



NATIONAL BAR ASSOCIATION
HEALTH LAW SECTION

Presents

2010 HEALTHCARE LAW SUMMIT

WASHINGTON, DC

Mayflower Hotel
1127 Connecticut Ave NW

May 6-7, 2010



Health Reform is now law! Join policymakers, government officials, legal practitioners, business leaders and community activists for a first look at health reform's impact on our vast and complex health care system and explore trends in health care law and policy

2010 HEALTHCARE LAW SUMMIT PROGRAM AGENDA

7:30 AM – 5:30 PM

ON-SITE REGISTRATION

7:30 AM – 8:15 AM

CONTINENTAL BREAKFAST

8:15 AM – 8:30 AM

WELCOME AND OPENING REMARKS

8:30 AM – 9:20 AM

HEALTH CARE REFORM: A FIRST LOOK

Clifford E. Barnes, Partner, Epstein Becker Green

Denise E. Hanna, Partner, Locke Lord Bissell & Liddell

President Barack Obama has made good on his promise to America by providing the leadership necessary to achieve comprehensive health reform legislation even though the path to achieving this legislative victory was often quite uncertain and became very politically risky. In the end, the efforts of President Obama and the Democratic Congressional leaders have made health reform the law of the land. This new law, though, is just a starting point, and health reform will continue to evolve through an assortment of new regulations, technical corrections and legislative amendments for years to come. Without looking too far into the future, this presentation will provide a “first look” at what has been achieved by our new health reform law and its impact on various health care industry participants, businesses in general and individuals.

9:20 AM – 10:30 AM

HEALTH INDUSTRY ROUNDTABLE: WHAT’S ON THE HORIZON FOR THE HEALTH CARE INDUSTRY?

Leeba Lessin, President/CEO, CareMore Health Plan

Representative of Catholic Healthcare West (invited)

Representative of McKesson Corporation (invited)

This roundtable of CEOs and business leaders will discuss the future services, business solutions, innovations and strategies that we can expect to see from the health industry’s private sector. Our panel will address these opportunities and challenges in view of the new health reform law and the many challenges facing the health care system. These leaders will discuss what opportunities and business solutions they already are pursuing to improve quality care and bring more efficiencies to our health care system. The panelists also may address the appropriate roles of government and the private sector in bringing about effective and meaningful changes to our health care system.

10:30 AM – 10:45 AM

MORNING BREAK

10:45 AM – 11:45 AM

ENHANCING YOUR COMPLIANCE PROGRAM TO MEET EVOLVING STANDARDS OF HEALTH CARE FRAUD

Keshia B. Thompson, Senior Counsel, HHS, Office of the General Counsel to the Inspector General

Patrick S. Coffey, Partner, Locke Lord Bissell & Liddell

Rosland McLeod, Vice President Corporate Compliance, Biogen Idec

With the government's increased focus on health care fraud and abuse enforcement and historic government funding proposed for anti-fraud enforcement efforts, this session will address the steps which health care organizations must take to implement an effective compliance program and identify issues of particular interest to health care providers, pharmaceutical companies and medical device companies. The panel will address the critical components of a good compliance plan, the internal staffing required to implement and monitor adherence to a compliance program, practical steps for mitigating risk and common mistakes or pitfalls suffered by health care organizations. The panel also will address the recent developments in fraud and abuse enforcement and their impact on the compliance activities of all health care organizations. During this panel, you will hear perspectives from the government, a private health care law practitioner and a compliance officer working within a health care organization about how to avoid or mitigate exposure under fraud and abuse laws and other federal compliance laws and, perhaps, a few war stories from the trenches.

NOON – 1:20 PM

LUNCH DINE AROUNDS

Attendees will sign up during the registration check-in process to have lunch with other attendees of the Summit at specially selected restaurants close to the Mayflower Hotel. Typically, lunch reservations will accommodate 8 – 10 people. Dine arounds are an excellent way to network with and meet new attorneys and other health care professionals. For those interested, we shall organize a dine around at the Mayflower Hotel for the specific purpose of discussing how we, as health care legal and business professionals of color, can maximize networking opportunities and enhance our professional connections. Each attendee is responsible for the cost of his or her own meal at the hotel or a restaurant dine around. As a courtesy to our panelists, please make sure to return to the hotel promptly prior to the start of the next session.

1:30 PM – 1:45 PM

A LEGISLATOR'S VIEW OF HEALTH REFORM

The Honorable Sheila Jackson Lee (D), U.S. Congresswoman from the 18th District of Texas

1:45 PM – 2:45 PM

DEVELOPMENTS AND FUTURE TRENDS FOR FRAUD AND ABUSE ENFORCEMENT

Enu A. Mainigi, Partner, Williams & Connolly

Tony West, Assistant Attorney General, Civil Division, U.S. Department of Justice (invited)

Representative from State Attorney General's Office (invited)

In late January, U.S. Department of Health and Human Services Secretary Kathleen Sebelius and Attorney General Eric Holder joined private sector leaders, law enforcement personnel and health care experts for a landmark National Summit on Health Care Fraud. The first of its kind summit was part of the Obama Administration's coordinated effort to fight health care fraud and save the taxpayers millions of dollars. Secretary Sebelius emphasized that "[t]he Obama Administration has zero tolerance for health care fraud and abuse." With increased government attention and resources devoted to fraud and abuse enforcement, evidenced by this summit, amendments to the Fraud Enforcement and Recovery Act of 2009 and the successes of Medicare Fraud Strike Forces, this panel of government officials and private practitioners will provide an all too important look at the developments and future trends for criminal, civil and administrative health care fraud and abuse enforcement.

2:45 PM – 3:35 PM**LITIGATION TRENDS AND RISK MITIGATION: PHARMACEUTICAL AND MEDICAL DEVICE; HEALTH INSURER AND PROVIDER DISPUTES**

Deborah E. Lewis, Special Counsel, Sedgwick, Detert, Moran & Arnold

Yvonne M. Williams, Counsel, Miller & Chevalier

James W. Saxton, Partner, Stevens & Lee

This panel of seasoned lawyers will discuss trends and new challenges which they see in lawsuits being prosecuted against pharmaceutical manufacturers, medical device companies, health insurers and self-funded employee benefit plans and health care providers. Our panelists will offer practical tips, risk management strategies, and litigation tactics that may reduce a health care organization's exposure in litigation or help the organization avoid costly litigation altogether. This panel also will address measures which help health care providers, in particular, reduce their professional liability risk and implement innovative techniques and educational tools as part of an overall risk reduction program.

3:35 PM – 3:50 PM

AFTERNOON BREAK

3:50 PM – 4:40 PM**MEDICAID AND OTHER GOVERNMENT OPTIONS FOR EXPANDING COVERAGE TO THE UNINSURED**

Alma Howard Graham, Executive Counsel, WellPoint, Inc.

Dr. Pierre Vigilance, Director, District of Columbia Department of Health

Clifford E. Barnes, Partner, Epstein Becker Green

According to a February, 2010 Kaiser Family Foundation report, Medicaid provides health and long-term care coverage to nearly 60 million low-income Americans – that is one in five individuals. Despite the accomplishment of comprehensive health reform at the federal level, experts still expect that the principal means for expanding health care coverage to uninsured Americans will be through the expansion of state Medicaid programs. Furthermore, Medicaid programs also may serve as a likely environment for the government to experiment with various cost containment programs, provider delivery systems and provider payment methods. With this in mind, our panelists will discuss the legal and policy framework within which Medicaid operates and is funded. Furthermore, this panel will address other options administered by local governments to provide access to quality health care to uninsured and underinsured Americans. Our panelists also will explore opportunities to enhance the provision of quality and affordable health care through programs which are administered or funded by state or local governments. In addition, our panel will examine the limitations and challenges faced by fee-for-service Medicaid and Medicaid managed care programs, including compliance obligations under the Medicaid Integrity Program.

4:40 PM – 5:50 PM

HEALTH EDUCATION, OUTREACH AND ADVOCACY

*Honorable Donna M. Christensen (D),**United States Virgin Island Delegate to the U.S. Congress (Invited)**Pamela Shaw, Director of the Children's Defense Fund's Southern Regional Office**Lisa Bland Malone, Vice President & Chief of Staff, National Urban League Policy Institute**Monique Morris, Vice President for Advocacy and Research,**National Association for the Advancement of Colored People (NAACP)**Sonya Lockett, Executive Director, BET Foundation**Sheryl P. Underwood, President, Zeta Phi Beta Sorority, Incorporated**Josephus Ollison, Jr. Founder, of Emergency Patient Care**Dr Charles McClinton, Sr., Director, Health Careers at North Carolina Central University**Dr. Leonard Weather, Jr., President-Elect, National Medical Association**Dr. Mark Alexander, Co-Chair of National Health & Wellness**Committee of 100 Black Men of America, Inc.**Demetrius Shelton, President-Elect of the National Bar Association, Moderator*

This diverse panel of community activists, health professionals and government representatives will address a variety of public policy considerations and health care initiatives which can improve our health care system and the quality and affordability of health care furnished to ordinary Americans. The panel will discuss the effectiveness of health educational efforts directed toward the public, and advocacy on their behalf directed toward the government and the private sector. The panel will discuss opportunities to optimize our health care system through correct policy, effective initiatives and legal action.

5:50 PM

DAY'S CLOSING REMARKS AND ANNOUNCEMENTS

6:00 – 7:30 PM

RECEPTION



7:30 AM – 4:45 PM

ON-SITE REGISTRATION

7:30 AM – 8:15 AM

CONTINENTAL BREAKFAST

8:15 AM – 8:30 AM

WELCOME AND OPENING REMARKS

8:30 AM – 9:20 AM

CHALLENGES FOR THE PHARMACEUTICAL INDUSTRY POSED BY ON-LINE MARKETING

*Virginia A. Lazala, Vice President and Section Head, Novartis
Pharmaceuticals Corporation*

Jeffrey K. Francer, Assistant General Counsel, PhRMA

Bob Brooks, Vice President, WEGO Health

Rahsaan W. Thompspon, Of Counsel, Quarles & Brady, Moderator

This timely and informative discussion will explore the pharmaceutical industry's view on Internet promotion and information exchange as well as the approaches taken by the FDA and FTC to regulate such communications. Our distinguished panelists will share a variety of perspectives from drug manufacturers, the pharmaceutical industry's trade association, a health promotion company and a legal practitioner.

9:20 AM – 10:30 AM

INTERSECTING EPIDEMICS: HIV, VIOLENCE AGAINST WOMEN AND HUMAN TRAFFICKING

*Presented by the National Bar Association's Women Lawyers Division, Chair
Gloria Johnson, and Iris McCollum Green, ABA Special Counsel for Civil
Rights HIV/AIDS Coordinating Committee (Past Chair of the Women
Lawyes Division)*

*Margaret Drew, University of Cincinnati College of Law, Cincinnati, OH
(invited)*

*Joyce Brown, Cultural Arts Natural Design, (CANDI), Tallahassee, FL
(invited)*

Melissa Snow, Shared Hope International, Washington, DC (invited)

*Shelley Hayes, Chair of American Bar Association AIDS Coordinating
Committee, Moderator*

10:30 AM – 10:45

MORNING BREAK

10:45 AM – 11:45 AM

DISPARITIES IN HEALTH CARE DELIVERY AND HEALTH OUTCOMES

Dr. Dexter W. Shurney, Medical Director, Employee Healthcare Plan Vanderbilt University and Medical Center /Benefits Administration

Gary A. Puckrein, PhD, President and Chief Executive Officer of the National Minority Quality Forum

Dr. Garth Graham, HHS Deputy Assistant Secretary of Minority Health

Angela J. Scott, HHS, Office of the General Counsel - Civil Rights Division, Moderator

Our distinguished panel of public policy analysts and government officials will discuss the challenges faced in minority communities by disparities in health care treatment and health care outcomes. The panel will discuss the magnitude of health disparities in our society and highlight key trends in data that have been collected to measure these gaps. The panel also will address the likely impact that health reform will have on minority communities. The panel will examine the role of lifestyle and environment in contributing to health disparities and discuss the potential policy implications for addressing these disparities. In addition, this panel will preview the government's new outreach efforts aimed at raising awareness of disparities in health care treatment and efforts to close the disparity gaps in minority communities.

NOON – 1:20 PM

KEYNOTE LUNCHEON SPEAKER (TBA)

1:30 PM - 2:20 PM

HOW TO HANDLE A PUBLIC HEALTH EMERGENCY

Dr. Robert Splawn, Chief Medical Officer, County of Los Angeles, Department of Health Services (invited)

Assistant Secretary, HHS, Office of Preparedness and Emergency Operations (invited) Representative, World Health Organization (invited)

With threats from pandemics becoming more commonplace (e.g., the H1N1 influenza virus) and public health emergencies looming ever larger in the aftermath of domestic emergencies such as Hurricane Katrina or 9/11 and international crises such as the devastating earthquakes in Haiti and Chile, this session will address legal, policy and medical considerations for confronting public health and medical threats from emergencies. From their particular vantage points, our panelists will discuss preparedness, operational and logistical response systems, inter-agency coordination and cooperation and rules for engaging medical professionals and health facilities when faced with a public health emergency or threat of one. The panelists will discuss the roles and responsibilities of the government and the private sector. The panelists also will provide useful information that all citizens should know to prepare themselves and their families for a health emergency.

2:20 PM – 3:10 PM

IMPACT OF DATA PROTECTION LAWS ON THE HEALTH CARE INDUSTRY

Ericka Watson, Privacy & Security Manager, GE Healthcare Integrated IT Solutions

Jean Marie R. Pechette, Partner, McDermott Will & Emery

Experienced legal practitioners will address the increasing impact that data protection laws have on health care organizations and their operations. This session will review recent privacy and security developments in the health care arena which have occurred during the past year. Among other matters, this session will cover the application of the new FTC Red Flag Rules to health care providers and other health care organizations. The session also will review the new HIPAA breach notification requirements implemented under the Stimulus Act and identify areas for covered health care entities to update their business associate agreements or addenda to impose obligations consistent with these new laws.



3:10 PM – 3:25 PM

AFTERNOON BREAK

3:25 PM – 4:40 PM

EMPLOYMENT OPPORTUNITIES IN THE FEDERAL GOVERNMENT

*Tochukwe Igbo, Issues Manager, National Center for Injury Prevention and Control,
Centers for Disease Control*

Marcia Pennington Shannon, Principal. Shannon & Manch

Ayoka A. Campbell, principal, Capital Metro Law Office of the United States Postal Service

David Benor, HHS Associate General Counsel for Public Health

*Eugenio “Gene” Sexton, Executive Director-Diversity, Recruitment & Veterans Outreach for the
U.S. Department of Homeland Security*

Jennifer Close, Associate Manager, Education and Outreach for Partnership for Public Service

*Mechelle D. Johnson-Webb, Senior Attorney, Captain, U.S. Public Health Service, HHS Office
of the General Counsel*

*Leslye M. Fraser, Director, Office of Regulations, Policy, and Social Sciences,
U.S. Food and Drug Administration*

*Kimberly Rice DeGross, Regional Manager in Federal Government Accounts at Westlaw,
Moderator*

We have gathered a distinguished panel of government attorneys who will share procedural steps and “insider” tips for landing a health care legal or policy position within a federal government agency. Our panel will share their insights on where federal government employment opportunities are likely to be lurking and how to effectively navigate the federal government employment system.

4:40 PM

CLOSING REMARKS

WHO SHOULD ATTEND

Please join the National Bar Association at our 2010 Healthcare Law Summit for a first look at health reform's impact on our vast and complex health care system and to explore trends in health care law and policy. The Summit will be a valuable resource for practicing attorneys, in-house counsel, government relations and public affairs professionals, lobbyists, compliance and risk management officers, health care business leaders, government officials, public policy analysts, community leaders and academics. The Summit also will be very informative and rewarding for those individuals, including students, who desire to learn more about health reform and the challenging legal and policy issues faced by the health care industry. Continuing education credit will only be available for licensed attorneys.

REGISTRATION

Please register early as space is limited. To register for the 2010 Healthcare Law Summit, please visit <http://www.nationalbar.org/meetings/healthlaw.shtml> or copy the web address in your browser. Early bird registration prices will be extended until April 24, 2010. Additional discounts are available for National Bar Association members, government employees and students. If you have any questions about your registration, you may contact the National Bar Association office at 202-842-3900.

THE VENUE

The Mayflower® Hotel
1127 Connecticut Avenue NW
Washington, DC 20036
Phone: 1-202-347-3000
Fax: 1-202-776-9182
Toll-free: 1-800-228-7697

The 2010 Healthcare Law Summit will be held at the historic Mayflower® Renaissance Washington, DC Hotel. The Mayflower Hotel is conveniently located Downtown, easily accessible by cab or metro. The nearest metro station is Farragut North/West via the Red and Orange lines. For those traveling from outside the Washington, D.C. area, the hotel is approximately 5 miles from Ronald Reagan Washington National airport (DCA), 23 miles from Washington DC/Dulles airport (IAD) and 55 miles from Baltimore/Washington International Thurgood Marshall Airport (BWI). The hotel is 2 miles from Union Station.

HOTEL ACCOMMODATIONS

The Mayflower Hotel is holding a limited block of rooms for registrants of the Summit at the discounted rate of \$239 per night, exclusive of sales and occupancy taxes. The discounted rate will be available until April 24, 2010 as long as rooms in the block remain available. To reserve your hotel room for the Summit, please contact the Mayflower Hotel at 800-627-7468. Please give the reservation agent the code "National Bar Association." For Summit registrants only, the special discounted room rate is available during the Summit and for 3 days before and 3 days following the Summit (i.e., from May 2 thru May 10).

SPONSORSHIP INFORMATION

We welcome you or your company to join the NBA's Health Law Section as sponsors of the 2010 Healthcare Law Summit. Our Sponsorship levels are as follows: Platinum Level - \$5,000; Gold Level - \$2,500; Silver Level (Breakfast Sponsor) - \$1,500; Bronze Level - \$750; and Copper Level - \$500. Advertisements in the Summit's program booklet and recognition during the Summit are complimentary to all sponsors. For more information concerning our sponsorship packages and advertising opportunities, please contact the Sponsorship Coordinator: Rahsaan Thompson, Treasurer, NBA Health Law Section. Telephone: (312) 715-5236; or Email: Rahsaan.Thompson@quarles.com.

MCLE CREDIT

The 2010 Healthcare Law Summit has been approved for approximately 13 hours of MCLE credit. Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Summit attendees are responsible for obtaining CLE credits from their respective states.

OTHER FEES

Returned checks or invalid credit card payments will be subject to a \$50 handling fee, plus any applicable bank charges. All registration cancellations will be subject to a \$75.00 administrative fee. Any cancellations requested after April 27, 2010 will result in a forfeiture of your entire registration fee. All cancellation requests must be made in writing, and refunds will take approximately 6 – 8 weeks following the Summit to process. If applicable, please send your cancellation request to the National Bar Association, 1225 11th Street, NW Washington, DC 20001.

QUESTIONS

For registration or other Summit related questions, please feel free to contact the Co-chairs of the 2010 Healthcare Law Summit: Sharon Bridges, Telephone: 601-973-8736; or Email: sbridges@brunini.com. Denise Hanna, Telephone: 202-220-6992; or Email: dhanna@lockelord.com. You also may contact the National Bar Association office at 202-842-3900.