

2010 Health Care Regulatory Update

Tuesday, January 12, 2010 - 8:30 a.m. to Noon
The DoubleTree Hotel Denver Tech Center
7801 East Orchard Road
Greenwood Village

Overview

There were significant changes in 2009 to the legal and regulatory landscape that will affect hospitals and other health care providers even without the passage of health care reform legislation. These changes will impact your clinical operations, your Medicare and Medicaid reimbursement, your workforce, your relationship with physicians. Get up to speed on these developments at the 2010 Health Care Regulatory Update jointly sponsored by the CHA and Faegre & Benson LLP.

Objectives

This program will provide a comprehensive update on the significant legal and regulatory changes from 2009 that are important to health care facilities, including the following topics:

- ▶ Fraud and abuse enforcement trends
- ▶ New incentives and potential penalties for electronic medical record implementation
- ▶ Major changes to HIPAA privacy and security rules, including mandatory reporting and the Red Flag Rules
- ▶ Enactment and implementation of Colorado's hospital provider fee
- ▶ Developments in Colorado and Federal employment law that affect your workforce
- ▶ Up-to-date news on Medicare RAC audits
- ▶ Developments in the ongoing push for hospital-physician integration
- ▶ Peer Review confidentiality under new Colorado Supreme Court precedent
- ▶ Changes to the Stark Law (stand in the shoes, under arrangements, and per click compensation, and mandatory unwinding of some relationships)
- ▶ Medicare reimbursement changes in the 2010 physician fee schedule and IPPS rule
- ▶ Update on quality data reporting requirements

This program will enable you to better understand and proactively respond to the legal and regulatory issues facing your organization today.

Audience

This program is designed for legal counsel, compliance officers, privacy officers, executive management, reimbursement managers, medical staff leaders, and chief medical officers.

7335 East Orchard Road
Greenwood Village, CO
80111

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FAX: 720.489.9400

www.cha.com

Agenda

7:30 to 8:30 a.m.

Registration

8:30 to 8:45 a.m.

Welcome

Steven Summer, president, Colorado Hospital Association

8:45 to 9:15 a.m.

Fraud and Abuse: A Year in Review

- ▶ Significant compliance and enforcement activity in 2009
- ▶ Proactive compliance activities to protect your facility in 2010 and beyond

Jeffrey Fitzgerald, partner, Faegre & Benson

9:15 to 9:45 a.m.

Privacy and Technology Acronym Soup: EMRs, HITECH, ARRA and HIPAA

- ▶ New money and new rules for electronic medical records
- ▶ New breach notification and reporting obligations

Jennifer Evans, special counsel, Faegre & Benson

9:45 to 10 a.m.

Employment Law Update

- ▶ Highlights on the recent changes in federal and state employment law

Dirk de Roos, partner, Faegre & Benson

10 to 10:20 a.m.

Break

10:20 to 10:40 a.m.

Banding Together: Colorado's New Hospital Provider Fee

- ▶ How it works and what to expect next

Gerry Niederman, partner, Faegre & Benson

10:40 to 11:05 a.m.

Developments in Hospital-Physician Integration and Alignment

- ▶ Discussion of the evolving alignment strategies and risks
- ▶ Practical insights into current integrated delivery system issues

Bruce Johnson, partner, Faegre & Benson

11:05 to 11:30 a.m.

Medicare Reimbursement Developments: Gems from the IPPS and OPPS Updates

- ▶ More changes to the Stark Law and to physician supervision requirements
- ▶ Changes create both reimbursement and business planning issues

Colleen Faddick, partner, Faegre & Benson

11:30 a.m. to Noon

RAC Audits, Quality Data Reporting, Peer Review, Licensure and more

- ▶ What's new with RAC audits, quality data reporting and state licensure enforcement activity
- ▶ Colorado Supreme Court weighs in on peer review confidentially

Ann McCullough, partner, Faegre & Benson

Noon

Adjournment

Faculty

T. Jeffrey Fitzgerald, Partner, Faegre & Benson LLP

Jeffrey's practice includes representing clients with respect to fraud and abuse, Medicare reimbursement, compliance, and other regulatory issues. Jeff has experience with the representation of hospitals in fraud and abuse investigations as well as proactive analysis and resolution of fraud and abuse matters. Jeff also has represented health care providers in a wide range of licensing disputes and other regulatory and litigation matters. In 2009, Jeff has been recognized as a health care "Rising Star" by Super Lawyers (2009).

Jennifer Evans, Special Counsel, Faegre & Benson LLP

Jennifer Evans brings legal, legislative and operational experience to health care matters. Her legal practice is focused on fraud and abuse, Medicare and Medicaid reimbursement issues and regulatory compliance. Jennifer served as deputy director of the Colorado Department of Health Care Policy and Financing, the single state agency responsible for administering Medicaid and the Child Health Plan Plus programs. At HCPF, Jennifer served as office director for administration and operations with responsibility for audit, procurement, program integrity, coordination of benefits, privacy, provider enrollment, claims payment, operations, and information technology, including health information technology.

Dirk W. de Roos, Partner, Faegre & Benson LLP

For three decades, Dirk has represented employers in employment and employee benefit litigation. In state and federal court at the trial and appellate levels, Dirk has extensive courtroom experience, usually defending claims under Title VII, the ADEA, the ADA, federal and state civil rights and pay statutes, and ERISA.

Gerald Niederman, Partner, Faegre & Benson LLP

Gerry represents health care organizations and related nonprofit entities in Colorado and throughout the United States. Gerry offers clients a detailed understanding of legal and business variables involving the delivery and reimbursement of health care services. He has extensive experience working in the managed care field, developing integrated networks, and helping hospitals and physicians build and sustain innovative business arrangements. He is actively engaged in addressing challenges and opportunities related to health care reform initiatives. He is a frequent author and speaker on a variety of contemporary health care issues. Gerry has been recognized as a top health care attorney by The Best Lawyers in America (2010), Super Lawyers (2009) and was named the Best Health Care Lawyer by Law Week Colorado (2009).

Bruce A. Johnson, Partner, Faegre & Benson LLP

Bruce brings both legal and management perspectives to health care-related legal issues. Bruce's extensive experience as a health care attorney and consultant includes providing representation and services to medical groups, hospitals, academic practice plans and other health care enterprises in a variety of operational, regulatory and transactional matters. Bruce has extensive experience in the application of the Stark self-referral prohibition, Medicare and Medicaid fraud and abuse, tax-exempt organizations, antitrust, and other legal issues to health care business transactions. Bruce has specialized expertise in physician compensation and incentive issues. Bruce has been named a top health care attorney by The Best Lawyers in America (2010) and Super Lawyers (2009). He was also named an Outstanding Physician Practice Lawyer by Nightingale's Healthcare News (2009).

Colleen M. Faddick, Partner, Faegre & Benson LLP

Colleen is a nationally recognized expert in Medicare reimbursement and the regulation of health care. Colleen's practice includes advising clients regarding the structure of hospital, physician and other health care relationships with the special federal and state regulatory environment, fraud and abuse and self-referral law issues, Medicare and Medicaid reimbursement issues and appeals, managed care contracting and certification, compliance plans and physician contracting. Colleen has been named as one of The Best Lawyers in America (2010).

Ann C. McCullough, Partner, Faegre & Benson LLP

Ann currently heads Faegre & Benson's health care/nonprofit organizations practice. Ann's extensive experience includes the representation of hospitals, physician group practices, ambulatory surgery centers and health care networks in a broad variety of operational, regulatory and litigation matters. Ann has been recognized by The Best Lawyers in America (2010) and Super Lawyers (2009).

Registration Fee

▶ Member registration fee per person:	\$115
▶ Second person or more from same hospital:	\$95
▶ Member onsite registration fee per person:	\$125
▶ Non-Member registration fee per person:	\$230
▶ Non-Member onsite registration fee per person:	\$240

(Hospital is referred to as an individual free standing facility, not a system hospital)

Deadline for registration is January 5. We may not be able to honor your registration if it is received after the registration deadline. If you have not received your confirmation prior to the program, call Peggy McCreary at 720.330.6034 to confirm your registration. Space is limited. CHA has the right to cancel a program due to low registrations. Please confirm with CHA before making your airline reservations. Check CHA's web site, www.cha.com, for program updates, cancellations and/or changes.

We cannot bill for onsite registration. You must be prepared to pay at the time of registration. We will accept a personal check, hospital/organization check, VISA or MasterCard for onsite registrations.

Cancellation: An alternate registrant from the same institution will be accepted under the original registration. Registration fees are non-refundable unless notice of an individual's cancellation is received at CHA by January 7, in which case a cancellation fee of \$25.00 will be deducted from the refund. If notice of cancellation is received after January 7 there is no refund. The same procedure applies for a registration that is phoned in, faxed or submitted online with indication of payment to follow. You will be billed whether or not you attend the program.

How to register: Register online at www.cha.com

Online registrations are accepted with MasterCard, VISA or check. *(Please note that after the registration deadline, online registration will not be available.)* Please contact Peggy McCreary at CHA to check space availability and to register.

Fill out the attached registration form and send it along with your check payable to Colorado Hospital Association, 7335 East Orchard Road, Greenwood Village, CO 80111-2512, Attn: Peggy McCreary.

Information: Call Peggy McCreary at 720.330.6034 or peggy.mccreary@cha.com.

Registration Form

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HOSPITAL/ORGANIZATION _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

TELEPHONE _____ FAX _____

EMAIL _____

(Confirmation will be emailed to the address listed above)

FULL NAME (Please Print)	TITLE	REGISTRATION FEE
_____	_____	_____

Email _____	_____	_____
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Email _____	_____	_____
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Email _____	TOTAL AMOUNT DUE PAYABLE TO CHA:	\$ _____
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Credit Card Information: _____ Visa _____ MasterCard

Card Number _____ Exp. Date _____

Cardholder's Name _____

If not registering online, please forward this form and payment to Colorado Hospital Association, 7335 East Orchard Road, Greenwood Village, CO 80111-2512, Attn: Peggy McCreary. Please make checks payable to Colorado Hospital Association.

REGISTRATION DEADLINE: January 5, 2010 • CANCELLATION DEADLINE: January 7, 2010