. In short, it is now clear to providers that it’s not appropriate to have those privacy policies and procedures lingering on the shelf.</p> <p>This session will include insights from the Office for Civil Rights and outside legal counsel regarding:</p> <ul style="list-style-type: none"> • How potential breaches arise and how to respond to them. • Why investigations are initiated, types of investigations, and how to respond to them. <ul style="list-style-type: none"> – The enforcement process, and enforcement activities and trends; – Practical guidance on how to protect patient privacy, keep your practice out of the spotlight, and to respond appropriately and (hopefully) minimize your exposure when issues inevitably arise. <p>> Clinton Mikel, JD, <i>The Health Law Partners, Southfield, MI</i></p> <p>> Alessandra Swanson, JD, <i>United States Department of Health and Human Services, Office for Civil Rights, Chicago, IL</i></p>
4:50–5:00 pm	Break

WEDNESDAY, JUNE 10, 2015 CONTINUED

5:00–5:45 pm	<p>Wheel of Fortune</p> <p>Fun Interaction with our speakers and topics</p> <p>Conference attendees will be divided into teams and compete with each other in answering questions on health care legal topics that were presented earlier in the afternoon, ranging from Stark Law compliance, HIPAA to managed care contracting. Attendees will not want to miss this fun game to end the day and learn more about different health care legal issues.</p>
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THURSDAY, JUNE 11, 2015

8:00–8:10 am	<p>Welcome Remarks</p> <p>> Michael E. Clark, JD, LL.M. (Health Law), <i>Duane Morris LLP, Houston, TX 2014–2015 American Bar Association Health Law Section Chair</i></p> <p>> Peter B. Angood, MD, FRCS (C), FACS, FCCM <i>President & Chief Executive Officer American Association for Physician Leadership, Tampa, FL</i></p> <p>> Theodore D. Kanellakes, <i>Executive Director, Chicago Medical Society</i></p>
8:10–8:50 am	<p>The State of Payment Innovation— Keynote Speaker: Paul H. Keckley, Ph.D., Managing Director, Navigant Healthcare</p> <p>Paul Keckley is a Managing Director in the Navigant Healthcare practice who brings nearly 40 years of experience in providing extensive healthcare industry analysis and policy expertise to healthcare leaders around the country.</p> <p>A highly sought after speaker, Dr. Keckley will discuss the current status of health reform and its impact on key sectors in the U.S. system. Dr. Keckley will review the many anticipated “tipping points” that will likely change the trajectory of many of the proposed and ongoing reforms. As a regular contributor to many news outlets including CNN, Fox News, the New York Times, Wall Street Journal and others, Dr. Keckley brings both experience and humor to the issues facing physicians today.</p> <p>> Paul H. Keckley, Ph.D., <i>Managing Director, Navigant Healthcare, Chicago, IL</i></p>

PROGRAM AGENDA

THURSDAY, JUNE 11, 2015 CONTINUED

9:00–10:00 am	<p>Creating a Sustainable, High Performing CIN—Herding Cats is an Understatement</p> <p>This panel will provide insights on the complexity of clinical integration and accountable care in the context of an evolving value-based contracting health system. Recognizing that alignment with patient engagement initiatives are often an oversight within this environment. This session will provide an in-depth discussion on how health systems, hospitals and physicians are working together to better define and manage population health in their communities. Some of the topics that will be presented include:</p> <ul style="list-style-type: none">• Herding the Cats—Physicians, Patients (People), Payers (Health Plan/ Government) and Purchasers (Consumer/Employer/Government)• Physician Engagement in an Evolving and Confusing Payment Environment• Emergence and Evolution of Narrow Networks• Beyond Acute Care Delivery• Patient Engagement Approaches in a Retail Environment• Thinking Ahead—Beyond Complex and Chronic Care Management <p>➤ Peter Angood, MD, FRCS (C), FACS, FCCM, Chief Executive Officer, American Association of Physician Leadership, <i>Tampa, FL</i></p> <p>➤ Ellen Brown, Glenridge HealthCare Solutions, <i>Columbia, MD</i></p> <p>➤ Stephen Wright, Senior Vice President, Group Operations, CHRISTUS Health Louisiana, <i>Alexandria, LA</i></p>
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THURSDAY, JUNE 11, 2015 CONTINUED

10:00–10:15 am	Break
10:15–11:15 am	<p>Payer and Provider Initiative Under ACA</p> <p>The ACA caused a paradigm shift in the working relationships between payers and providers who now see the benefits of working together in a time of hospital consolidation and employment of physicians. This panel presentation will discuss the new “partnerships” being formed between physicians and their payers to address the clinical integration trends and payment challenges in their communities. Discussion will include ideas of working with your payer and will provide real successful examples to include:</p> <ul style="list-style-type: none">• The direct efforts to merge a multistate medical practice while in discussions with worker comp plans, major insurers, and employers to assure relationships and better compensation.• Payer direct response to hospital employment of physicians and initiatives to directly partner with physicians to ensure primary care access and other needs of beneficiaries, while controlling costs.• Efforts by payers to direct beneficiaries and procedures away from inpatient to outpatient models with physician ownership.• Maintaining payor and community relationships in highly integrated clinics. <p>➤ Ann Burnett, Vice President, Provider Network Innovations and Partnerships, Blue Cross and Blue Shield of South Carolina, <i>Charleston, SC</i></p> <p>➤ James R. Dan, MD, FACP, Advocate Health Care, President of Physician and Ambulatory Services President, Advocate Medical Group, <i>Chicago, IL</i></p> <p>➤ AnnMargaret McCraw, Chief Executive Officer, Arcis Healthcare, <i>Columbia, SC</i></p>

THURSDAY, JUNE 11, 2015 CONTINUED

11:15 am–12:15 pm	<p>Leveraging Professional Liability Companies in a Competitive Market</p> <p>The panel will discuss recent developments in the national medical professional liability market. The panel will also discuss reduction of risk through clinical integration which has put doctors in a stronger position to negotiate with insurance companies. A rapidly growing risk financing alternative for clinically integrated groups is a risk purchasing group. Risk purchasing groups pool risk and participants purchase insurance from a single company which can reduce loss potential and therefore reduce premiums as well.</p> <p>> Michael Stinson, JD, Director, Government Relations, PIAA, <i>Rockville, MD</i></p> <p>> Megan Whalen, Vice President, Chicago Medical Society Insurance Agency, <i>Chicago, IL</i></p>
12:15–12:30 pm	<p>Break</p>
12:30–1:30 pm 12:30–1:00 pm	<p>Lunch—Programs</p> <p>Community Clinics and Pharmacies: Opportunities for Physicians and Attorneys to Work Together</p> <p>This panel will provide an informal presentation on establishing and providing on-going support for a community clinic and pharmacy to provide free medical care to indigent and homeless individuals and families. Community clinics and pharmacies have become a vital resource for health care services in many communities.</p> <p>> Theodore M. Kanellakes, MD, <i>Joliet, IL</i></p> <p>> Clay J. Countryman, JD, Breazeale, Sachse & Wilson, LLP, <i>Baton Rouge, LA</i></p>
1:00–1:30 pm	<p>Hot Topics in Healthcare Valuation</p> <p>Presenters will discuss hot topics in healthcare valuation, and the various regulatory implications, in the healthcare transactional arena, including:</p> <ul style="list-style-type: none"> • The threshold of <i>commercial reasonableness</i>; • The value of medical practices in the absence of positive net cash flow; • The valuation of service lines separately from the valuation of the medical practice; and, • The various components of physician compensation, including clinical (e.g., RVU or salary); coverage and call; medical directorship; and, administrative. <p>> Todd Zigrang, MBA, MHA, FACHE, ASA, President, Healthcare Capital Consultants, <i>St. Louis, MO</i></p> <p>> Roger D. Strode, JD, Foley & Lardner, <i>Chicago, IL</i></p>

THURSDAY, JUNE 11, 2015 CONTINUED

1:30–2:30 pm	<p>CMS Program Integrity Activities and Strategic Priorities</p> <p>Shantanu Agrawal, MD serves as Deputy Administrator for Program Integrity and Director of the Center for Program Integrity (CPI) at the Centers for Medicare and Medicaid Services (CMS). His presentation will include an overview of CPI's current efforts including an update on major strategic priorities; the use of data analytics by both CMS and providers to reduce fraud, abuse, and waste; and CPI's increased efforts to improve transparency with providers and patients. His presentation will help providers better understand the opportunities to be gained with better-refined and well-designed compliance programs.</p> <p>> Shantanu Agrawal, MD, Deputy Administrator and Director, Centers for Medicare & Medicaid Services, Center for Program Integrity, <i>Washington, DC</i></p>
2:30–2:45 pm	<p>Break</p>
2:45–3:45 pm	<p>Navigating the Perilous Waters of the False Claims Act From Medical Necessity to the Anti-Kickback Statute and Beyond</p> <p>Understanding the Anatomy of a False Claims Act Case</p> <ul style="list-style-type: none"> • Exploring Key Drivers in Government Investigations and Intervention Decisions • Dissecting and Analyzing Recent FCA Actions Regarding Hospitalists, Medical Necessity, Quality of Care and Kickbacks <p>> Alec Alexander, JD, Breazeale, Sachse & Wilson, LLP, <i>Baton Rouge, LA</i></p> <p>> Michael E. Clark, JD, Duane Morris LLP, <i>Houston, TX</i></p> <p>> Michael Granston, JD, Director, United States Department of Justice, Civil Fraud Section, Commercial Litigation Branch, <i>Washington, DC</i></p>

PROGRAM AGENDA

THURSDAY, JUNE 11, 2015 CONTINUED

3:45–4:45 pm	<p>Vendor Relationships: What a Physician Needs to Know</p> <p>Panelists from the Department of Justice and the Office of the Inspector General will discuss current initiatives to investigate and stop abusive vendor relationships. The panel will also include a private sector attorney’s perspective of these initiatives. The panel will discuss:</p> <ul style="list-style-type: none"> • Current OIG positions on vendor relationships including pharmacy and DME • DOJ perspectives on nationwide trends and practices • The private side’s view on how to best analyze and review potential vendor relationships <p>> Kevin R. Barry, JD, Deputy Chief, Administrative and Civil Remedies Branch, Office of Counsel to the Inspector General, <i>Washington, DC</i></p> <p>> Arthur S. Di Dio, MD, JD, United States Department of Justice, <i>Washington, DC</i></p> <p>> Ellyn Sternfield, JD, Mintz, Levin Cohn Ferris Glovsky & Popeo PC, <i>Washington, DC</i></p>
4:45–5:00 pm	<p>Break</p>
5:00–7:00 pm	<p>Addressing Access Issues for Diverse Populations in Health Care Deliver</p> <p>Diversity Session and Reception</p> <p>Compared with other advanced industrialized nations, the United States maintains a fragmented and uneven health care delivery system. The Affordable Care Act promised “universal” coverage but even that promise was incomplete. Subsequent decisions by courts and states have reduced that coverage even further. In addition, access to health insurance does not guarantee access to health care. This talk examines the promise and limitations of federal reform for diverse populations and posits some ideas for increasing the cultural competency, not only of physicians, but of the broader health care system.</p> <p>> Melissa Michaux, Ph.D., Willamette University, <i>Salem, OR</i></p>

FRIDAY, JUNE 12, 2015

8:00–8:05 am	<p>Opening Remarks from the 2015 Physicians Legal Issues Co-Chairs</p> <p>> Clay J. Countryman, JD, Breazeale, Sachse & Wilson, LLP, <i>Baton Rouge, LA</i></p> <p>> Kathleen L. DeBruhl, JD, Kathleen L. DeBruhl & Associates, LLC, <i>New Orleans, LA</i></p>
8:05–8:50 am	<p>Journey of a Lifetime? What I’ve learned about healthcare, technology, business and human behavior—</p> <p>Keynote Speaker: Bill Crouse, MD, Senior Director, Worldwide Health, Microsoft</p> <p>In his role as Microsoft’s Senior Director of Worldwide Health, Dr. Bill Crouse travels the globe looking for compelling technologies and best practices in Health IT and healthcare delivery. As a practicing physician, technologist, broadcaster, blogger, and tech company co-founder, over a career spanning 35 years, he’s learned many lessons about the practice of medicine, technology, business, and human behavior. Dr. Crouse shares some personal, pragmatic insights on what we can expect from technology and how it will impact consumer health and healthcare.</p> <p>> Bill Crouse, MD, Senior Director, Worldwide Health, Microsoft, <i>Redmond, WA</i></p>
8:50–9:00 am	<p>Break</p>

FRIDAY, JUNE 12, 2015 CONTINUED

9:00–10:15 am	<p>Practice Issues—Maintaining and Sustaining an Independent Practice</p> <p>This session will discuss considerations for physicians when determining whether or not to maintain an independent practice. Topics to be discussed include but are not limited to:</p> <ul style="list-style-type: none"> • The impact of clinical integration and the new health care environment on independent physician practices; <ul style="list-style-type: none"> – The factors that contribute to maintaining and sustaining a successful independent practice; – The benefits associated with an independent practice; – The considerations physicians should take into account when determining the potential sale of an independent practice; and – The related valuation implications of both clinical integration and selling versus remaining independent. <p>› Heather Delgado, JD, Barnes & Thornburg, <i>Chicago, IL</i></p> <p>› David W. Hilgers, JD, Husch Blackwell LLP, <i>Austin, TX</i></p> <p>› Albert “Chip” Hutzler, Healthcare Appraisers, <i>Delray Beach, FL</i></p> <p>› Matthew Phillips, MD, TACC, FACC, FACP, President, Austin Heart, <i>Austin, TX</i></p>
10:15–10:30 am	<p>Break</p>

FRIDAY, JUNE 12, 2015 CONTINUED

10:30–11:15 am	<p>The Physician Shortage Crisis & the Use of Allied Healthcare Providers</p> <p>The U.S. is facing an increasing number of insured, rapidly aging patients. At the same time, the number of generalist physicians is decreasing significantly. This session, geared for both health care providers and the attorneys who represent them, addresses the physician shortage and its medical/legal challenges and explores the benefits associated with the use of allied healthcare professionals as a resource in filling the gap.</p> <p>At the conclusion of the session, CME and CLE participants should be able to:</p> <ul style="list-style-type: none"> • Identify approaches for the utilization of nurse practitioners, physician assistants and other allied healthcare professionals as part of the solution. • Review how the interdisciplinary model of patient care successfully works in the Long Term Care setting. • Receive practical tips on how allied healthcare providers can safely collaborate and/or work independently to fill the physician shortage gap and avoid liability and licensure exposure. <p>› Russell G. Robertson, MD, Former Chair of the Council on Graduate Medical Education, HRSA, United States Department of Health and Human Services, <i>Rockville, MD. Salt Lake City, UT</i></p> <p>› Tiara B. Shoter, JD, Boehl Stopher & Graves, LLP, <i>Louisville, KY</i></p>
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PROGRAM AGENDA

FRIDAY, JUNE 12, 2015 CONTINUED

11:15 am–12:15 pm	<p>To Whom Shall I Be True: Legal Ethics in the Representations of Physicians, Groups and their Businesses</p> <p>The presentation will address the ethical duties of loyalty and confidentiality for lawyers in the context of representing physicians, physician groups and affiliated entities.</p> <p>> Andrew J. Demetriou, JD, Berkeley Research Group, LLC and Lamb & Kawakami, LLP, Los Angeles, CA</p>
12:15–12:30 pm	<p>Break</p>
12:30–1:30 pm	<p>Lunch—Healing the Healer: Recognizing and Dealing with Impairments That Can Affect a Physician’s Ability to Practice</p> <p>Identify impairments that can affect a physician’s ability to practice medicine, as well as ways to intervene, and understand their potential legal implications.</p> <p>> Daniel H. Angres, MD, Positive Sobriety Institute, Chicago, IL</p> <p>> Martin Guerrero, Jr., MD, JD, El Paso, TX</p> <p>> Terri Keville, JD, Davis Wright Tremaine LLP, Los Angeles, CA</p>
1:30–2:30 pm	<p>Telemedicine Compliance—Maximizing Patient Care & ROI While Minimizing Government Risks</p> <p>This presentation will discuss the recent uptick in medical board, FDA, FTC, Medicare and DEA investigations of telemedicine businesses. It will address best practices for avoiding government investigations while also highlighting the reimbursement and funding models that have proven most successful for maximizing ROI and the patient experience.</p> <p>> Humayun Chaudry, MD, President & CEO, Federation of State Medical Boards, Washington, DC</p> <p>> Tara Kepler, JD, Texas A&M University School of Law, Kepler Health Law, Plano, TX</p> <p>CLE Program Adjourns</p>



SATURDAY, JUNE 13, 2015

2:00–6:00 pm	<p>The Inaugural Annual Doctor/Lawyer Golf Classic—Willow Crest Golf Club</p> <p>Join us for a memorable golf scramble with members of the ABA and the Chicago Medical Society. Located on the 150-acres estate of Oak Brook Hills Resort, Willow Crest Golf Club offers premier course condition combined with a spectacular, natural setting for an unforgettable golf experience.</p> <ul style="list-style-type: none"> • Ticketed Event: \$200 includes 18 holes, golf cart and box lunch with reception (Transportation optional—Additional Fee) • Specifically Designed for Players of All Abilities • Willow Crest Golf Club
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The following planning committee members of the American Bar Association (ABA)-Health Law Section have disclosed that they do not have any relevant financial relationships with commercial interests.

Co-Chairs: Clay J. Countryman, JD and Kathleen L. DeBruhl, JD

Planning Committee Members: Anthony H. Choe, JD, Wes M. Cleveland, JD, Adrienne D. Dresevic, JD, Erika Adler, JD, Bruce F. Howell, JD, MS, Janet L. Pulliam, JD, Julian L. Rivera, JD, Heather Delgado, JD, Katherine (Kathy) M. Tynus, MD, Hon. Kathy Scully-Hayes, Earnesta L. Taylor, JD, Haydee Nascimento, JD, CMS, Theodore D. Kanellakes, Executive Director, CMS, and Susan Quinn, American Association for Physician Leadership

CHICAGO MEDICAL SOCIETY PLANNING COMMITTEE

The following planning members of the Chicago Medical Society’s CME Committee have disclosed that they do not have any relevant financial relationships with commercial interests:

Kenneth G Busch MD, Kathy M Tynus MD, Course Director, Clarence W Brown Jr. MD, Dimitri Azar, MD, Philip B Dray MD, Robert W Pantan MD, Haydee Nascimento, JD, Director of Advocacy & Education, CMS, Theodore D. Kanellakes, Executive Director, CMS

AMERICAN ASSOCIATION FOR PHYSICIAN LEADERSHIP®

Ms. Quinn has disclosed that she does not have any relevant financial relationships with commercial interests.
Susan M. Quinn, Chief, Business Development

The following faculty members have disclosed that they do not have any relevant financial relationships with commercial interests, unless otherwise noted.

Alec Alexander, JD

Breazeale, Sachse & Wilson, LLP,
Baton Rouge, LA

Ericka Adler, JD

Kamensky Rubinstein Hochman &
Delott, LLP, Lincolnwood, IL

Shantanu Agrawal, MD

Deputy Administrator and Director
Centers for Medicare & Medicaid
Services, Center for Program
Integrity, Washington, DC

**Peter B. Angood, MD, FRCS (C),
FACS, FCCM**

President & Chief Executive Officer
American Association for Physician
Leadership, Tampa, FL

Daniel H. Angres, MD

Positive Sobriety Institute,
Chicago, IL

Kevin R. Barry, JD

Deputy Chief Administrative and
Civil Remedies Branch, Office of
Counsel to the Inspector General,
Washington, DC

Ellen Brown

Glenridge HealthCare Solutions,
Columbia, MD

Ann Thomas Burnett

Vice President, BlueCross BlueShield
of South Carolina, Charleston, SC

Humayun Chaudry, MD

President & CEO, Federation of
State Medical Boards,
Washington, DC

Michael E. Clark, JD

Duane Morris LLP, Houston, TX

Clay J. Countryman, JD,

Breazeale, Sachse & Wilson, LLP,
Baton Rouge, LA

Bill Crouse, MD

Senior Director, Worldwide Health,
Microsoft, Redmond, WA

*Dr. Crouse has disclosed that he has a relevant
financial relationship with a commercial interest
to Microsoft Corporation as an employee.*

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CONFERENCE INFORMATION

ADVANCE REGISTRATION

To ensure your name is included on the distributed registration list, register by **June 5, 2015**, online or by mail. Registration will be accepted only when accompanied by check, money order, VISA, American Express or MasterCard information. Registrations will not be held without payment.

Online: www.cmsdocs.org
U.S. Mail: Chicago Medical Society
515 N. Dearborn
Chicago, IL 60654
Attn: Education
PH: 312-670-2550
FAX: 312-670-3646

ON SITE REGISTRATION

Please call 312-988-5532 by **June 9, 2015**, to ensure space availability. On-site registration will only be accepted when accompanied by check, money order, VISA, American Express, or MasterCard information.

CANCELLATION POLICY

Tuition, less a \$50 handling charge for each registration, will be refunded upon written cancellation received no later than **June 5, 2015**. Cancellations received after this date cannot be refunded but substitutions are encouraged. The ABA reserves the right to cancel any program and assumes no responsibility for personal expenses.

REGISTRATION FEE

Registration fee for (Wednesday, Thursday and Friday), your payment will include admission to the program, continental breakfasts, coffee breaks, lunch, reception, the Physician Law Book, 3rd Edition, and electronic course materials.

CONFERENCE LOCATION

The Physician Legal Issues Conference will take place at the Palmer House Hilton located at 17 East Monroe in downtown Chicago on Wednesday, June 10 from 1 pm–5 pm, Thursday, June 11, 8 am–7 pm and Friday, June 12, 8 am–2:30 pm.

HOTEL INFORMATION

A block of rooms has been reserved at the Palmer House Hilton at the rate of \$245 single/double. The Palmer House Hilton is located at 17 East Monroe, Chicago, IL. You can reserve your room by calling 877-865-5321 or going online to ambar.org/phyllaw15 and select travel. Please refer to the ABA Physicians Legal Issues Conference when making your reservation. The room block expires on Wednesday, May 20, 2015.

AIRLINE INFORMATION

The hotel is approximately 18 miles (35–60 minutes) from O'Hare International Airport (ORD) and 12 miles (30–40 minutes) from Chicago Midway Airport (MDW). Discounted airfares are available from ABA Orbitz for Business, including ABA negotiated discounts on American, Virgin and United. For details, go to ambar.org/phyllaw15 and select travel.

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CLE CREDIT

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, FL, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NM, NV, NY, NC, NH, ND, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This transitional program is approved for both newly admitted and experienced attorneys in NY.

CME INFORMATION

Physicians that attend this conference may earn up to **18 CME credits**. For additional information about this CME activity, including any updates regarding faculty members and/or commercial support disclosures, please visit the Chicago Medical Society's (CMS) website at www.cmsdocs.org. You can also contact the Education Department of the CMS Office via email at: cms@cmsdocs.org or via phone at 312-670-2550 or fax at 312-670-3646.

This activity has been planned and implemented in accordance with the accreditation requirements and policies of the Accreditation Council for Continuing Medical Education (ACCME) through the joint sponsorship of the Chicago Medical Society, and the American Bar Association's Health Law Section. The Chicago Medical Society is accredited by the ACCME to provide continuing medical education for physicians.

The Chicago Medical Society designates this live activity for a maximum of **18 AMA PRA Category 1 Credit(s)**[™]. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

ABA HEALTH LAW SECTION MEMBERSHIP

As an added bonus to new members, the member's tuition rate will be available to registrants who become members of the ABA Health Law Section by completing the attached registration form. Membership dues are not deductible as charitable contributions for federal income tax purposes, but such dues may be deductible as a business expense.

TAX DEDUCTION FOR EDUCATIONAL EXPENSES

An income tax deduction may be allowed for educational expenses undertaken to maintain or improve professional skills. This includes registration fees, travel, meals, and lodging expenses. (See Treas. Reg. 1.162-5) (Coughlin vs. Commissioners, 203 F 2d 307).

SERVICES FOR PERSONS WITH DISABILITIES

If special arrangements are required for an individual with a disability to attend this program, please submit your request in writing to Health Law Section, American Bar Association, 321 N. Clark St., Chicago, IL 60654.

DRESS CODE

Business and business casual attire are appropriate for the program.

TUITION ASSISTANCE

A limited number of registration fee reductions are available for government employees, academics, law students, and public interest lawyers employed with nonprofit organizations. No full tuition waivers are available. The fee reductions will be determined on a onetime only, case-by-case, first-come, first-served basis. To apply, send a letter outlining the basis for your request of a fee reduction to Nancy Voegtler, Senior Meeting Planner, ABA Health Law Section, 321 N. Clark Street, Chicago, IL 60654. Deadline for receipt is May 22, 2015.

3 WAYS TO REGISTER:



BY MAIL

Chicago Medical Society
515 N. Dearborn
Chicago, IL 60654
Attn: Education



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METHOD OF PAYMENT

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REGISTRATION FEES

(WEDNESDAY, JUNE 10—HALF DAY ONLY)

	Early bird	After 5/20/15
CMS Member	<input type="checkbox"/> \$225	<input type="checkbox"/> \$275
General Attendees (non-member CMS)	<input type="checkbox"/> \$310	<input type="checkbox"/> \$350
Law Student, Medical Student, Resident, Fellow	<input type="checkbox"/> \$75	<input type="checkbox"/> \$100

(2.5 DAYS)

	Early bird	After 5/20/15
CMS Member	<input type="checkbox"/> \$485	<input type="checkbox"/> \$685
General Attendees (non-member CMS)	<input type="checkbox"/> \$885	<input type="checkbox"/> \$985
ABA Member, Non-Health Law Section Member	<input type="checkbox"/> \$785	<input type="checkbox"/> \$885
ABA Health Law Section Member	<input type="checkbox"/> \$685	<input type="checkbox"/> \$785
Chicago Medical Society Member	<input type="checkbox"/> Register at www.cmsdocs.org	<input type="checkbox"/> Register at www.cmsdocs.org
American Association for Physician Leadership	<input type="checkbox"/> \$685	<input type="checkbox"/> \$785
Government/Academic (Must be full time)	<input type="checkbox"/> \$385	<input type="checkbox"/> \$485
Law Student, Medical Student, Resident, Fellow	<input type="checkbox"/> \$125	<input type="checkbox"/> \$150

EVENTS

- Thursday Luncheon**
- Thursday Welcome & Diversity Reception**
- Friday Luncheon**
- Saturday, June 13, 2015, 2:00–6:00 pm**
The Inaugural Annual Doctor/Lawyer Golf Classic—Willow Crest Golf Club
Ticketed Event: \$200. Includes 18 holes, golf cart and box lunch with reception.
(Transportation optional—Additional Fee)

SECTION MEMBERSHIP—\$50

- YES**, Enroll me in the Section of Health Law. I am a member of the ABA. By joining today, I am able to register at the section member rate.

TOTAL FEES

Registration Fee \$ _____
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PLATINUM



The ABA would like to thank Health Capital Consultants for their participation at this event. Course attendees will have the opportunity to meet with representatives who will be available in the designated exhibitor area.

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ABA HEALTH LAW SECTION UPCOMING EVENTS

NOVEMBER 30-DECEMBER 1, 2015

Washington Health Law Summit

The Ritz-Carlton Washington, Washington, DC

MARCH 2-5, 2016

17th Annual Conference on Emerging Issues in Healthcare Law

Manchester Grand Hyatt San Diego, San Diego, CA

CALL THE HEALTH LAW SECTION AT 312-988-5146 FOR INFORMATION