

# Annual Meeting

## In-House Counsel Program

June 24–27, 2007

Sheraton Chicago Hotel

Greatest Hits & New Tracks

*Chicago*

AHLA  
*40th Anniversary*



AMERICAN  
HEALTH LAWYERS  
ASSOCIATION

## Program Highlights & Activities

### Dear Colleagues:

Sinatra memorably crooned, “Chicago, Chicago that toddling town; Chicago, Chicago I’ll show you around—I love it!” And you will be captivated by the architectural beauty and diverse offerings of the Windy City. Consistently recognized as one of the top four destination cities in the United States, Chicago is known for critically acclaimed restaurants, world-renowned museums and other spectacular cultural attractions, famed Magnificent Mile shopping, adventurous nightlife, action-packed sporting events and a thriving theater scene. In this setting, AHILA will hold the 2007 Annual Meeting on June 25-27th. The theme for this year’s program is AHILA Chicago: Greatest Hits and New Tracks in recognition of the 40th anniversary of the Association.

The Annual Meeting will cover a broad range of substantive topics of interest to lawyers and other professionals who advise the healthcare industry. We are excited to have Atul Gawande, MD, MPH, *New York Times* best-selling author of *Complications*, as our keynote speaker who will explore how physicians strive to close the gap between best intentions and actual performance to deliver quality medical care and share his insights on the human aspect of medical decision-making which are discussed in his new book, *Better*. A special panel featuring Mark A. Kadzielski, Esq., Alice G. Gosfield, Esq., and Harold J. Bressler, Sr., Esq., will respond to Dr. Gawande’s observations and offer the hospital, physician and regulatory perspectives on the challenges in minimizing medical errors. Following the keynote address, the popular Year in Review will highlight significant statutory, regulatory and case law developments and discuss their practical implications. The Programs Board Committee has worked extremely hard to ensure that the breakout sessions meet the “inbox standard” by addressing issues that you encounter in your daily practice. Additionally, we have asked all of the speakers to provide practical take-aways such as checklists, sample contract language and other forms that you can use to better serve your clients. There will be a number of advanced sessions, including case studies, by Health Lawyers Fellows who represent the Association’s “Greatest Hits”. Along with coverage of the usual health law issues, the program will feature “New Tracks” including The Disturbed Patient: Challenging Problems and Practical Solutions; The Legal and Practical Issues of Dealing with Substance Abuse in the Workplace; Legal Ethics: Compliance Counseling Amid Unpredictable Enforcement; Life

Sciences: The New Frontier for Health Lawyers; and Potential Pitfalls in Providing CAM and Innovative Therapies. The fifteen Practice Groups also will be hosting luncheons throughout the Annual Meeting.

The Programs Board Committee has several social events planned that will afford you with an opportunity to network with your colleagues. The Welcome Reception on Sunday evening will provide a forum to connect with old friends as well as become acquainted with new colleagues. The Monday evening off-property reception will be held at the Art Institute of Chicago where AHILA attendees will have access to much of the Institute’s extraordinary collection of art including the Impressionists and Post-Impressionists exhibits. On Tuesday evening, we will enjoy a private performance by Chicago’s renowned improv comedy troupe, The Second City. During your leisure time, sample deep-dish pizza or other culinary favorites while exploring the Chicago Cultural Center, Navy Pier, Millennium Park, Adler Planetarium & Astronomy Museum, Shedd Aquarium, Field Museum of Natural History, Sears Tower Skydeck, Wrigley Field and many other Chicago attractions.

The Annual Meeting is the Association’s most significant educational program of the year. On-going changes in the healthcare landscape resulting from financial, regulatory and technological pressures require health law practitioners to be generalists with near-specialist depth knowledge in a variety of practice areas and this year’s breakout sessions will help you stay abreast of important health law developments. We hope you will plan to join us in Chicago to enjoy the unparalleled continuing legal education along with the company of your health lawyer colleagues!



Elisabeth Belmont  
*Annual Meeting Chair/President-Elect*

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For the latest updates go to [www.healthlawyers.org/annual](http://www.healthlawyers.org/annual)

## Program Highlights & Activities

### Health Lawyers' Resource Center/Bookstore

Visit AHLA's Resource Center and Bookstore for the best in health law. Purchase the newest publications and review the range of titles available. Select from among monographs, practice guides, books, and teleconference CDs.

Learn more about the AHLA Alternative Dispute Resolution Service as well as the Association's Public Interest activities and Public Information Series.

Discover ways you can get involved in the Association through the Practice Groups and how you can make sure you're taking advantage of all the benefits your membership has to offer.

### New Product Demonstration

AHLA is pleased to announce the launch of its new Health Law Archive! This extensive and searchable electronic library includes more than 15,000 health law documents and audio recordings. The Archive contains the vast collection of AHLA content, including program papers going back to 1993, past teleconference materials and audio recordings, issues of the *Journal of Health Law* back through 1984, past issues of *Health Lawyers News*, *Health Lawyers Weekly*, the *Health Law Digest*, the Health and Life Sciences Law Daily, Practice Group newsletters, and much more! Visit the bookstore for a demonstration.

### AHLA Program on CD

Contains a detailed table of contents, a searchable, and linked index, and all materials and audio recordings of each session.

#### Special Offer for Attendees

Add the In-House Counsel Program and Annual Meeting CD—Each just \$99 (just select your choice on the registration form on page 37)

#### Not able to Attend?

We can help you be two places at once. Purchase the AHLA program on CD for either one or both of the programs. In-House Counsel Program – \$199 members/\$259 non-members; Annual Meeting – \$349 members/\$459 non-members. Shipping and handling will be added; 5.75% tax will be added for DC residents. CDs will be fulfilled 4-6 weeks after the program.

### Computer Lab

*Sponsored by Sinaiko Healthcare Consulting, Inc.*

Stay connected while you are at the Annual Meeting. Access to email will be available to anyone with an Internet email address. If you have your remote server address, login name, and password you can check your office email using remote mail access.

### Sponsor and Exhibitor Information

The American Health Lawyers Association would like to thank the following companies for their generous contributions toward the 2007 In-House Counsel Program and Annual Meeting:

- BNA, Inc. – *Sponsor of the Totebags*
- CBIZ Valuation Group, LLC – *Sponsor of the Tuesday and Wednesday Breakfasts*
- FTI Healthcare – *Sponsor of the Keynote Speaker*
- GE Healthcare – *Sponsor of the Health Information and Technology Practice Group Lunch*
- HealthCare Appraisers Inc.—*Sponsor of the Fraud and Abuse Practice Group Lunch*
- Horne LLP – *Sponsor of a Coffee Break*
- LECG – *Sponsor of the Welcome Reception and Lanyards*
- LexisNexis Applied Discovery – *Sponsor of the Dancing and Dining Guide and the Daily Folders*

- LexisNexis – *Sponsor of the Authors Breakfast*
- MediTract, Inc. – *Sponsor of the In-House Counsel Program and Practice Group Luncheon*
- MSAIClark Consulting-Healthcare Group – *Sponsor of the Board of Directors and Past Presidents' Dinner*
- Navigant Consulting – *Sponsor of the Tuesday Reception featuring The Second City*
- Pershing Yoakley & Associates PC – *Sponsor of the Hotel Room Keycards and the Physician Organizations Practice Group Luncheon*
- San Francisco Marriott – *Sponsor of the Fitness Classes*
- Sinaiko Healthcare Consulting, Inc. – *Sponsor of the Internet Lab and Internet Kiosks*
- Sullivan Cotter and Associates, Inc. – *Sponsor of the 40th Anniversary Gifts*
- Thomson West – *Sponsor of the New Member Reception*
- Upstairs Solutions LTC – *Sponsor of the Long Term Care Practice Group Luncheon*
- ValuePoint Consulting Group LLC – *Sponsor of the Notepads*
- Wellspring Partners – *Sponsor of the Monday Breakfast*

The American Health Lawyers Association would like to thank our members from the following firms and organizations for their generous sponsorship of the Monday evening reception at the Art Institute of Chicago:

- Baker & McKenzie LLP
- Bell Boyd & Lloyd LLP
- Blank Rome LLP
- Calfee Halter & Griswold LLP
- Coppersmith Gordon Schermer & Brockelman PLC
- Cozen O'Connor PC
- Davis Wright Tremaine LLP
- DLA Piper US LLP
- Drinker Biddle Gardner Carton
- Duane Morris LLP
- Epstein Becker & Green PC
- Foley & Lardner LLP
- Fulbright & Jaworski LLP
- Hall Render Killian Heath & Lyman PC
- Holland & Knight LLP
- Hunton & Williams LLP
- Ice Miller LLP
- Intermountain Healthcare, Inc.
- Jones Day
- Katten Muchin Rosenman LLP
- Kelly Law Firm PC
- Lash & Goldberg LLP
- Latham & Watkins LLP
- Law Offices of Marilyn Lamar
- Lord Bissell & Brook LLP
- McDermott Will & Emery LLP
- McDonough Holland & Allen PC
- McGuireWoods LLP
- McKenna Long & Aldridge LLP
- Neal Gerber & Eisenberg LLP – Health Law Group
- OberKaler, Attorneys at Law
- Phelps Dunbar LLP
- Post & Schell PC
- Powers Pyles Sutter & Verville PC
- Reed Smith LLP
- Ropes & Gray LLP
- Schottenstein Zox & Dunn Co. LPA
- Smith Moore LLP
- Sonnenschein Nath & Rosenthal LLP
- Vinson & Elkins LLP

#### Exhibitors:

Companies with products and services of interest to health lawyers will exhibit at this year's Annual Meeting. Attendees are invited to visit the exhibitors.

The following companies will be exhibiting at this year's program:

- American Appraisal Associates
- American Health Lawyers Association Resource Center
- BNA, Inc.
- CBIZ Valuation Group LLC
- Cenergy LLC
- FTI Healthcare
- HealthCare Appraisers, Inc.
- Horne LLP
- IE Discovery, Inc.
- MediTract, Inc.
- MSAIClark Consulting – Healthcare Group
- Navigant Consulting
- Pershing Yoakley & Associates PC
- Sinaiko Healthcare Consulting, Inc.
- Sullivan Cotter and Associates, Inc.
- Thomson West
- Upstairs Solutions LTC
- ValuePoint Consulting Group LLC
- Wellspring Partners



# In-House Counsel Program Agenda

## Message from the Chairs

Welcome to Chicago, a city with multiple opportunities for entertainment and leisure! Like Chicago, in-house counsel have multiple opportunities and challenges that change every day. This year's In-House Counsel Program reflects the broad scope of those challenges, and some opportunities as well. From e-discovery to risk management to patient care issues, this program will take on the issues that you face every day. In addition to cutting-edge programs from an outstanding faculty, the In-House Counsel Program will provide a great opportunity for networking, exchanging ideas and feedback with your peers. Come join us as we all continue to learn together. See you in Chicago!



William W. Horton, Esq.  
In-House Counsel  
Program Co-Chair

Lisa Diehl Vandecaveye, Esq.  
In-House Counsel  
Program Co-Chair

## Registration Fees

\$330 AHIA Members  
\$530 Non-Members

## Continuing Education Credits

The American Health Lawyers Association is an approved sponsor of continuing legal education credits in most states. The In-House Counsel program will be worth approximately 7.6 credits (including 3.0 ethics credit) for 60-minute states and approximately 9.2 credits (including 3.6 ethics credit) for 50-minute states. This seminar will be worth approximately 9.0 CPE credits.

## Cancellations/Substitutions

Cancellations must be received in writing by fax or mail no later than June 15, 2007. Refunds will not be issued for cancellations received after this date. Registration fees, less a \$50 administrative fee for the In-House Counsel Program, will be refunded following the program. If you register for both programs and are only able to attend one, you will not be charged a cancellation fee. Please note that registration fees are based on the AHIA Membership status of the individual who actually attends the program. For more information regarding administrative policies such as complaint and refund, please contact our offices at (202) 833-1100. If you wish to send a substitute, please call the Member Service Center at (202) 833-0766.

## PROGRAM AGENDA

**Saturday, June 23, 2007**

4:00–7:00 pm

### Registration and Information

**Sunday, June 24, 2007**

7:00 am–5:20 pm

### Registration and Information

7:00–8:00 am

### Continental Breakfast sponsored by MediTract, Inc.

(attendees, speakers and registered spouses and guests welcome)

7:10–7:50 am

### Listserve "Unplugged"

Joseph V. Trube, Jr.

Lisa Diehl Vandecaveye

Dreading being away from the lifeline of the In House Counsel listserve for a whole day? Come to a breakfast pre-session and enjoy a live free form listserve session even faster than cyberspace! Bring your current hot topics and discuss them with colleagues who won't be at their computers anyway because they are here! Moderated by two listserve veterans who regularly volunteer opinions worth at least what's paid for them.

## GENERAL SESSION

8:00–8:15 am

### Welcome and Opening Remarks

William W. Horton, Program Co-Chair

Lisa Diehl Vandecaveye, Program Co-Chair

8:15–9:15 am

### Planning for Disaster: Public-Private Coalition Model for Emergency Preparedness

Amy Eiden

Jeffrey M. Sconyers

- Responsibilities of public health and private providers in an emergency
- Public health methods and tactics for the non-public health lawyer
- Legal and operational concerns of public health and private providers
- Using a Coalition Model to enhance readiness, coordinate public health and private providers and protect patients and the public

9:15–9:30 am

### Coffee Break

## CONCURRENT SESSIONS

9:30–10:30 am

### A. Record Retention: E-Discovery (not repeated)

Mark R. Lezotte

Fredrick Robinson

- Managing the explosion of electronic information
- Industry-specific records management guidance
- Legal implications of health information technology
- E-discovery issues common to health institutions
- Recent government initiatives

For the latest updates go to [www.healthlawyers.org/annual](http://www.healthlawyers.org/annual)

# In-House Counsel Program Agenda

## B. Health Plans versus Non-Participating Providers

*Laurence L. Foust*

*Carol K. Lucas*

- Health plans and non-participating providers are often thrown together involuntarily, such as in emergency care, and voluntarily, such as when non-participating providers waive cost sharing amounts in an attempt to compete for patient business. This session will examine regulatory, contractual, and judicial developments in the areas of:

- ♦ Honoring or refusing assignment of benefits by beneficiaries to non-participating providers
- ♦ Deciding how much to pay non-participating providers—the uniform, customary and reasonable battleground
- ♦ Balance billing, holding patients hostage and other forms of mutually assured destruction

## C. When Crime Strikes: The Response of In-House Counsel to Criminal Matters

*Wendy C. Maneval*

*Kirk Ogrosky*

- How and what criminal issues arise in healthcare facilities
- Appropriate interaction with law enforcement
- Complying with HIPAA Privacy requirements
- When to retain criminal counsel
- Tips for preventing civil liability
- Ethical responsibilities

10:40 am–12:10 pm Extended Sessions

## D. Implementation of Transparency in Healthcare (not repeated)

*W. Mark Easterly*

*Thomas F. Fitzgerald*

- Update on state and federal legislative activity in healthcare transparency
- Analysis of currently available healthcare information and how transparency will build upon current data reporting and disclosures for consumers
- One hospital system's experience in leading the movement to healthcare transparency in areas such as: disclosure of financial performance, pricing, quality outcomes, customer service, and community benefit activity
- A view of transparency from the perspective of plan sponsors and managed care organizations
- Practical considerations for in-house counsel advising hospitals and health systems, health insurers, plan sponsors and managed care organizations in moving toward transparency

## E. Red Flag Rising: Legal Ethical Duties of In-House Counsel on the Discovery of Client Wrongdoing

*William W. Horton*

*Michael W. Peregrine*

Most in-house lawyers have some idea how to respond when the government or a third party accuses their employer of wrongdoing. But what if the lawyer is the first one to find the smoking gun? This session will explore the ethical duties of in-house counsel when the red flags of client wrongdoing arise, as well as issues that arise in dealing with senior management and advising the board. The topics covered will include:

- The organization as client: Model Rule 1.13 and practical reality
- Up the ladder or over the top? Duties of counsel when management may be implicated

- Counseling the board when red flags appear: The decision to investigate (or not)
- The role of in-house counsel in an internal investigation
- Self-disclosure, internal investigation reports, indemnification issues and other traps for the unwary

## F. Dealing with Excess Benefit Compliance: Where to Go if You Can't Stay-Home

*Gerald M. Griffith*

*Charles E. Reiter*

- Update on the Soft Contact Letters and other recent IRS enforcement activity
- Implications of Fifth Circuit decision in Caracci
- Forms 990 and 1023 disclosure requirements for compensation arrangements
- Establishing the rebuttable presumption and other steps to protect organization managers, disqualified persons and the exempt organization
- Key areas of voluntary compliance with excess benefit rules
- Practical considerations for establishment and operation of compensation committees—working with entrepreneurs in a nonprofit setting

## LUNCH

12:15–1:30 pm

### In-House Counsel Practice Group Luncheon

*sponsored by MediTract, Inc.*

(all attendees and speakers welcome)

Don't miss this fun gathering of your in-house counsel colleagues, which will include a report from the In-House Counsel Practice Group. The highlight of the lunch will, of course, be the annual Golden Ferret competition and you are sure to be entertained by real-life, too-weird-to-be-true stories told by fellow health law attorneys competing for the award.

## CONCURRENT SESSIONS

1:30–2:30 pm

## G. Putting the Patient First: Safety, Quality and Enterprise Risk Management (not repeated)

*Lynne Chafetz*

*Fay A. Rozovsky*

- Regulatory requirements for healthcare organizations to protect patients from safety risks—case study focusing on infection control
- Legal and ethical duties of healthcare organizations and providers to implement patient safety requirements
- Labor and employment law issues in implementing patient safety initiatives
- Accreditation issues
- The application of an Enterprise Risk Management (ERM) approach to Mandatory Influenza Immunization
- Benefits of an ERM approach: Building the business case for new initiatives in the healthcare setting

## H. Does your Board "Make the Grade"?

*Marc D. Goldstone*

*Mark S. Zemelman*

- Selection of objective performance criteria
- Development of support from the board and management for the process—real life results
- Particular areas of concern, including executive compensation, excess private benefits, intermediate sanctions and TECEP
- Audit committees and their special role



## In-House Counsel Program Agenda

### C. When Crime Strikes: The Response of In-House Counsel to Criminal Matters (repeat)

2:40–3:40 pm

#### J. Outsourcing Hospital Departments: Strategies for Success (not repeated)

*Thomas E. Bartrum*

*Elsie A. Faciane*

- How in-house counsel can bring value to their hospital teams by recognizing cross-disciplined outsourcing issues, and spearheading coordination between departments
- How to evaluate the two major risks in any outsourcing relationship: Profitability and liability
- How changes in the insurance market have created an unrecognized liability problem in outsourcing, and how to respond
- How to develop strategies for successful outsourcing, and how to structure outsourcing relationships
- What the PhyAmerica/ECS Bankruptcy, filed in November 2002, teaches about the future of outsourcing relationships

#### B. Health Plans versus Non-Participating Providers (repeat)

#### H. Does your Board “Make the Grade”? (repeat)

3:40–3:50 pm

#### Coffee Break

3:50–5:20 pm Extended Sessions

#### K. The Legal Ethics of Drafting Legal Opinions: In-House and Outside Counsel Perspectives (not repeated)

*Chris E. Rossman*

*Cynthia F. Wisner*

- Legal advice and the McNulty memo replacing the Thompson memo
- Internal and external investigations and the company's need for facts
- Value of opinions of counsel issued to the company itself
- External counsel reliance on internal counsel and shared/delegated due diligence
- When to say no and when to say maybe
- Value of legal opinions in joint ventures and transactions
- Application of attorney/client and work product privilege
- Roles of internal and external counsel in issuing legal opinions
- When is an opinion not an opinion (“reasoned” opinions)

#### E. Red Flag Rising: Legal Ethical Duties of In-House Counsel on the Discovery of Client Wrongdoing (repeat)

#### F. Dealing with Excess Benefit Compliance: Where to Go if You Can't Sta-Home (repeat)

Adjournment

## Faculty

### Planning Committee

William W. Horton, Esq.

*Program Co-Chair*

Haskell Slaughter Young & Rediker LLC

Birmingham, AL

Lisa Diehl Vandecaveye, Esq.

*Program Co-Chair*

Corporate Vice President of Legal Affairs

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Farmington Hills, MI

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Senior Counsel

Kaiser Foundation Health Plan, Inc.  
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Rancho Mirage, CA

Thomas E. Bartrum, Esq.

Drinker Biddle Gardner Carton  
Washington, DC

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Senior Vice President and General  
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Deputy Chief for Health Care Fraud  
Fraud Section Criminal Division  
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Cynthia F. Wisner, Esquire

Assistant General Counsel  
Trinity Health  
Novi, MI

Mark S. Zemelman, Esq.

Assistant General Counsel and Vice  
President  
Kaiser Foundation Health Plan, Inc.  
Oakland, CA

# Annual Meeting Program Agenda

## PLENARY SESSIONS

### Welcome and State of the Association

MONDAY, JUNE 25 8:30–9:00 AM

*Elisabeth Belmont, President-Elect*

*Anthea R. Daniels, President*

*Peter M. Leibold, CEO/Executive Vice President*

### Keynote Address

sponsored by FTI Healthcare

MONDAY, JUNE 25 9:00–9:45 AM

*Atul Gawande, MD, MPH*

Dr. Gawande will explore how physicians strive to close the gap between best intentions and actual performance to deliver quality medical care and share his insights on the human aspect of medical decision-making which are discussed in his new book, *Better*.

### Reactor Panel

MONDAY, JUNE 25 9:45–10:30 AM

*Mark A. Kadzielski — Moderator*

*Harold G. Bressler, Sr.*

*Alice G. Gosfield*

The Reactor Panel will engage Dr. Gawande in a dialogue regarding his observations, and offer the hospital, physician and regulatory perspectives on the challenges in minimizing medical errors.

### Year in Review

MONDAY, JUNE 25 10:30 AM–12:30 PM

*Beth Schermer*

*Jack S. Schroder, Jr.*

This session will provide a comprehensive look at significant statutory, regulatory and case law developments from the past twelve months and discuss their practical implications.

## CONCURRENT SESSIONS

### Alternative Dispute Resolution

#### BB. Strategies for Dispute Resolution: Arbitration, Mediation and Litigation

TUESDAY, JUNE 26 10:00–11:00 AM (non-repeat)

*Daniela F. Almeida*

*Gregory G. Binford*

- Drafting arbitration provisions with emphasis on recent developments in arbitration law and practice
- The future of dispute resolution
- How to respond to arbitration clauses in vendor contracts and using mediation as an alternative
- Discussion of AHLA ADR Service and sample contract language

## Antitrust

#### M. Antitrust Year in Review

MONDAY, JUNE 25 3:15–4:15 PM

TUESDAY, JUNE 26 11:15 AM–12:15 PM (repeat)

*Robert L. Hubbard*

*Robert F. Leibenluft*

- Physician joint negotiations, including North Texas Specialty Physicians, clinical integration, and the FTC's Suburban Health Advisory opinion
  - Class action suits alleging hospital collusion in setting nurse wages
  - Pharmaceutical agreement cases—Schering, Taxmoxifen, and proposed legislation
  - Suits between providers
  - Mergers—health plans, hospitals and pharmaceutical companies
  - Bundling—by device firms and hospitals
- And other breaking developments...

#### FE. Two Years after "Improving Health Care: A Dose of Competition": What Has Changed?

TUESDAY, JUNE 26 10:00–11:00 AM

WEDNESDAY, JUNE 27 11:00 AM–12:00 NOON (repeat)

*Markus Meier*

*Joseph M. Miller*

*Douglas C. Ross*

- What were the principal findings and recommendations in the 2004 DOJ/FTC report?
- What has been the effect of the report? What enforcement initiatives have the agencies taken since then? Has there been an effect on private enforcement?
- What areas continue to draw the attention of the enforcement agencies? What are their views on current debates regarding the scope of the state action doctrine, the role of certificate of need laws and specialty hospitals?

## Fraud and Abuse, Self-Referrals and False Claims

#### D. Medicaid: The New Enforcement Frontier?

MONDAY, JUNE 25 2:00–3:00 PM

WEDNESDAY, JUNE 27 1:30–2:30 PM (repeat)

*Robert G. Homchick*

*Ellyn Sternfield*

- Specific DRA initiatives and the increasing False Claims Act and pendent state claim litigation
- Medicaid enforcement resources
- DRA directives regarding Medicaid providers' FCA policies
- OIG review of state FCA statutes
- State FCA litigation
- Concurrent or combined federal and state FCA lawsuits
- Pendent state claims in FCA suits

#### E. Advanced Stark Case Study

MONDAY, JUNE 25 2:00–3:00 PM

WEDNESDAY, JUNE 27 11:00 AM–12:00 NOON (repeat)

*John T. Brennan, Jr.*

*Patricia T. Meador*

- Update on litigation and enforcement activity relating to Stark
- Finding, curing and disclosing Stark problems
- Some "hypotheticals" from real life problems



# Annual Meeting Program Agenda

## AA. Negotiating False Claims Act Settlements and Operating under a Corporate Integrity Agreement

TUESDAY, JUNE 26 8:15–9:45 AM  
WEDNESDAY, JUNE 27 8:00 AM–9:30 (repeat)

*Kathleen McDermott—Moderator*  
*Margaret Hutchinson*  
*John Markus*

- Strategies to obtain an intervention decision
- Effect of parallel proceedings on False Claims Act defense strategies
- Determination of damages
- False Claims Act Settlements and CIAs
- Strategies to consider in resolving multi-agency issues
- Negotiating and living with a CIA

## Q. The Check's in the Mail: Retention Strategies and Financial Incentives for Physicians (advanced)

*David B. Pursell, David W. Thompson*  
*See Physicians and Physician Organizations*

## W. Medicare Compliance Risk under Medicare Part D

*Don L. Bell, III, Kirk J. Nabra, Julie K. Taitsman, Harvey M. Tettlebaum*  
*See HMOs and Health Plans*

## X. Case Study: Contract Negotiation, Fair Market Value Documentation and Investigation of a Hospital/Physician Financial Transaction (advanced)

*Gregory D. Anderson, Almata E. Cooper, Robert A. Wade*  
*See Hospitals and Health Systems*

## Health Information and Technology

### B. HIT Parade

MONDAY, JUNE 25 2:00–3:00 PM  
WEDNESDAY, JUNE 27 11:00 AM–12:00 NOON (repeat)

*Phyllis F. Granade*  
*Kristen B. Rosati*

- The rise of the RHIO: Recent national and regional efforts to encourage health information exchange
- Stark and Anti-Kickback developments: Sticky spots in the new electronic health record and e-prescribing regulations and potential legislative changes
- Hot issues in HIPAA compliance and enforcement: Common complaints and problems, current investigational practices and potential enforcement changes
- Identity theft and state notification laws: Tips for risk management and practical ideas for dealing with employees, patients, law enforcement and regulators following a significant privacy breach

### K. Plans, Providers and Transparency

MONDAY, JUNE 25 3:15–4:15 PM  
TUESDAY, JUNE 26 10:00–11:00 AM (repeat)

*Daniel Meron*  
*Edward F. Sbay*

- The legal and regulatory policy framework supporting Medicare's acquisition, use and disclosure of provider data, provider profiles, pay for reporting and the emergence of value-based purchasing

- Legal issues associated with the use of patient data by providers and health plans for profiling and proprietary purposes, and the emergence of healthcare infomediaries that capture and analyze such data
- Implications of the trend of healthcare transparency and the use of claims data to analyze health delivery issues and provider performance
- Contract language for plans and providers engaged in fair information practices

## NN. Avoiding a Nightmare on "e" Street: Planning to Minimize the Pitfalls of Electronic Systems and Metadata

WEDNESDAY, JUNE 27 9:45–10:45 AM  
WEDNESDAY, JUNE 27 2:40–3:40 PM (repeat)

*David Abelman*  
*Marilyn Lamar*

Electronic health records and clinical systems create much more than data about patients. They also create "metadata" about the overall quality of care, such as the response of a provider to electronic alerts and adherence to clinical protocols. The increased availability of this information is likely to change the requirements of "pay for performance" programs and the landscape of liability assessments. This session will focus on issues that attorneys will wish they had raised with clients in advance, including:

- Use of responses to alerts and clinical tools as a sword or a shield in liability actions
- Metadata and its relationship to the patient's medical record
- How to reduce the risks of enhanced clinical tools, including unintended changes in the standard of care
- Effect of EHRs on medical necessity determinations and interactions with payers
- Use of metadata for research, evidence of possible racial/ethnic disparities, quality metrics and tiering
- Database issues, including cancer registries and social security numbers
- Impact of grants and residual rights clauses on intellectual property rights

## R. E-Discovery, E-Health and E-Law: Keeping, Finding and Disclosing E-Evidence—A Primer

*Alan S. Goldberg, Thomas Gregory Motta*  
*See Healthcare Liability and Litigation*

## Healthcare Liability and Litigation

### P. The Disturbed Patient: Challenging Problems and Practical Solutions

MONDAY, JUNE 25 4:30–5:30 PM (not repeated)

*David E. Jose*  
*Barbara A. Weiner*

- New Final Hospital Conditions of Participation Rule on use of restraints and seclusion including discussion of staffing, diagnostic and documentation issues and confidentiality considerations
- Use of restraints in non-hospital settings (e.g., nursing facilities, physician offices, outpatient behavioral health settings, etc.)
- Legal considerations of patients with "behavioral issues" including involuntary commitment, psychiatric transfers and EMTALA, duty to warn, and documentation and risk management
- Sample policy addressing discovery of alcohol, chemical substances and weapons
- Confidentiality of psychiatric and substance abuse information and records

# Annual Meeting Program Agenda

## R. E-Discovery, E-Health and E-Law: Keeping, Finding and Disclosing E-Evidence—A Primer

MONDAY, JUNE 25 4:30–5:30 PM  
TUESDAY, JUNE 26 11:15 AM–12:15 PM (repeat)

*Alan S. Goldberg*  
*Thomas Gregory Motta*

- What do the new federal civil rules mean
- Who must keep what, where, and how
- When to destroy and when to stop
- What data can be recovered and how can it be used in litigation
- How to assure legal and ethical compliance
- Why violations will occur and penalties sought

## N. The Legal and Practical Issues of Dealing with Substance Abuse in the Workplace

*John E. Lynchski, Dennis J. Purtell*  
*See Labor and Employment*

## U. Enforcement and Liability Issues Relating to the Off-Label Use of Drugs and Devices: Education v. Promotion

*Neil F. O'Flaherty, Vicki L. Robinson, Paul W. Shaw*  
*See Life Sciences*

## L. Tell Me Now and Tell Me Later: Disclosure and Reporting of Medical Errors

*Ellen L. Barton, Mark A. Kadzielski*  
*See Medical Staff, Credentialing and Peer Review*

## HMOs and Health Plans

### F. Two "Ps" in a Pod – Emerging Issues in Provider-Plan Litigation

MONDAY, JUNE 25 2:00–3:00 PM  
WEDNESDAY, JUNE 27 9:45–10:45 AM (repeat)

*Mark H. Gallant*  
*Kevin D. Gordon*

- Common law breach of contract and implied state law claims, including prompt pay litigation
- ERISA preemption, including assignments and subrogation
- Non-participating provider litigation, including Quantum Merit and federal law claims for payment
- RICO claims and other class action suits against plans

### W. Medicare Compliance Risk under Medicare Part D

TUESDAY, JUNE 26 8:15–9:45 AM  
WEDNESDAY, JUNE 27 8:00–9:30 AM (repeat)

*Don L. Bell, III*  
*Kirk J. Nabra*  
*Julie K. Taitsman*  
*Harvey M. Tettlebaum*

- Major compliance issues facing pharmacies, with a discussion of practical compliance solutions
- The key compliance issues facing plan sponsors in their dealings with customers and business partners
- The key compliance issues facing long-term care facilities, hospitals and their pharmacies
- Compliance strategies and enforcement risks for stakeholders in the Part D program

## K. Plans, Providers and Transparency

*Daniel Meron, Edward F. Shay*  
*See Health Information and Technology*

## NN. Avoiding a Nightmare on "e" Street: Planning to Minimize the Pitfalls of Electronic Systems and Metadata

*David Abelman, Marilyn Lamar*  
*See Health Information and Technology*

## Hospitals and Health Systems

### X. Case Study: Contract Negotiation, Fair Market Value Documentation and Investigation of a Hospital/Physician Financial Transaction (advanced)

TUESDAY, JUNE 26 8:15–9:45 AM  
WEDNESDAY, JUNE 27 8:00–9:30 AM (repeat)

*Robert A. Wade – Moderator*  
*Gregory D. Anderson*  
*Almeta E. Cooper*

- CEO negotiates medical directorship and on-call coverage with orthopedic surgeons
- Legal counsel prepares medical directorship and on-call coverage agreement
- Fair market value documentation of medical directorship and on-call arrangement
- Operational issues with financial arrangement
- Medical staff issues related to financial arrangement
- OIG investigation of financial arrangement with orthopedic group

### Z. Key Lessons in Accomplishing a Successful Hospital or Health System Merger

TUESDAY, JUNE 26 8:15–9:45 AM  
WEDNESDAY, JUNE 27 8:00–9:30 AM (repeat)

*Gerald R. Peters – Moderator*  
*Michael A. Bezney*  
*Asha B. Scielzo*

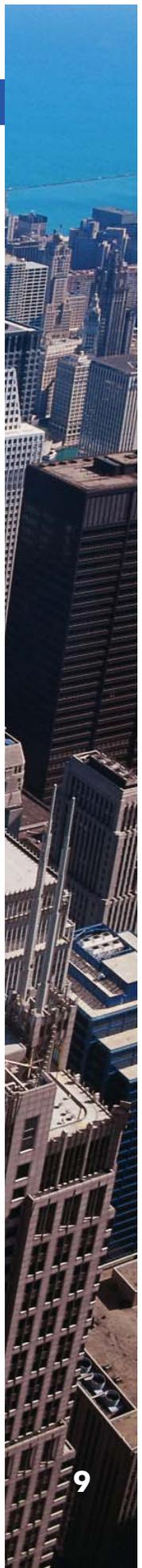
- Identification and resolution of the key issues arising in mergers
- Identification of various transaction structures
- Role of in-house and outside legal counsel
- Examples of transactions and how critical decisions are made
- Advice to managers on successful affiliations

### MM. Community Benefit: Attack of the Regulators

WEDNESDAY, JUNE 27 9:45–10:45 AM  
WEDNESDAY, JUNE 27 2:40–3:40 PM (repeat)

*James Mark Abernathy*  
*Patrick S. Coffey*

- Update on IRS Community Benefit Initiative and related Congressional inquiries
- Overview of recent property tax exemption challenges and decisions focusing on charity care and community benefit, eg *Wexford Medical Group v. Cadillac and Provena Covenant Medical Center*
- State legislation on community benefit activities and reporting
- Attorneys General regulatory and enforcement alternatives for nonprofit healthcare – how they view the "profit" in nonprofit healthcare
- Overview of the VHA/CHA Community Benefit Guidelines and other reporting and policy tips
- Positioning your organization to reduce the potential for exemption controversies



# Annual Meeting Program Agenda

## A. Getting Beyond P4P: The PROMETHEUS Payment Model (advanced)

*Alice G. Gosfield*

*See Physicians and Physician Organizations*

## C. Legal Ethics: Compliance Counseling amid Unpredictable Enforcement (advanced)

*Glen A. Reed*

*See Legal Ethics*

## D. Medicaid: The New Enforcement Frontier?

*Robert G. Homchick, Elynn Sternfeld*

*See Fraud and Abuse, Self-Referrals and False Claims*

## H. Public Interest Dialogue: Pandemic and H5N1 Flu: A Prescription for Preparedness

*Elisabeth Belmont, Matthew S. Penn, Richard L. Shackelford,*

*August J. Valenti*

*See Public Interest*

## V. Rebirth of Hospital-Physician Joint Ventures

*Gary H. Collins, Catherine T. Dunlay, Gerald M. Griffith*

*See Tax*

## CC. 5 for Fighting: Your Hospital, Your Recruited Physician and Their Specialty Group – A Case Study in Avoidance of a Fistic Carnival (advanced)

*Marc D. Goldstone, R. Harold McCard, Charlene L. McGinty*

*See Physicians and Physician Organizations*

## DD. Acute to Long Term Care: Managing Risks and Liability

*Barbara L. Miltenberger, Gerald M. Sill*

*See Long Term Care*

## Corporate Responsibility and Healthcare Quality: A Resource for Healthcare Boards of Directors

*Arianne N. Callender, Douglas A. Hastings, Michael C. Hemsley,*

*Lewis Morris, Michael W. Peregrine*

*See Public Interest*

## Labor and Employment

### N. The Legal and Practical Issues of Dealing with Substance Abuse in the Workplace

MONDAY, JUNE 25 3:15–4:15 PM

WEDNESDAY, JUNE 27 11:00 AM–12:00 NOON (repeat)

*John E. Lynchski*

*Dennis J. Purtell*

The healthcare workplace is unique with respect to employment issues arising as a result of substance abuse. Since controlled substances often abused by employees are accessible at a healthcare facility, the consequences of an employee diverting medications or working while impaired can be significant. In addition, many of those providing healthcare services are subject to specific laws and regulations relating to use, dependency or addiction. This session will address the issues faced by healthcare providers, including:

- Federal and state laws and regulations applicable to testing, discipline and reporting
- Use of voluntary and mandatory leave of absence and EAP referrals

- Issues relating to recovering and recovered employees and healthcare professionals
- Dealing with impaired healthcare professionals
- “Last Chance” agreements
- Problems presented by the spectrum of “employment” relationships

### JJ. Recent Developments in Labor and Employment Law Affecting the Healthcare Industry

TUESDAY, JUNE 26 11:15 AM–12:15 PM

WEDNESDAY, JUNE 27 1:30–2:30 PM (repeat)

*Robert R. Niccolini*

*William P. Schurgin*

- How new NLRB Decisions on supervisory status affect healthcare employers
- The Employee Free Choice Act and the future of labor relations
- Healthcare corporate campaign update including attacks on tax exempt status, state and local legislative initiatives and anti-trust actions
- Practical implications of the EEOC’s recent ADA healthcare workers guidance
- Immigration update
- Emerging wage and hour issues affecting the healthcare industry
- Retaliation: Adverse action in the aftermath of Burlington Northern
- ADA flow-chart for examining reasonable accommodation issues

### R. E-Discovery, E-Health and E-Law: Keeping, Finding and Disclosing E-Evidence—A Primer

*Alan S. Goldberg, Thomas Gregory Motta*

*See Healthcare Liability and Litigation*

### LL. Best Practices in Physician Compensation

*James Roban, Douglas B. Swill*

*See Physicians and Physician Organizations*

## Legal Ethics

### Issues in Legal Ethics: Leaks from Hewlett-Packard’s Boardroom Sweeps Its Chairman and Others into Criminal Court

*Sponsored by the Corporate Governance Task Force*

TUESDAY, JUNE 26 7:00–8:00 AM (not repeated)

*Nancy S. Jones*

*Stuart I. Silverman*

Early this year, the Chairman of Hewlett-Packard Company’s Board of Directors, one of the company’s in-house lawyers, and others were indicted following an investigation conducted by HP of its own board members which utilized allegedly illegal investigatory methods. This presentation will address the following areas:

- Differences between board oversight of a company’s business and oversight of the board itself, as well as the issue of who makes the decision to investigate board member conduct.
- The use of special board committees or special directors to deal with internal board investigations.
- The role of outside counsel and the need for special expertise and safeguards in conducting investigations.
- Potential state and federal civil and criminal liabilities arising from board member investigations gone awry.

Note: Attendance for this session is limited and pre-registration is required—please see pages 37-38.

For the latest updates go to [www.healthlawyers.org/annual](http://www.healthlawyers.org/annual)

# Annual Meeting Program Agenda

## C. Legal Ethics: Compliance Counseling amid Unpredictable Enforcement (advanced)

MONDAY, JUNE 25 2:00–3:00 PM  
TUESDAY, JUNE 26 11:15 AM–12:15 PM (repeat)  
*Glen A. Reed*

- Distinguishing between law and enforcement policy
- Ethical issues in guiding future conduct based on current perceptions of enforcement policy
- Legal opinions and enforcement predictions
- Effects of enforcement predictions on allocation of legal risks in transactions
- Defenses based on government abstention from enforcement or agency guidance on enforcement
- Issues raised in “private enforcement” causes of action

## T. Legal Ethics Case Study: Real World Governance Issues, Problems and Solutions

MONDAY, JUNE 25 4:30–5:30 PM  
WEDNESDAY, JUNE 27 9:45–10:45 AM (repeat)  
*Daniel G. Hale*  
*Michael W. Peregrine*

- The most common and vexing corporate governance issues faced by nonprofit hospitals and health systems, torn from the day’s headlines based on recent high profile governance controversies
- Key governance challenges
- Review of governance practices likely to attract regulatory scrutiny
- Extent of “business judgment rule” protection
- Importance of effective conflicts management processes
- Emerging compliance oversight requirement regarding quality of care
- Special emphasis on the executive compensation process

## EE. Legal Ethics: Legal Duties and Effective Relationships between In-House and Outside Counsel

TUESDAY, JUNE 26 10:00–11:00 AM  
WEDNESDAY, JUNE 27 1:30–2:30 PM (repeat)  
*Jack Louie Caymon, III*  
*Philip L. Pomerance*

- The duties of inside counsel: “Plan the work, then work the plan” and meeting the client’s objectives
  - ◆ Who is the client?
  - ◆ Is managing outside counsel politics or law?
- The duties of outside counsel:
  - ◆ Communication, communication, communication
  - ◆ Who is the client? (Focusing on the entity, not the constituents)
  - ◆ Billing and collecting
- When things go awry
  - ◆ “No, you can’t do that. Now close the door and I’ll tell you how to get it done.”—the risks of structuring illegal transactions and aiding and abetting health care fraud
  - ◆ “I’m sorry, I can’t tell you that.”—confidentiality during internal and outside investigations
  - ◆ “Now it’s time to say goodbye to all our company.”—ending a lawyer/lawyer/client relationship

## Life Sciences

### O. Life Sciences: The New Frontier for Health Lawyers

MONDAY, JUNE 25 3:15–4:15 PM  
WEDNESDAY, JUNE 27 11:00 AM–12:00 NOON (repeat)  
*Bernadette M. Broccolo*  
*Elizabeth Carder-Thompson*

- On the home front: The rising stakes in the domestic compliance minefields
  - ◆ Fraud and conflict of interest risks of financial relationships between providers and manufacturers and distributors and Diverse Hospital Vendor Access Credentialing Standards and Procedures
  - ◆ Drug and device manufacturer agreements with consultants
  - ◆ Off-label promotion
  - ◆ Pricing transparency including discounts, relationships with GPOs and distributors
  - ◆ State law initiatives dogging the life sciences industry
- Beyond our borders: Globalization of compliance, research data collection and reporting, patent reform, and fraud and conflict of interest compliance and enforcement
- On the horizon
  - ◆ Emerging Part D fraud implications
  - ◆ Tissue and data repository strategies to streamline research studies, conduct outcomes and other post-market secondary research, and be positioned for the move toward personalized medicine
  - ◆ Proving the value of new products through evidence-based medicine/technology assessment
  - ◆ Emerging reimbursement strategies
  - ◆ Consumer driven healthcare

### U. Enforcement and Liability Issues Relating to the Off-Label Use of Drugs and Devices: Education v. Promotion

MONDAY, JUNE 25 4:30–6:00 PM  
TUESDAY, JUNE 26 8:15–9:45 AM (repeat)  
*Neil F. O’Flaherty*  
*Vicki L. Robinson*  
*Paul W. Shaw*

- Regulation of off-label marketing of FDA approved drugs and devices
- Perspectives of the OIG and FDA on the promotion of off-label use of drugs and devices
- Boundaries of appropriate practices to educate physicians about the off-label uses of drugs and devices
- Potential civil liability of physicians who participate in promotional activities sponsored by pharmaceutical and medical device companies
- Potential criminal liability of physicians for promoting the off-label use of drugs and devices

### HH. Research Compliance: Is There a Subpoena in Your Future?

TUESDAY, JUNE 26 11:15 AM–12:15 PM  
WEDNESDAY, JUNE 27 2:40–3:40 PM (repeat)  
*Brent L. Henry*  
*Nancy C. LeGros*

- Practical solutions to time and effort reporting
- Current policies governing research conflicts of interest and physician interactions with drug and device companies
- IRB/human subject protection update



## Annual Meeting Program Agenda

- Key reimbursement issues
- Critical elements to include in a clinical research agreement

### W. Medicare Compliance Risk under Medicare Part D

*Don L. Bell, III, Kirk J. Nabra, Julie K. Taitsman, Harvey M. Tettlebaum*  
*See HMOs and Health Plans*

### Long Term Care

#### DD. Acute to Long Term Care: Managing Risks and Liability

TUESDAY, JUNE 26 10:00–11:00 AM  
WEDNESDAY, JUNE 27 1:30–2:30 PM (repeat)  
*Barbara L. Miltenberger*  
*Gerald M. Sill*

- Blurring of lines between acute care and SNF care create new issues regarding patient transfers between levels of care
- “Patient dumping” issues and how to avoid them
- Risk management strategies to avoid negligence claims
- Transfer and discharge documentation to coordinate care between levels of care
- Hospice issues when transferring from SNF to acute care setting and back
- Coordination of services by various healthcare providers

#### GG. Recent Legal Developments in the Long Term Care Spectrum

TUESDAY, JUNE 26 11:15 AM–12:15 PM (not repeated)  
*Gavin J. Gadberry*

- Part D and long term care
- False claims litigation: The worthless services theory
- Deficit Reduction Act mandates
- Latest cases on ADR
- Medicare and Medicaid reimbursement: Cuts and beyond
- Survey and certification
- Home health and assisted living

### W. Medicare Compliance Risk under Medicare Part D

*Don L. Bell, III, Kirk J. Nabra, Julie K. Taitsman, Harvey M. Tettlebaum*  
*See HMOs and Health Plans*

#### BB. Strategies for Dispute Resolution: Arbitration Mediation and Litigation

*Daniela F. Almeida, Gregory G. Binford*  
*See Alternative Dispute Resolution*

### Medical Staff, Credentialing, and Peer Review

#### L. Tell Me Now and Tell Me Later: Disclosure and Reporting of Medical Errors

MONDAY, JUNE 25 3:15–4:15 PM  
TUESDAY, JUNE 26 10:00–11:00 AM (repeat)  
*Ellen L. Barton*  
*Mark A. Kadzielski*

- The National Quality Foundation’s Never 27
- State reporting regulations and legislation
- Medical errors vs. adverse events
- Disclosure of medical errors and apologies to patients and their families
- Practical implications and solutions

#### Y. Hospital-Medical Staff Flashpoints: Accountability, Disclosure, Money (advanced)

TUESDAY, JUNE 26 8:15–9:45 AM  
WEDNESDAY, JUNE 27 8:00–9:30 AM (repeat)

*Julia E. Gabis*  
*Robin Locke Nagele*

- Hospital and medical staff perspectives
  - ◆ New JCAHO mandates for credentialing rigor and scrutiny
  - ◆ Creative approaches to identifying and addressing concerns about clinical competence
  - ◆ Evolving disclosure practices resulting from the Kadlec case
  - ◆ “Best practices” for dealing with disruptive physicians
  - ◆ Proactive management of hospital-physician and physician-physician conflicts of interest
  - ◆ Alternative approaches to the dilemma of ER on-call payments

#### N. The Legal and Practical Issues of Dealing with Substance Abuse in the Workplace

*John E. Lynchski, Dennis J. Purtell*  
*See Labor and Employment*

### Physicians and Physician Organizations

#### A. Getting Beyond P4P: The PROMETHEUS Payment Model (advanced)

MONDAY, JUNE 25 2:00–3:00 PM (not repeated)  
*Alice G. Gosfield*

- The advent of Pay for Performance has drawn attention to the failure of the existing payment systems to produce optimal quality of care. Virtually all commentators recognize that while P4P is a good thing, it is likely not sustainable as a path to payment reform. This session will present a new payment model that will be piloted beginning in 2007. It is intended to improve clinical collaboration among providers, pay for the resources necessary to treat patients in accordance with evidence-based medicine and lower administrative burden. With an eye toward its specific audience, this session will also address contract amendments which will make the model real as well as appeals and potential liability issues. What PROMETHEUS Payments rewards, is what providers should be doing anyway in terms of better clinical collaboration for care.

#### J. Consolidating Physician Practices: A Case Study (advanced)

MONDAY, JUNE 25 3:15–4:15 PM  
TUESDAY, JUNE 26 11:15 AM–12:15 PM (repeat)  
*Mark F. Korber*

*Michel A. LaFond*

- Governance of the consolidated entity: By-Law or Operating Agreement Provisions
- Employment, compensation and incentives provisions
- Federal tax consequences and accounting issues
- False Claims Act, Anti-kickback and Stark anti-fraud concerns
- DOJ and FTC antitrust enforcement policies
- Managed care organization provider numbers credentialing and other payment concerns

# Annual Meeting Program Agenda

## Q. The Check's in the Mail: Retention Strategies and Financial Incentives for Physicians (advanced)

MONDAY, JUNE 25 4:30–5:30 PM

WEDNESDAY, JUNE 27 1:30–2:30 PM (repeat)

*David B. Pursell*

*David W. Thompson*

- Legal, economic and accounting issues in hospital/physician subsidies – call pay, physician seeding, hospital-based physician incentives
- Effective use of hospital/physician MSAs
- Analyzing, assessing and documenting hospital benefit
- Strategies for dealing with time allocation and documentation issues
- Determining physician salary benchmarks
- Sample agreement, sample financial analyses and formulae, and sample compliance forms

## CC. 5 for Fighting: Your Hospital, Your Recruited Physician and Their Specialty Group – A Case Study in Avoidance of a Fistic Carnival (advanced)

TUESDAY, JUNE 26 10:00–11:00 AM

WEDNESDAY, JUNE 27 11:00 AM–12:00 NOON (repeat)

*Marc D. Goldstone*

*R. Harold McCard*

*Charlene L. McGinty*

- Stark and Anti-kickback Statute regulations related to physician/hospital recruitment agreements
- The different interests represented in the transaction perspectives from physician, hospital and specialty practice group
- The “nuts and bolts” of income forgiveness agreements and the regulatory issues associated with income forgiveness
- Exit strategy, exit strategy, exit strategy—don't leave home without one

## LL. Best Practices in Physician Compensation

WEDNESDAY, JUNE 27 9:45–10:45 AM

WEDNESDAY, JUNE 27 2:40–3:40 PM (repeat)

*James Roban*

*Douglas B. Swill*

- New market forces influencing both hospitals and physicians to partner together
- Current legal and regulatory framework and developments in enforcement activity
- Current trends in physician compensation, including medical director agreements, coverage agreements, co-management agreements, physician recruitment agreements and employment agreements
- Determining Fair Market Value—alternatives to Safe Harbor Guidelines
- Top ten “best and worst” practices in designing and administering physician compensation arrangements
- Highly compensated physician and the use of business judgment factors
- Using compensation information properly, including when it makes sense to use publicly available compensation services vs. hiring an independent compensation consultant

## V. Rebirth of Hospital-Physician Joint Ventures

*Gary H. Collins, Catherine T. Dunlay, Gerald M. Griffith*

*See Tax*

## X. Case Study: Contract Negotiation, Fair Market Value Documentation and Investigation of a Hospital/Physician Financial Transaction (advanced)

*Gregory D. Anderson, Almata E. Cooper, Robert A. Wade*

*See Hospitals and Health Systems*

## Public Interest

### H. Public Interest Dialogue: Pandemic and H5N1 Flu: A Prescription for Preparedness

MONDAY, JUNE 25 3:15–4:15 PM (not repeated)

*Elisabeth Belmont—Moderator*

*Matthew S. Penn*

*Richard L. Shackelford*

*August J. Valenti*

- Key legal issues that are essential to institutional and physician preparedness for the Pandemic and H5N1 Flu including:
  - ◆ What is the standard of care in the event of a pandemic?
  - ◆ How can healthcare facilities protect employees and maintain operations during a pandemic?
  - ◆ How can institutions utilize non-licensed healthcare personnel during a pandemic?
  - ◆ What will be the relationship between healthcare providers and the public health authority during a pandemic?
- Practical steps for healthcare providers to implement now

### Public Interest Dialogue: Corporate Responsibility and Healthcare Quality: A Resource for Healthcare Boards of Directors

TUESDAY, JUNE 26 1:45–2:45 PM (not repeated)

*Arianne N. Callender*

*Douglas A. Hastings*

*Michael C. Hemsley*

*Lewis Morris*

*Michael W. Peregrine*

- Board fiduciary duty and quality in the healthcare setting
- Defining quality of care for purposes of board oversight
- Pay-for-performance programs, gainsharing, outcomes reporting and other public and private sector programs related to quality and their implications for corporate responsibility
- Enforcement activities related to quality, current and prospective
- Suggested questions for directors in exercising their fiduciary duty

## Regulation, Accreditation and Payment

### S. GME/IME Update

MONDAY, JUNE 25 4:30–5:30 PM

WEDNESDAY, JUNE 27 9:45–10:45 AM (repeat)

*Dennis M. Barry*

*Leslye A. Herrmann*

- Rules for counting residents and documentation standards
- Residents rotating to non-hospital sites and template rotation agreements
- Medicare “affiliation agreements” to transfer resident slots among hospitals



## Annual Meeting Program Agenda

### D. Medicaid: The New Enforcement Frontier?

*Robert G. Homcbick, Elym Sternfield*  
*See Fraud and Abuse, Self-Referrals and False Claims*

### V. Rebirth of Hospital-Physician Joint Ventures

*Gary H. Collins, Catherine T. Dunlay, Gerald M. Griffith*  
*See Tax*

## Tax

### G. Executive Compensation in Nonprofit Healthcare Providers

MONDAY, JUNE 25 2:00–3:00 PM  
WEDNESDAY, JUNE 27 11:00 AM–12:00 NOON

*David J. Felicio*  
*Thomas K. Hyatt*

- Analysis of GAO Survey on Nonprofit Health System Executive Compensation
- Analysis of IRS Executive Compensation Project Report
- How to avoid Form 990 reporting errors
- Loans to executives
- Executive incentive compensation strategies
- Board review best practices
- Intermediate sanctions compliance strategies

### V. Rebirth of Hospital-Physician Joint Ventures

MONDAY, JUNE 25 4:30–6:00 PM  
WEDNESDAY, JUNE 27 8:00–9:30 AM (repeat)

*Gerald M. Griffith — Moderator*  
*Gary H. Collins*  
*Catherine T. Dunlay*

- Effects of shared control in hospital-physician ancillary joint ventures
- Special challenges for under arrangements joint ventures
- Changing reimbursement climate
- Lightning rods for fraud enforcement
- Challenges of partnering with referral sources

### Q. The Check's in the Mail: Retention Strategies and Financial Incentives for Physicians (advanced)

*David B. Pursell, David W. Thompson*  
*See Physicians and Physician Organizations*

### X. Case Study: Contract Negotiation, Fair Market Value Documentation and Investigation of a Hospital/Physician Financial Transaction (advanced)

*Gregory D. Anderson, Almata E. Cooper, Robert A. Wade*  
*See Hospitals and Health Systems*

### LL. Best Practices in Physician Compensation

*James Roban, Douglas B. Swill*  
*See Physicians and Physician Organizations*

### MM. Community Benefit: Attack of the Regulators

*James Mark Abernathy, Patrick S. Coffey*  
*See Hospitals and Health Systems*

## Teaching Hospitals and Academic Medical Centers

### KK. Potential Pitfalls in Providing CAM and Innovative Therapies

WEDNESDAY, JUNE 27 9:45–10:45 (not repeated)

*Kathleen M. Boozang*  
*Margaret Hutchinson*  
*Adele A. Waller*

- Criteria for adding CAM and innovative therapies to a hospital's services
- Medical practice guidelines for CAM and innovative therapies
- Determining medical necessity for CAM and innovative therapies
- Credentialing providers of CAM and innovative therapies
- The pitfalls of billing for CAM and innovative therapies
- Responsibility for physicians' web pages offering innovative therapies
- Whether innovative and unproven therapies always are considered experimental treatment
- Whether use of placebo therapy is considered legitimate treatment

### S. GME/IME Update

*Dennis M. Barry, Leslye A. Herrmann*  
*See Regulation, Accreditation and Payment*

### HH. Research Compliance: Is There a Subpoena in Your Future?

*Brent L. Henry, Nancy C. LeGros*  
*See Life Sciences*

## Social Events

Throughout the Annual Meeting, the numerous social events will provide attendees many opportunities to meet and network with other attorneys and health professionals from around the country as well as to enjoy some of Chicago's greatest hits. Adult, teen and youth guests are also welcome to participate in the variety of daily activities that have been planned. For details and information on how to register, see the Guest Activities listing on page 30.

### 40th Anniversary Reception—Welcome to Chicago!

*Sponsored by LECG*

SUNDAY, JUNE 24 5:00-6:30 PM

Join AHIA as we welcome members to Chicago and celebrate the Association's 40th Anniversary. Attendees, faculty and registered adult, teen and youth guests are welcome to attend.

### Fitness Classes

*Sponsored by San Francisco Marriott*

MONDAY, JUNE 25 6:30 AM

Start your day off with an early morning fitness class. This year AHIA will offer two different exercise classes. Choose from a cardio-kickboxing or flexibility training class. Cardio-kickboxing is fast paced and fun pairing cardio exercises with boxing techniques. Flexibility Training is designed to focus on how to stretch your muscles. You will begin with a warm-up and then be instructed on how to focus and meditate on stretching for a great mind/body workout. Both classes will have limited attendance. All participants will receive a complimentary t-shirt. Please sign up on page 38 to ensure you will have a place in the class you wish to take and note your t-shirt size.

### Breakfasts

MONDAY, JUNE 25 7:00-9:00 AM

*Sponsored by Wellspring Partners*

TUESDAY, JUNE 26 7:00-8:45 AM

*Sponsored by CBIZ Valuation Group LLC*

WEDNESDAY, JUNE 27 7:00-8:30 AM

*Sponsored by CBIZ Valuation Group LLC*

### Off-Property Reception at the Art Institute of Chicago

*Sponsored by Health Lawyers Members' Law Firms*

MONDAY, JUNE 25 6:30-9:30 PM

One of the great art museums of the world, the Art Institute of Chicago presents a collection spanning 5,000 years of artistic expression. Paintings, prints and drawings, sculptures, photographs, video, textiles, and architectural drawings and fragments are complemented by a year-round schedule of exhibitions.



AHIA attendees will have access to much of the Institute's incredible collection of art including the Impressionism/Post Impressionism Collection. The reception also provides a wonderful opportunity to renew old friendships and form new ones with colleagues who attend the Annual Meeting. All attendees, faculty, and registered adult, teen and youth guests are welcome to attend. Transportation will be provided between the Sheraton and Art Institute. Dinner will be provided. Dress for the evening is business casual.

AHIA would like to thank the following law firms and organizations who have helped sponsor this event:

- Baker & McKenzie LLP
- Bell Boyd & Lloyd LLP
- Blank Rome LLP
- Calfee Halter & Griswold LLP
- Coppersmith Gordon Schermer & Brockelman PLC
- Cozen O'Connor PC
- Davis Wright Tremaine LLP
- DLA Piper US LLP
- Drinker Biddle Gardner Carton
- Duane Morris LLP
- Epstein Becker & Green PC
- Foley & Lardner LLP
- Fulbright & Jaworski LLP
- Hall Render Killian Heath & Lyman PC
- Holland & Knight LLP
- Hunton & Williams LLP
- Ice Miller LLP
- Intermountain Healthcare, Inc.
- Jones Day
- Katten Muchin Rosenman LLP
- Kelly Law Firm PC
- Lash & Goldberg LLP
- Latham & Watkins LLP
- Law Offices of Marilyn Lamar
- Lord Bissell & Brook LLP
- McDermott Will & Emery LLP
- McDonough Holland & Allen PC
- McGuireWoods LLP
- McKenna Long & Aldridge LLP
- Neal Gerber & Eisenberger LLP—Health Law Group
- OberlKaler, Attorneys at Law
- Phelps Dunbar LLP
- Post & Schell PC
- Powers Pyles Sutter & Verville PC
- Reed Smith LLP
- Ropes & Gray LLP
- Schottenstein Zox & Dunn Co LPA
- Smith Moore LLP
- Sonnenschein Nath & Rosenthal LLP
- Vinson & Elkins LLP

### Reception Featuring The Second City

*Sponsored by Navigant Consulting*

TUESDAY, JUNE 26 8:00-11:00 PM

Since 1959, The Second City has established itself as a Chicago landmark and a national treasure. The theatre that launched the careers of such comic greats as John Belushi, Mike Myers, Bill Murray, Gilda Radner, and more offers nightly comedy shows, as well as a variety of other programs and services and for one night only The Second City will come direct to Health Lawyers. The Second City will perform a private show for AHIA at the Sheraton. You do not want to miss this event. All attendees, faculty and registered adult and teen guests are welcome. Individual tickets may also be purchased for this event. Please note: Some of the comedic material used by The Second City may be targeted at an adult audience.



Our theme for Tuesday evening is the Healing Power of Laughter. Before The Second City takes the stage, we will share a few of the humorous encounters that our members have experienced when counseling clients and share some laughs about life as health lawyers. If you have been asked to counsel clients on an issue that you could never have imagined, please email your story to Anne Hoover, Vice President of Programs, at ahoover@healthlawyers.org. We will select individuals to share their stories prior to the performance. Samuel G. Coppersmith will entertain us with his wit and serve as our Master of Ceremonies for this event. To be considered, please send your stories by June 1, 2007.

## Networking Opportunities

### PRACTICE GROUP LUNCHEONS

#### **In-House Counsel Practice Group**

*Sponsored by MediTract, Inc.*

SUNDAY, JUNE 24, 2007 12:15–1:30 PM

##### ABOUT THE PRACTICE GROUP

The In-House Counsel Practice Group provides a forum for attorneys employed in the healthcare industry and those who work with them and provide services to them to exchange information. The Practice Group addresses the day-to-day practical legal issues arising from the interpretation and application of law and regulations to the operations of healthcare providers, payors, regulators, manufacturers, and suppliers. The Practice Group presents summaries and brief analyses of forms, models, approaches, structures, and legal analyses relevant to the successful operation of an in-house legal service.

##### ABOUT THE LUNCHEON

Don't miss the most spectacular luncheon of the entire In-House Counsel Program and Annual Meeting. You will be amazed by the creative video highlighting the activities of the Practice Group over the last year. You will learn the exciting results of the PG's Second Salary Survey. You will also be entertained by real-life, too-weird-to-be-true stories told by fellow health law attorneys competing for the Eighth Annual Golden Ferret Award. As you listen to your colleagues recounting their strangest work-related escapades, you will gain a new appreciation for your own practice environment. The coveted Golden Ferret Award will be presented to the luncheon participant who tells the most entertaining and outrageous true-life anecdote from their in-house practice. The winner will also receive a free registration to next year's In-House Counsel Program.

#### **Health Information and Technology Practice Group**

*Sponsored by GE Healthcare*

MONDAY, JUNE 25, 2007 12:30–1:45 PM

##### ABOUT THE PRACTICE GROUP

The Health Information and Technology Practice Group provides a forum for members to exchange information and become educated about legal issues arising from the use of information and communications technology in healthcare, including issues related to the acquisition and operation of health information systems and networks, electronic medical records, telemedicine, electronic prescribing, Internet and email communications, operation of websites, expert diagnostic systems, clinical data repositories and master patient indexes, confidentiality and security, electronic signatures, and ownership of healthcare data.

##### ABOUT THE LUNCHEON

TITLE: Interactive Dialogue on Current HIT Legal Issues

##### DESCRIPTION:

The luncheon will focus on an interactive dialogue on current HIT legal issues. HIT Practice Group and other AHIA members are invited and urged to share their views and pool their experience on leading HIT legal issues. We will explore three issues through a structured dialogue involving audience participation and led by three of HIT Practice Group's Vice Chairs, as follows:

- *Security Breach Concerns:* Legal and practical considerations with respect to notification in the wake of a security breach, including state notification laws, HIPAA mitigation, etc.  
Discussion Leader: Becky Williams, RN, JD, Davis Wright Tremaine LLP
- *EHR Legal Issues:* Legal issues impacting EHRs, including but not limited to e-Discovery, Stark exceptions, and AKS safe harbors and liability.  
Discussion Leader: Jud DeLoss, Esq., Krahmer & Bishop PA
- *A Transactional Look at PHI:* Secondary uses of PHI and "ownership"/licensing issues between providers and third parties relating to PHI, de-identified information, and what lies in between.  
Discussion Leader: Robert Q. Wilson, Esq., The Bogatin Law Firm

#### **Hospitals and Health Systems and Regulation, Accreditation, and Payment Practice Groups (joint)**

MONDAY, JUNE 25, 2007 12:30–1:45 PM

##### ABOUT THE PRACTICE GROUPS

The Hospitals and Health Systems Practice Group addresses the legal, financial, and operational issues raised by healthcare business strategies and transactions from the perspective of hospitals and health systems, including those involving other nonprofit, for-profit, public, and private hospitals and health systems, physicians and physician organizations, ancillary services providers, for-profit affiliates, financial institutions and authorities, pharmaceutical and medical products manufacturers and vendors, and managed care organizations.

The Regulation, Accreditation, and Payment Practice Group addresses issues related to reimbursement and coverage, including Medicare and other government payor laws, regulations, and instructions, as well as issues related to healthcare organizational accreditation such as JCAHO and other accrediting entity standards.

##### ABOUT THE LUNCHEON

TITLE: Perspectives on Pay-for-Performance

##### PRESENTERS:

TBA

#### **HMOs and Health Plans Practice Group**

MONDAY, JUNE 25, 2007 12:30–1:45 PM

##### ABOUT THE PRACTICE GROUP

The HMOs and Health Plans Practice Group addresses all legal issues concerning health plans and insurers, including but not limited to plan operations and management, managed care, litigation, regulations, privacy, and security.

##### ABOUT THE LUNCHEON

TITLE: Information Security Breach Laws: Light at the End of the Tunnel?

##### PRESENTER:

Benjamin T. Butler, Esq.  
Crowell & Moring LLP  
Washington, DC

## Networking Opportunities

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### Labor and Employment Practice Group

MONDAY, JUNE 25, 2007 12:30–1:45 PM

#### ABOUT THE PRACTICE GROUP

The Labor and Employment Practice Group addresses industry concerns related to healthcare employment law, employment discrimination, immigration, union-management disputes and legal matters, NLRB law, alternative dispute resolution in labor and employment, OSHA enforcement, workers' compensation, and other labor and employment issues as they relate to employers in the healthcare and life science industries, including all healthcare providers, facilities, payors, suppliers, and manufacturers.

#### ABOUT THE LUNCHEON

TITLE: REAL TALK: An Interactive Discussion about Day-to-Day Labor Relations in a Unionized Hospital

#### DESCRIPTION:

The agenda for the presentation will be as follows:

- Best practices for managers to avoid litigation and liability
- Union and corporate campaigns and how they can affect patient care
- Real life stories of complex (or just downright funny) cases
- Q&A

#### PRESENTER:

Maya A. Bordeaux, Esq.  
Executive Director, Human Resources  
University of Chicago Medical Center  
Chicago, IL

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### Teaching Hospitals and Academic Medical Centers and Life Sciences Practice Groups (joint)

MONDAY, JUNE 25, 2007 12:30–1:45 PM

#### ABOUT THE PRACTICE GROUPS

The Teaching Hospitals and Academic Medical Centers Practice Group provides a forum for attorneys who are employed by and/or service TH/AMCs in the healthcare industry. The Practice Group addresses the practical legal issues arising from the interpretation and application of law and regulations to the operations of healthcare providers, payors, regulators, and suppliers as they affect TH/AMCs. The Practice Group presents summaries and brief analyses of forms, models, approaches, structures, and legal analyses relevant to the successful operation of an in-house legal service for a TH/AMC as well as those attorneys who service a TH/AMC.

The Life Sciences Practice Group provides educational and informational services and resources to in-house attorneys; outside counsel; government attorneys; compliance officers; finance and reimbursement executives, FDA, research, clinical trials and regulatory affairs professionals; and consultants who practice in the traditional life sciences field with respect to issues involving pharmaceutical manufacturers, medical device manufacturers, biotechnology companies, research and site management organizations, manufacturing and supplier vendors, prescription drug plans, wholesale distributors, retail and specialty pharmacies, pharmacy benefit managers and the financial services firms that invest in these entities.

#### ABOUT THE LUNCHEON

TITLE: Ethical Equilibrium: Balancing Patient Rights and the Public Interest

#### DESCRIPTION:

When approved treatment options have been exhausted, patients and their healthcare providers often look to alternative treatments, including drugs that have not been approved as safe and effective by the FDA. Partnering together, the Teaching Hospitals and Academic Medical Centers and the Life Sciences Practice Groups will explore the ethical and legal challenges confronting healthcare entities and their counsel in light of the federal appellate court decision that terminally ill patients have a constitutional right to obtain unapproved drugs that have successfully completed Phase I testing.

#### PRESENTER:

Peter D. Jacobson, JD, MPH  
Professor  
University of Michigan  
School of Public Health  
Ann Arbor, MI

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### Antitrust Practice Group

TUESDAY, JUNE 26, 2007 12:15–1:45 PM

#### ABOUT THE PRACTICE GROUP

The Antitrust Practice Group addresses public and private enforcement activity and competition policy affecting all sectors of the healthcare industry, including healthcare providers, health insurers, and medical device and pharmaceutical companies. The Practice Group also maintains a listserv, publishes Member Briefings, and sponsors teleconferences and seminars.

#### ABOUT THE LUNCHEON

TITLE: Latest Developments in Federal, State and Private Enforcement

#### PRESENTERS:

Arthur N. Lerner, Esq.  
Crowell & Moring LLP  
Washington, DC

Douglas C. Ross, Esq.  
Davis Wright Tremaine LLP  
Seattle, WA

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### Healthcare Liability and Litigation Practice Group

TUESDAY, JUNE 26, 2007 12:15–1:45 PM

#### ABOUT THE PRACTICE GROUP

The Healthcare Liability and Litigation Practice Group addresses issues that encompass all areas of potential liability that affect healthcare providers, suppliers, and manufacturers, and keeps its membership apprised of developments in the litigation and trial of healthcare disputes involving hospitals, payors, integrated delivery systems, and individual physicians, as well as manufacturers of pharmaceuticals, medical devices, and diagnostics.

#### ABOUT THE LUNCHEON

TITLE: The Inside Story—Strategies for Effective Use of Outside Counsel



## Networking Opportunities

### DESCRIPTION:

A panel of in-house and outside counsel will discuss, in an interactive format, issues involving use of outside counsel to reduce or avoid liability and litigation. Some examples of topics to be discussed include:

- Use and selection of “lead” firms for the organization
- Choosing the “best” firm based on the specific issue
- Response time
- Billing issues
- Relationship between inside and outside counsel
- Conflicts of interest

### PANEL MEMBERS:

Daniel M. Glassman, Esq.  
AVP/Corporate Counsel  
St. Joseph Health System  
Orange, CA

Celeste T. Jones, Esq.  
McNair Law Firm PA  
Columbia, SC

Gerald M. Sill, Esq.  
Senior Vice President/General Counsel  
Missouri Hospital Association  
Jefferson City, MO

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### Medical Staff, Credentialing, and Peer Review Practice Group

TUESDAY, JUNE 26, 2007 12:15–1:45 PM

#### ABOUT THE PRACTICE GROUP

The Medical Staff, Credentialing, and Peer Review Practice Group provides a forum for those who represent and advise the individual healthcare professional, the collective medical or professional staff, and/or the healthcare entity with issues regarding the organization and operations of medical and professional staffs in healthcare entities and organizations, including but not limited to: the medical staff bylaws and rules; performance of medical staff responsibilities; appointments and credentialing; dealing with disruptive or impaired healthcare professionals; conducting peer review and quality assurance; taking corrective action; providing fair hearings for medical and allied health professional staffs; peer review communications and records confidentiality; National Practitioner Data Bank querying and reporting; peer review immunities; the effect of hospital business arrangements [e.g., exclusive contracts, mergers, acquisitions] upon medical staff membership and privileges; compliance with regulatory and accreditation requirements pertaining to medical staff organizations; and the wide variety of litigation that may arise out of these activities.

#### ABOUT THE LUNCHEON

TITLE: New Joint Commission Standards Affecting Hospital/Physician Relations

#### DESCRIPTION:

The Joint Commission has recently promulgated revised Medical Staff Standards which will have a dramatic impact on how hospitals and medical staffs inter-related and allocate various responsibilities. The goal of this lunch-

eon is to highlight some of the main areas of change and to discuss alternative methods of compliance. The subject areas to be covered include:

- Update on MS.1.20—What must be included in the Medical Staff Bylaws and what is the amendatory process?
- What changes must be made to implement the new evidence-based privilege standards in light of P4P and outcome determination expectations?
- Do the new Medical Staff Standards mandate the use of “economic credentialing” standards when determining whether to appoint physicians to the Medical Staff? How should this Standard be implemented?
- What do the new Leadership Standards now require when addressing the “disruptive physician” and what are the different ways that hospitals and medical staffs should consider when attempting to protect patient care interests and balance physician rights?

#### PRESENTER:

Michael R. Callahan, Esq.  
Katten Muchin Rosenman LLP  
Chicago, IL

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### Tax and Finance Practice Group

TUESDAY, JUNE 26, 2007 12:15–1:45 PM

#### ABOUT THE PRACTICE GROUP

The Tax and Finance Practice Group addresses issues related to IRS audits and rulings, tax-exempt status, intermediate sanctions, state regulation of non-profit transactions and operations, charitable trusts, tax credits, bond financing, physician recruitment incentives, physician and executive compensation, fair market value, joint ventures with nonprofits, IRS disclosure requirements, property tax, sales and use tax, fundraising, and other issues faced by non-profit and for-profit attorneys.

#### ABOUT THE LUNCHEON

TITLE: Recent Developments in Tax and Finance: A Roundtable Discussion

#### DESCRIPTION:

The Tax & Finance Practice Group luncheon will feature a roundtable discussion among luncheon attendees, with Vice Chair Jim King as Moderator, on topics of interest to those attending the lunch, including:

- The newly released IRS Corporate Governance Recommendations
- The electronic health records (EHRs) and Regional Health Information Organizations (RHIOs)
- The IRS report on compensation
- The 2006 Form 990 and instructions
- The potential impact of the *Vision Services Plan* case now pending in the 9th Circuit on IRC 501(c)(4) HMOs
- The new IRS Whistleblower Office
- Issues for supporting organizations under the Pension Protection Act of 2006
- Open discussion

#### MODERATOR:

James R. King, Esq.  
Jones Day  
Columbus, OH

## Networking Opportunities

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### Fraud and Abuse, Self-Referrals, and False Claims Practice Group

*Sponsored by HealthCare Appraisers Inc.*

WEDNESDAY, JUNE 27, 2007 12:00 NOON–1:20 PM

#### ABOUT THE PRACTICE GROUP

The Fraud and Abuse, Self-Referrals, and False Claims Practice Group provides issue summaries and brief analysis of relevant judicial, administrative, and settlement decisions as well as regulatory developments regarding enforcement efforts and compliance responses; provides a resource to members facing enforcement initiatives and/or designing compliance strategies.

#### ABOUT THE LUNCHEON

TITLE: The Role and Influence of Industry Guidance in Fraud and Abuse Compliance Issues

#### PRESENTER:

Laura C. O'Donnell  
Chief Compliance Officer  
Zimmer, Inc.  
Warsaw, IN

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### Long Term Care Practice Group

*Sponsored by Upstairs Solutions LLC*

WEDNESDAY, JUNE 27, 2007 12:00 NOON–1:20 PM

#### ABOUT THE PRACTICE GROUP

The Long Term Care Practice Group provides a forum for attorneys who represent providers across the entire spectrum of long term care services including skilled nursing facilities, assisted living, senior housing, home health, hospice, and long term care pharmacy; follows and addresses developments in the long term care segment of the healthcare industry including legal trends, regulatory policy, and operational and transactional issues; attempts to provide practical analysis of these legal and business trends by producing summaries and brief analyses of forms, models, approaches, structures, and legal analyses relevant to the providers of long term care services; the goal is to keep the members informed of the most up-to date and relevant case law, legislative initiatives, and important trends in the industry.

#### ABOUT THE LUNCHEON

TITLE: The Impact of New Electronic Discovery Rules on LTC Providers

#### PRESENTER:

TBA

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### Physician Organizations Practice Group

*Sponsored by Pershing Yoakley & Associates PC*

Wednesday, June 27, 2007 12:00 noon–1:20 pm

#### ABOUT THE PRACTICE GROUP

The Physician Organizations Practice Group addresses issues encountered in physician-hospital joint ventures and contractual arrangements; credentialing practices; physician group practice structures; compensation methodologies; and the current professional liability insurance crisis.

#### ABOUT THE LUNCHEON

TITLE: Roundtable Discussion of Recent Issues Affecting Physicians

#### DESCRIPTION:

The Physician Organizations Practice Group invites you to attend a roundtable discussion among luncheon attendees, moderated by the Practice Group Leadership, on the following topics:

- The impact of changes to IDTF rules on physician practices
- How a medical group can negotiate with managed care companies from a perceived position of relative weakness
- Can you expel a non-productive member of a surgery center?

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### New Member/First Time Attendee Reception

*Sponsored by Thomson West*

MONDAY, JUNE 25 5:30–6:30 PM

If you have recently joined the American Health Lawyers Association, are attending your first Annual Meeting or have been a member of the Association for awhile and want to find out more about the benefits of membership, including what these Practice Groups are that you keep hearing about, plan now to attend this special reception. You'll meet Practice Group leaders and Board members, make new friends and learn more about the Association at this informal reception. Afterwards, we hope you will join us for the reception at The Art Institute of Chicago. Please indicate on the registration form on pages 37-38 if you can attend. We hope to see you there.

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### Networking Discussion Groups

These discussion groups are designed to give Annual Meeting attendees the opportunity to network with colleagues. Discussion topics will be determined by the interest of those who attend. The following groups will hold breakfast discussion meetings during the Annual Meeting:

ADR Resolvers

Arizona

District of Columbia/Virginia/Maryland

Florida

Georgia

Illinois

Massachusetts

Mississippi

Missouri

North Carolina

Ohio

Solo Practitioners

State and Local Hospital Association Legal Counsel

Please check the AHLA website or onsite in Chicago for additional details and the meeting dates and times for these meetings.

## Annual Meeting Program at a Glance

### Saturday, June 23, 2007

4:00– 7:00 pm	<b>Registration and Information</b>
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### Sunday, June 24, 2007

7:00 am– 5:20 pm	<b>Registration and Information</b>
5:00– 6:30 pm	<b>40th Anniversary/Welcome Reception</b> —sponsored by <i>LECG</i> (attendees, faculty and registered adult, teen and youth guests welcome)

### Monday, June 25, 2007

7:00 am– 6:00 pm	<b>Registration and Information</b>
6:30– 7:30 am	<b>Fitness Classes</b> —sponsored by the <i>San Francisco Marriott</i> (pre-registration required—please see pages 37-38)
7:00– 9:00 am	<b>Continental Breakfast</b> —sponsored by <i>Wellspring Partners</i> (attendees, faculty and registered adult, teen and youth guests welcome)
8:30 am– 12:30 pm	<p><b>GENERAL SESSION</b> 8:30–9:00 am <b>Welcome and State of the Association</b> <i>Belmont, Daniels, Leibold</i></p> <p>9:00–9:45 am <b>Keynote Address</b>—sponsored by <i>FTI Healthcare</i> <i>Gawande</i></p> <p>9:45–10:30 am <b>Reactor Panel</b> <i>Kadzielski (Moderator), Bressler, Gosfield</i></p> <p>10:30 am–12:30 pm <b>Year in Review</b> <i>Schermer, Schroder</i></p>
12:30– 1:45 pm	<b>Lunch on your own or attend one of the Practice Group Lunches: Teaching Hospitals and Life Sciences</b> (joint lunch); <b>HMOs and Health Plans; Health Information and Technology; Labor and Employment;</b> <b>or Hospitals and Health Systems and Regulation, Accreditation and Payment</b> (joint lunch) (additional fee; limited attendance; pre-registration required, please see pages 37-38)

## Annual Meeting Program at a Glance

**Monday, June 25, 2007** (continued)

2:00– 3:00 pm	<b>A. Getting Beyond P4P: The PROMETHEUS Payment Model</b> (advanced) (not repeated)  <i>Gosfield</i>	<b>B. HIT Parade</b>  <i>Granade Rosati</i>	<b>C. Legal Ethics: Compliance Counseling amid Unpredictable Enforcement</b> (advanced)  <i>Reed</i>	<b>D. Medicaid: The New Enforcement Frontier?</b>  <i>Homcbick Sternfield</i>
	<b>E. Advanced Stark Case Study</b>  <i>Brennan Meador</i>	<b>F. Two “Ps” in a Pod – Emerging Issues in Provider-Plan Litigation</b> (advanced)  <i>Gallant Gordon</i>		<b>G. Executive Compensation in Nonprofit Healthcare Providers</b>  <i>Felicio Hyatt</i>
3:15– 4:15 pm	<b>H. Public Interest Dialogue: Pandemic and H5N1 Flu: A Prescription for Preparedness</b> (not repeated)  <i>Belmont (Moderator), Penn Shackelford, Valenti</i>	<b>J. Consolidating Physician Practices: A Case Study</b> (advanced)  <i>Korber LaFond</i>	<b>K. Providers, Plans and Transparency</b>  <i>Meron Sbay</i>	<b>L. Tell Me Now and Tell Me Later: Disclosure and Reporting of Medical Errors</b>  <i>Barton Kadzielski</i>
	<b>M. Antitrust Year in Review</b>  <i>Hubbard Leibenluft</i>	<b>N. The Legal and Practical Issues of Dealing with Substance Abuse in the Workplace</b>  <i>Lyncheski Purtell</i>		<b>O. Life Sciences: The New Frontier for Health Lawyers</b>  <i>Broccoli Carder-Thompson</i>
4:30– 5:30 pm	<b>P. The Disturbed Patient: Challenging Problems and Practical Solutions</b> (not repeated)  <i>Jose Weiner</i>	<b>Q. The Check’s in the Mail: Retention Strategies and Financial Incentives for Physicians</b> (advanced)  <i>Pursell Thompson</i>	<b>R. E-Discovery, E-Health and E-Law: Keeping, Finding and Disclosing E-Evidence – A Primer</b>  <i>Goldberg Motta</i>	<b>S. GME/IME Update</b>  <i>Barry Herrmann</i>
	<b>T. Legal Ethics Case Study: Real World Governance Issues, Problems and Solutions</b>  <i>Hale Peregrine</i>	4:30– 6:00 pm Extended Sessions	<b>U. Enforcement and Liability Issues Relating to the Off-Label Use of Drugs and Devices: Education vs Promotion</b>  <i>O’Flaberty Robinson Shaw</i>	<b>V. Rebirth of Hospital-Physician Joint Ventures</b>  <i>Griffith (Moderator) Collins Dunlay</i>
6:30– 9:30 pm	<b>Off-Property Reception at the Art Institute of Chicago—sponsored by AHLA Members’ Firms</b> (attendees, faculty and registered adult, teen and youth guests welcome)			

For the latest updates go to [www.healthlawyers.org/annual](http://www.healthlawyers.org/annual)



## Annual Meeting Program at a Glance

**Tuesday, June 26, 2007**

7:00 am– 2:45 pm	<b>Registration and Information</b>			
7:00– 8:45 am	<p><b>Breakfast</b>—sponsored by CBIZ Valuation Group LLC (attendees, faculty and registered adult, teen and youth guests welcome)</p> <p style="text-align: center;">7:00–8:00 am <b>Networking Discussion Group Breakfasts</b></p> <p style="text-align: center;">7:00–8:00 am <b>Issues in Legal Ethics: Leaks from Hewlett-Packard’s Boardroom Sweeps It’s Chairman and Others into Criminal Court</b> (not repeated) <i>Jones, Silverman</i> (limited attendance; pre-registration required—see page 37-38)</p>			
8:15– 9:45 am Extended Sessions	<p><b>W. Medicare Compliance Risk under Medicare Part D</b></p> <p style="text-align: center;"><i>Bell Nabra Taitzman Tetilebaum</i></p>	<p><b>X. Case Study: Contract Negotiation, Fair Market Value Documentation and Investigation of a Hospital/Physician Financial Transaction</b> (advanced)</p> <p style="text-align: center;"><i>Wade (Moderator) Anderson Cooper</i></p>	<p><b>Y. Hospital—Medical Staff Flashpoints: Accountability, Disclosure, Money</b> (advanced)</p> <p style="text-align: center;"><i>Gabis Nagele</i></p>	
	<p><b>Z. Key Lessons in Accomplishing a Successful Hospital or Health System Merger</b></p> <p style="text-align: center;"><i>Peters (Moderator) Bezney Scielzo</i></p>	<p><b>AA. Negotiating FCA Settlements and Operating under a Corporate Integrity Agreement</b></p> <p style="text-align: center;"><i>McDermott (Moderator) Hutchinson Markus</i></p>	<p><b>U. Enforcement and Liability Issues Relating to the Off-Label Use of Drugs and Devices: Education vs Promotion</b> (repeat)</p> <p style="text-align: center;"><i>O’Flaberty Robinson Shaw</i></p>	
10:00– 11:00 am	<p><b>BB. Strategies for Dispute Resolution: Arbitration, Mediation and Litigation</b> (not repeated)</p> <p style="text-align: center;"><i>Almeida Binford</i></p>	<p><b>CC. 5 for Fighting: Your Hospital, Your Recruited Physician and Their Specialty Group—A Case Study in Avoidance of a Fistic Carnival</b> (advanced)</p> <p style="text-align: center;"><i>Goldstone McCard McGinty</i></p>	<p><b>DD. Acute to LTC: Managing Risk and Liability</b></p> <p style="text-align: center;"><i>Miltenberger Sill</i></p>	<p><b>EE. Legal Ethics: Legal Duties and Effective Relationships between In-House and Outside Counsel</b></p> <p style="text-align: center;"><i>Caynon Pomerance</i></p>
	<p><b>FF. Antitrust – Two Years after “Improving Health Care: A Dose of Competition”—What Has Changed?</b></p> <p style="text-align: center;"><i>Meier Miller Ross</i></p>	<p><b>K. Plans, Providers and Transparency</b> (repeat)</p> <p style="text-align: center;"><i>Meron Shay</i></p>	<p><b>L. Tell Me Now and Tell Me Later: Disclosure and Reporting of Medical Errors</b> (repeat)</p> <p style="text-align: center;"><i>Barton Kadzielski</i></p>	

## Annual Meeting Program at a Glance

**Tuesday, June 26, 2007** (continued)

11:15 am– 12:15 pm	<b>GG. Recent Legal Developments in the Long Term Care Spectrum</b> (not repeated)  <i>Gadberry</i>	<b>HH. Research Compliance: Is There a Subpoena in Your Future?</b>  <i>Henry LeGros</i>	<b>JJ. Recent Developments in Labor and Employment Law Affecting the Healthcare Industry</b>  <i>Nicolini Schurgrin</i>	
	<b>C. Legal Ethics: Compliance Counseling amid Unpredictable Enforcement</b> (advanced) (repeat)  <i>Reed</i>	<b>J. Consolidating Physician Practices: A Case Study</b> (advanced) (repeat)  <i>Korber LaFond</i>	<b>M. Antitrust Year in Review</b> (repeat)  <i>Hubbard Leibenluft</i>	<b>R. E-Discovery, E-Health and E-Law: Keeping, Finding, and Disclosing E-Evidence—A Primer</b> (repeat)  <i>Goldberg Motta</i>
12:15– 1:45 pm	<b>Lunch on your own or attend one of the Practice Group Lunches: Medical Staff, Credentialing and Peer Review; Healthcare Liability and Litigation; Antitrust; or Tax</b> <i>(additional fee; limited attendance; pre-registration required, please see pages 37-38)</i>			
1:45– 2:45 pm	<b>Corporate Responsibility and Healthcare Quality: A Resource for Healthcare Boards of Directors</b> (not repeated) <i>Callender, Hastings, Hemsley, Morris, Peregrine</i>	1:45– 8:00 pm	<b>Free Time</b>	
8:00– 11:00 pm	<b>Tuesday Night Reception Featuring The Second City</b> <i>sponsored by Navigant Consulting</i> <i>(attendees, faculty and registered adult and teen guests welcome)</i>	8:00– 10:00 pm	<b>Youth Event—Kids' Night Out</b> <i>(registered youth guests welcome)</i>	

**Wednesday, June 27, 2007**

7:00 am– 3:40 pm	<b>Registration and Information</b>			
7:00– 8:30 am	<b>Continental Breakfast</b> — <i>sponsored by CBIZ Valuation Group LLC</i> <i>(attendees, faculty and registered adult, teen and youth guests welcome)</i>  7:00–7:50 am <b>Networking Discussion Group Breakfasts</b>			
8:00– 9:30 am Extended Sessions	<b>V. Rebirth of Hospital-Physician Joint Ventures</b> (repeat)  <i>Griffith (Moderator) Collins Dunlay</i>	<b>W. Medicare Compliance Risk under Medicare Part D</b> (repeat)  <i>Bell Nabra Taitzman Tettlebaum</i>	<b>X. Case Study: Contract Negotiation, Fair Market Value Documentation and Investigation of a Hospital/Physician Financial Transaction</b> (advanced) (repeat)  <i>Wade (Moderator) Anderson Cooper</i>	
	<b>Y. Hospital – Medical Staff Flashpoints: Accountability, Disclosure, Money</b> (advanced) (repeat)  <i>Gabis Nagele</i>	<b>Z. Key Lessons in Accomplishing a Successful Hospital or Health System Merger</b> (repeat)  <i>Peters (Moderator) Bezney Scielzo</i>	<b>AA. Negotiating FCA Settlements and Operating under a Corporate Integrity Agreement</b> (repeat)  <i>McDermott (Moderator) Hutchinson Markus</i>	

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## Annual Meeting Program at a Glance

**Wednesday, June 27, 2007** (continued)

9:45– 10:45 am	<b>KK. Potential Pitfalls in Providing CAM and Innovative Therapies</b> (not repeated)  <i>Boozang Hutchinson Waller</i>	<b>LL. Best Practices in Physician Compensation</b>  <i>Roban Swill</i>	<b>MM. Community Benefit: Attack of the Regulators</b>  <i>Abernathy Coffey</i>		
	<b>NN. Avoiding a Nightmare on “e” Street: Planning to Minimize the Pitfalls of Electronic Systems and Metadata</b>  <i>Abelman Lamar</i>	<b>F. Two “Ps” in a Pod—Emerging Issues in Provider-Plan Litigation</b> (repeat)  <i>Gallant Gordon</i>	<b>S. GME/IME Update</b> (repeat)  <i>Barry Herrmann</i>	<b>T. Legal Ethics Issues Case Study: Real World Governance Issues, Problems and Solutions</b> (repeat)  <i>Hale Peregrine</i>	
11:00 am– 12:00 noon	<b>B. HIT Parade</b> (repeat)  <i>Granade Rosati</i>	<b>E. Advanced Stark Case Study</b> (repeat)  <i>Brennan Meador</i>	<b>G. Executive Compensation in Nonprofit Healthcare Providers</b> (repeat)  <i>Felicio Hyatt</i>	<b>N. The Legal and Practical Issues of Dealing with Substance Abuse in the Workplace</b> (repeat)  <i>Lyncheski Purtell</i>	
	<b>O. Life Sciences: The New Frontier for Health Lawyers</b> (repeat)  <i>Broccolo Carder-Thompson</i>	<b>CC. 5 for Fighting: Your Hospital, Your Recruited Physician and Their Specialty Group – A Case Study in Avoidance of a Fistic Carnival</b> (advanced) (repeat)  <i>Goldstone McCard McGinty</i>	<b>FF. Antitrust – Two Years after “Improving Health Care: A Dose of Competition:” What Has Changed?</b> (repeat)  <i>Meier Miller Ross</i>		
12:00 noon– 1:20 pm	<b>Lunch on your own or attend one of the Practice Group Lunches: Fraud and Abuse—sponsored by HealthCare Appraisers Inc; Long Term Care—sponsored by Upstairs Solutions LLC; or Physician Organizations—sponsored by Pershing Yoakley &amp; Associates PC</b> (additional fee; limited attendance; pre-registration required, please see page 37–38)				
1:30– 2:30 pm	<b>D. Medicaid: The New Enforcement Frontier?</b> (repeat)  <i>Homchick Sternfield</i>	<b>Q. The Check's in the Mail: Retention Strategies and Financial Incentives for Physicians</b> (advanced) (repeat)  <i>Pursell Thompson</i>	<b>DD. Acute to Long Term Care: Managing Risks Liability</b> (repeat)  <i>Miltenberger Sill</i>		
	<b>EE. Legal Ethics: Legal Duties and Effective Relationships between In-House and Outside Counsel</b> (repeat)  <i>Caynon Pomerance</i>		<b>JJ. Recent Developments in Labor and Employment Law Affecting the Healthcare Industry</b> (repeat)  <i>Nicolini Schurgrin</i>		
2:40– 3:40 pm	<b>HH. Research Compliance: Is There a Subpoena in Your Future?</b> (repeat)  <i>Henry LeGros</i>	<b>LL. Best Practices in Physician Compensation</b> (repeat)  <i>Roban Swill</i>	<b>MM. Community Benefit: Attack of the Regulators</b> (repeat)  <i>Abernathy Coffey</i>	<b>NN. Avoiding a Nightmare on “e” Street: Planning to Minimize the Pitfalls of Electronic Systems and Metadata</b> (repeat)  <i>Abelman Lamar</i>	

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Southwest General Health Center  
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Senior Vice President/General  
Counsel  
Missouri Hospital Association  
Jefferson City, MO

Jennifer A. Stiller, Esq.  
Law Offices of Jennifer A Stiller  
Haverford, PA

Ross E. Stromberg, Esq.  
Jones Day  
San Francisco, CA

Michael J. Tichon, Esq.  
Executive Vice President  
HealthSmart Corp.  
Long Beach, CA

Eugene Tillman, Esq.  
Reed Smith LLP  
Washington, DC

Lee Voorhees, Esq.  
Foster Pepper & Shefelman PLLC  
Seattle, WA



## Guest Registration and Activities

The Adult Guest registration fee is \$240 and the package includes the activities listed below. The Teen Guest registration is for guests 13-18 years old, the fee is \$150 and the package includes the activities listed below. The Youth Guest registration is for guests 4-12 years old, the fee is \$125 and includes the activities listed below. Tickets for some events can be purchased separately. Please use the form on pages 37-38 to register.

### 40th Anniversary Reception—Welcome to Chicago!

Sponsored by *LECG*

Sunday, June 24 5:00–6:30 pm

All registered adult, teen and youth registered guests are welcome to attend.

### Fitness Classes

Sponsored by *The San Francisco Marriott*

Monday, June 25 6:30 am

Start your day off with an early morning fitness class. This year AHLA will offer two different exercise classes. Choose from a cardio-kicking boxing or flexibility training class. Cardio-kickboxing is fast paced and fun pairing cardio exercises with boxing techniques. Flexibility Training is designed to focus on how to stretch your muscles. You will begin with a warm-up and then be instructed on how to focus and meditate on stretching for a great mind/body workout. Both classes will have limited attendance. All participants will receive a complimentary T-shirt. Please sign up on page 38 to ensure you will have a place in the class you wish to take and note your T-shirt size.

### Breakfasts

Monday, June 25 7:00–9:00 am Sponsored by *Wellspring Partners*

Tuesday, June 26 7:00–8:45 am Sponsored by *CBIZ Valuation Group LLC*

Wednesday, June 27 7:00–8:30 am Sponsored by *CBIZ Valuation Group LLC*

### Keynote Address

Sponsored by *FTI Healthcare*

Monday, June 25 9:00–10:30 am

The Keynote Address will be given by Atul Gawande, MD, MPH. Dr. Gawande's address will offer his perspective on the human aspects of medical decision-making and his findings that are the subject of his new book, *Better*. Adult and teen guests are welcome to attend this presentation.

### Chicago—My Kind of Town

Monday, June 25 10:45 am

The hotel concierge will give you a brief overview of the city and highlight specific attractions you should not miss on your trip to Chicago. There will be maps and attraction brochures available to help you plan your outings. You can also purchase the Chicago Go Card that morning. The Chicago Go Card is a pass that provides admission to over 25 of the best attractions, activities, and tours in the city. The card allows you the flexibility to do as much or as little as you like each day for one low, affordable price. With this card you can tailor your own custom itineraries, allowing you to do what is most fun for you and your family. And with the unlimited flexibility, you can change your plans on the fly. For more information on the advantages of the card please visit [www.gochicagocard.com](http://www.gochicagocard.com).

### Off-Property Reception at the Art Institute of Chicago

Sponsored by *Health Lawyers Members' Law Firms*

Monday, June 25 6:30–9:30 pm

One of the great art museums of the world, the Art Institute of Chicago presents a collection spanning 5,000 years of artistic expression. Paintings, prints and drawings, sculptures, photographs, video, textiles, and architectural drawings and fragments are complemented by a year-round schedule of exhibitions.

Attendees will have access to much of the Institute's incredible collection of art including the Impressionism/Post Impressionism Collection. The reception also provides a wonderful opportunity to renew old friendships and form new ones with colleagues who attend the Annual Meeting. All registered adult, teen and youth guests are welcome to attend. Transportation will be provided between the Sheraton and Art Institute. Dinner will be provided. Dress for the evening is business casual.

AHLA would like to thank the following law firms and organizations who have helped sponsor this event:

- Baker & McKenzie LLP
- Bell Boyd & Lloyd LLP
- Blank Rome LLP
- Calfee Halter & Griswold LLP
- Coppersmith Gordon Schermer & Brockelman PLC
- Cozen O'Connor PC
- Davis Wright Tremaine LLP
- DLA Piper US LLP
- Drinker Biddle Gardner Carton
- Duane Morris LLP
- Epstein Becker & Green PC
- Foley & Lardner LLP
- Fulbright & Jaworski LLP
- Hall Render Killian Heath & Lyman PC
- Holland & Knight LLP
- Hunton & Williams LLP
- Ice Miller LLP
- Intermountain Healthcare, Inc.
- Jones Day
- Katten Muchin Rosenman LLP
- Kelly Law Firm PC
- Lash & Goldberg LLP
- Latham & Watkins LLP
- Law Offices of Marilyn Lamar
- Lord Bissell & Brook LLP
- McDermott Will & Emery LLP
- McDonough Holland & Allen PC
- McGuireWoods LLP
- McKenna Long & Aldridge LLP
- Neal Gerber & Eisenberger LLP—Health Law Group
- Oberkaler, Attorneys at Law
- Phelps Dunbar LLP
- Post & Schell PC
- Powers Pyles Sutter & Verville PC
- Reed Smith LLP
- Ropes & Gray LLP
- Schottenstein Zox & Dunn Co LPA
- Smith Moore LLP
- Sonnenschein Nath & Rosenthal LLP
- Vinson & Elkins LLP

### Reception Featuring The Second City

Sponsored by *Navigant Consulting*

Tuesday, June 26 8:00–11:00 pm

Since 1959, The Second City has established itself as a Chicago landmark and a national treasure. The theatre that launched the careers of such comic greats as John Belushi, Mike Myers, Bill Murray, Gilda Radner, and more offers nightly comedy shows, as well as a variety of other programs and services and for one night only The Second City will come direct to Health Lawyers. The Second City will perform a private show for AHLA at the Sheraton. You do not want to miss this event. All attendees, faculty and registered adult and teen guests are welcome. Individual tickets may also be purchased for this event. Please note: Some of the comedic material used by The Second City may be targeted at an adult audience.

### Youth Event—Kid's Night Out

Tuesday, June 26 8:00–10:00 pm

Children will take part in various activities throughout the evening. There will be games, movies and activities for all ages. You can dress up like a princess or pirate, make edible art or watch a movie.

Snacks, dessert and beverages will be included. All registered youth guests are welcome to attend. Individual tickets may also be purchased for this event on the program registration form on pages 37-38.

### Family Registration Package

For those who are attending the Annual Meeting and bringing multiple family members or guests to all events, the Family Registration Package is designed for you. The package price includes one registration to the Annual meeting, one adult guest fee and two or more teen and/or youth fees. Sign up for the Family Registration Package on pages 37-38 of the program registration form.

## About Chicago



Located in the heart of the United States, Chicago is the place where people come to do business. The city remains one of the most visited US destinations for business travel. Chicago is the center of the nation's rail and interstate highway systems, making it easily accessible on the road and rails for millions. Chicago's biggest transportation advantage is its air service. Chicago is more convenient and affordable to fly to and from than many other destinations in the country.



Once you get to Chicago, you will find getting around Chicago couldn't be simpler. You can fly in and ride to downtown quickly, safely and easily on the rapid transit rail lines for less than \$2. Or, if you prefer you can take one of the 6,700 cabs.

Chicago runs generally in a north-south direction, with Lake Michigan forming its eastern edge and the Chicago River flowing through downtown. Two areas make up Chicago's central downtown: The Loop, so named for the elevated train circling this business and cultural district; and the famed Magnificent Mile, a one-mile stretch of North Michigan Avenue north of the river. Both areas offer numerous attractions and ample shopping.

Chicago offers 29 miles of beautiful shoreline lined with things to do. There are 22 miles of bike paths, 22 public beaches with lifeguards, Lincoln Park Zoo, Navy Pier, Millennium Park, 200 public golf courses, the Magnificent Mile with 460 shops on just eight city blocks, over 5,000 restaurants, ranging from the finest French cuisine and legendary steakhouses to ethnic fare from around the globe, world-famous Chicago pizza, 200 live theaters, the home of the blues and a mecca for jazz.



Chicago moves to a beat unlike any other American city. AHIA hopes you will join us in Chicago for the Annual Meeting and our 40th Anniversary Celebration and that you will take some time to enjoy Chicago's architecture, museums, cultural activities, sporting events, shopping and nightlife.



For the latest updates go to [www.healthlawyers.org/annual](http://www.healthlawyers.org/annual)





## About the Hotel

The Sheraton Chicago is the premier convention and business hotel in the Midwest. The hotel is located on the banks of the Chicago River, within walking distance of the Magnificent Mile, Navy Pier, Millennium Park, the Loop business district, the Art Institute and more.

The Sheraton has a fully-equipped health club on the 7th floor. It is open Monday through Friday 5:30 am to 9:45 pm and Saturday and Sunday from 6:00 am to 7:00 pm. The fee is \$12.00 for one day and \$20.00 per stay. For an additional fee, massage therapy can be arranged through the health club. The club offers a certified staff and a variety of the latest workout equipment and services. You can also take a relaxing swim in the indoor pool, try a rejuvenating massage or sauna, and step into the great outdoors to run or take a spin on jogging and bike paths along Lake Michigan.

The hotel has six distinctive restaurants and lounges to satisfy your appetite for great dining and entertainment.

### Getting to the Hotel

The Sheraton Chicago is convenient to both O'Hare International and Midway Airports. The Sheraton is located approximately 30-45 minutes from Midway Airport and 40-60 minutes from O'Hare International Airport depending on the time of day and traffic.

The shuttle service from O'Hare International Airport for the downtown hotels departs every 10 to 15 minutes throughout the day. To O'Hare International Airport, the shuttle departs the hotel every half hour at :25 and :55 past the hour between 4:55 am and 7:25 pm. Shuttles are approximately \$26 one-way and \$46 round-trip. Cab service from O'Hare to downtown is approximately \$40. For additional information please take a look at the airport's website at [www.ohare.com](http://www.ohare.com).

The Blue Line Train offers 24-hour service and the cost is \$2.00 one-way per person; travel time to downtown is approximately 40 minutes; exit train at LAKE/CLARK. The hotel is approximately a \$5.00 taxi ride from the train station. For additional information please visit the Chicago Transit Authority's website at [www.transitchicago.com](http://www.transitchicago.com).

The shuttle service from Midway Airport for the downtown hotels departs every 20 minutes throughout the day. To Midway Airport, the shuttle departs the hotel every half hour at :05 and :35 past the hour between 5:35 a.m. and 7:35 p.m. Shuttles are approximately \$20 one-way and \$36 roundtrip. Cab service from Midway to downtown is approximately \$25-45 depending on travel time. For additional information please take a look at the airports website at [www.flychicago.com](http://www.flychicago.com).

The Orange Line Train offers service from 5:15 a.m. to 11:30 p.m.; cost is \$1.75 one-way per person; travel time from Midway airport to downtown is 25 minutes; exit train at LAKE/CLARK. The hotel is approximately a \$5.00 taxi ride from the train station. For additional information please visit the Chicago Transit Authority's website at [www.transitchicago.com](http://www.transitchicago.com).

## On Your Own Activities

To help you set your itinerary and explore Chicago, you are encouraged to contact the Chicago Convention and Tourism Bureau at [www.choosetchicago.com](http://www.choosetchicago.com). Below are a few of the activities you may be interested in seeing while you are in Chicago. Attendees are encouraged to contact these sites directly for more information on schedules and pricing.

### Discount Passes

#### CityPass Chicago

[www.citypass.com](http://www.citypass.com)

CityPass is the ticket to the most popular attractions in Chicago at a 50% savings—plus, you won't wait in long ticket lines! With a leisurely nine days to use all of the tickets, you can see everything on a weekend break or take your time to visit the world famous attractions! It's a great way to visit Chicago.

#### Go Chicago Card

[www.gochicagocard.com](http://www.gochicagocard.com)

Go Chicago Card is an all-inclusive visitor pass which gets you unlimited admission to over 25 attractions for one low price. Enjoy the ultimate in freedom, choice, flexibility and value in the city. Chicago has dozens of great

attractions! The Go Chicago Card has something for everyone! Get free admission to Adler Planetarium, Shedd Aquarium, a 2-day Hop-on Hop-off Trolley Pass, Sky line Cruise, Architectural walking tours and MORE! The card also includes FREE day trips such as the North Shore Tour and the South Side Tour. You'll also get savings of up to 20% on shopping and dining throughout the city. For one price, Go Chicago Card gives visitors unlimited sightseeing with FREE admission to over 25 attractions, over \$500 in value and savings at shops and restaurants and a full-color pocket guidebook to the city.

### Points of Interest

#### Adler Planetarium & Astronomy Museum

[www.adlerplanetarium.org](http://www.adlerplanetarium.org)

Opened in 1930 as the first planetarium in the Western Hemisphere, the Adler fuels the imagination of its visitors with all new exhibits, state-of-the-art computer technology in the world's finest StarRider Theater, while showcasing a renowned collection of historical astronomy artifacts.

## On Your Own Activities

### American Girl Place

[www.americangirl.com](http://www.americangirl.com)

Take your seats; the show is about to begin! Let the magic of the costumes, songs, and stories take you on a marvelous journey. You'll explore the lives of American girls past and present, or the adventures of your favorite Bitty Bunch characters. Enjoy a day at the Theater you'll never forget!

### Chicago Botanic Garden

[www.chicagobotanic.org](http://www.chicagobotanic.org)

Explore a world-renowned garden right in Chicago's backyard. This 385-acre living museum features 23 specialty gardens and three natural areas set on a series of islands and lakes. The garden is always in bloom.

### Chicago Children's Museum

[www.chicagorenmuseum.org](http://www.chicagorenmuseum.org)

Chicago Children's Museum presents My Museum, its newest permanent exhibit that celebrates the unique imagination and experiences of every child. The new exhibit offers visitors, both young and old, opportunities to express themselves and to explore diverse perspectives through hands-on activities using a variety of creative materials and techniques. This dynamic exhibit will provide all children the opportunity to leave their own mark for others to discover and explore. My Museum will inspire visitors to see themselves and the world around them in a whole new way.

### Field Museum

[www.fieldmuseum.org](http://www.fieldmuseum.org)

Discover Sue, the largest and most complete T. Rex ever found! Shrink to the size of a bug and go on an Underground Adventure, descend into an Egyptian Pharaoh's tomb, watch a glowing lava flow, be dazzled by sparkling gems, come nose-to-nose with the man-eating lions of Tsavo.

### Frank Lloyd Wright Home and Studio

[www.wrightplus.org](http://www.wrightplus.org)

This complex served as Wright's private residence, studio and architectural laboratory during the first 20 years of his career from 1889-1909.

### Frank Lloyd Wright's Unity Temple

[www.unitytemple-utrf.org](http://www.unitytemple-utrf.org)

Frank Lloyd Wright received the commission to design Unity Temple in 1905 after the original church burned to the ground. This architectural masterpiece and National Historic Landmark was Wright's first public commission and remains the last surviving public building from his golden Prairie period.

### Lincoln Park Zoo—Pritzker Family Children's Zoo

[www.lpzoo.org](http://www.lpzoo.org)

Each of the main exhibit areas—bear, wolf, beaver and otter—offers the chance for children to learn about the animals' lives and homes through play and discovery. One of the interactive and popular parts of this new permanent Children's Zoo is the Treetop Canopy Climbing Adventure which soars 20 feet into the air, evoking the feeling of ascending into a forest canopy. Layers of "leaves" are made from curved pieces of poplar plywood that resemble magical flying carpets.

### Millennium Park

[www.millenniumpark.org](http://www.millenniumpark.org)

Millennium Park is a stunning 24.5-acre landscaping, arts and architecture treasure located in the heart of downtown Chicago. It is bordered by Michigan Avenue to the west, Columbus Drive to the east, Randolph Street to the North and Monroe Street to the South. Highlights include the Frank Gehry designed by Jay Pritzker pavillon for musical events; The Harris Theater for Music and dance, the 110-ton stainless steel *Cloud Gate sculpture* by Anish Kapoor.

### Museum of Science and Industry—The "CSI" Experience

[www.msichicago.org](http://www.msichicago.org)

Guests will have their choice of investigating three different crime scenes and will have to identify evidence at the scene. Then, guided by investigators from the CBS series "CSI" along with their real-life forensic science counterparts, guests will begin their scientific investigation by going into a firearms lab where they match shell casings, a realistic autopsy room where a forensic pathologist is explaining "liver mortis," a toxicology lab where a victim's blood is tested for venomous toxins, as well many other hands-on experiences set in exciting visual environments that "CSI" fans will recognize.

### Navy Pier

[www.navypier.com](http://www.navypier.com)

Historic Navy Pier® is Chicago's lakefront playground. And it's the Midwest's #1 tourist and leisure destination, attracting more than 8.6 million visitors a year.

Navy Pier is the place where all of Chicagoland and tourists from around the world have come together since 1995 to enjoy the beauty and the thrills of a day on Lake Michigan. From rides to restaurants, exhibitions to entertainment, shopping to dining cruises and tour boats Navy Pier has it all—in a location unlike any other!

There's so much to do in the 50 acres of parks, promenades, gardens, shops, eateries and attractions.

Take a ride on the 15-story tall McDonald's® Ferris wheel. Catch a movie at the IMAX® Theatre. Visit three floors of hands-on fun at the Chicago Children's Museum inside the Family Pavilion. Experience any one of the cruise boat rides departing from Navy Pier's South Dock. Or just kick back and enjoy your favorite form of entertainment - dancers, acrobats, theater, blues, jazz, or rock 'n roll at the Pepsi Skyline Stage.

### Sears Tower Skydeck

[www.skydeck.com](http://www.skydeck.com)

Best view of Chicago from one of the world's tallest buildings.

### Shedd Aquarium

[www.sheddaquarium.org](http://www.sheddaquarium.org)

See all the Shedd has to offer with an All Access Pass, which includes the original aquarium building, Wild Reef, Amazon Rising and the Oceanrium.

### The Hancock Observatory

[www.hancockobservatory.com](http://www.hancockobservatory.com)

Experience Chicago's best views spanning up to 80 miles and four states! Featuring Chicago's highest open-air Skywalk.



## On Your Own Activities

### Spa Experiences

#### Channings Day Spa

[www.channings.com](http://www.channings.com)

Located in a charming Victorian house, Channing's offers innovative spa treatments and seasonal spa packages in an atmosphere of comfort and privacy.

#### Elizabeth Arden Red Door Spa & Salon

[www.reddoorspas.com](http://www.reddoorspas.com)

Step into the Red Door Spa in Chicago, and treat yourself to total renewal. They offer a full range of salon and spa services and can accommodate any size group.

#### The Peninsula Spa

[www.peninsula.com](http://www.peninsula.com)

The celebrated Peninsula Spa has been rated the #1 Urban Hotel Spa in 2006 by *Conde Nast Traveler*.

#### Asha Salon Spa

[www.ashasalonspa.com](http://www.ashasalonspa.com)

Our team will give personal attention to your hair, skin, nails, body and lifestyle, providing you with the freedom of personal expression in an environment of pure devotion.

#### Ruby Room Spa For The Spirit

[www.rubyroom.com](http://www.rubyroom.com)

A 13,000-sq.-ft. urban sanctuary with relaxing service including hair cuts, color, facials, waxing, massage, acupuncture, energy healing, makeup and daily yoga. Eight overnight guest suites.

#### halo (FOR MEN)

[www.halochicago.com](http://www.halochicago.com)

Chicago's premier salon FOR MEN ONLY, offers a relaxing environment where men can comfortably enjoy lush salon services without having to worry about feeling out of place.

### Shopping

The Magnificent Mile™ offers hundreds of top retailers, including four separate shopping centers.

Oak Street is known for its upscale boutiques and specialty gift stores. State Street, located in the very heart of the city, is famous for landmark department stores and the Midwest's largest jewelry district. Together, they help make Chicago a shopper's paradise, where you'll discover merchandise that you can't find anywhere else.

#### The Magnificent Mile

The Magnificent Mile offers 460 stores in eight city blocks. Beyond the Chicago favorites like American Girl, Crate & Barrel and Niketown, choose from delectable restaurants, unique shops and several museums and galleries to round out your day on the mile.

The 900 North Shops features Bloomingdale's Fashion department store, with six levels of upscale retailers, including several restaurants, full service salon and spa and a state-of-the-art fitness facility.

Water Tower Place features Macy's, Lord & Taylor and more than 100 popular stores. A unique themed food court and restaurant are also on the mezzanine level. Chicago Place features Saks Fifth Avenue, over 50 unique stores, a beautiful floral shop and a food court on the scenic eighth floor.

Westfield North Bridge is an elegant specialty center anchored by the Midwest flagship Nordstrom. Popular retail stores and innovative restaurants are enclosed in a four-level concourse.

#### Oak Street

Nearby, the glamorous boutiques and brand names of Oak Street take you to a different world. Lake Michigan and the city skyline are a glorious backdrop to the upscale shops to make your excursion in Chicago like no other.

#### State Street

Experience State Street. You'll find a delightful mix of shopping, entertainment, food and fun!

The landmark State Street Retail Historic District and the surrounding area in Chicago's Loop are considered by many to be the heart of Chicago's culture and commerce.

Just south of the Chicago River, discover superb shopping, featuring not only gigantic flagship department stores like Macy's, Carson Pirie Scott, and Sears, but also Chicago's Jeweler's Row, where savvy shoppers can find diamonds, fine gems and more in the largest jewelry district in the Midwest. Recent additions to State Street include H & M, Nordstrom Rack, and Forever 21.

### Theatre

#### The Color Purple

The Cadillac Palace Theatre

[www.broadwayinchicago.com](http://www.broadwayinchicago.com)

The Color Purple is an inspiring family saga that tells the unforgettable story of a woman who—through love—finds the strength to triumph over adversity and discover her unique voice in the world. Set to a joyous score featuring jazz, ragtime, gospel and blues, The Color Purple is a story of hope, a testament to the healing power of love and a celebration of life.

#### Wicked

Ford Center for Performing Arts, Oriental Theatre

[www.broadwayinchicago.com](http://www.broadwayinchicago.com)

Long before Dorothy drops in, two other girls meet in the Land of Oz. One born with emerald-green skin, is smart, fiery and misunderstood. The other is beautiful, ambitious and very popular. How these two unlikely friends end up as the Wicked Witch of the West and Glinda the Good Witch makes for the most spellbinding new musical in years.

## Celebration Sale Discount

### Attention AHLA Members

If you attended at least one AHLA in-person program during the September 2006–May 2007 educational year, you are eligible for the special Celebration Sale discount for the 2007 Annual Meeting. Pay only \$920 instead of the regular member fees of \$995 (early) or \$1095 (standard).

**Membership in AHLA and paid attendance at one of the following programs qualifies you for the “Celebration Sale” rate:**

- TAX ISSUES FOR HEALTHCARE ORGANIZATIONS  
September 18–19, 2006
- FRAUD AND COMPLIANCE FORUM  
September 25–27, 2006
- FUNDAMENTALS OF HEALTH LAW  
November 8–10, 2006
- LEGAL ISSUES AFFECTING ACADEMIC MEDICAL CENTERS AND OTHER TEACHING INSTITUTIONS  
January 25–26, 2007
- PHYSICIANS AND PHYSICIAN ORGANIZATIONS LAW INSTITUTE  
February 5–6, 2007
- HOSPITALS AND HEALTH SYSTEMS LAW INSTITUTE  
February 6–7, 2007
- LONG TERM CARE AND THE LAW  
February 21–23, 2007
- INSTITUTE ON MEDICARE AND MEDICAID PAYMENT ISSUES  
March 21–23, 2007
- LIFE SCIENCES LAW INSTITUTE  
April 25–27, 2007
- LAW CONFERENCE FOR HEALTH PLANS, INSURERS, AND PROVIDERS  
May 9–11, 2007

*Please note: Substitutes must meet the above qualifications to be eligible for the Celebration Sale rate.*

## General Program Information

### Dates

June 24–27, 2007

### Meeting Location

Sheraton Chicago Hotel  
301 East Northwater Street  
Chicago, IL  
Phone: (312) 444-1000  
Fax: (312) 464-9140

### Annual Meeting Registration Fees

**Postmarked and paid by May 29, 2007**

\$995 Members  
\$920 Each Additional member registering from the same company at the same time  
\$1195 Non-Members

**Postmarked and paid after May 29, 2007**

\$1095 Members  
\$1020 Each Additional member registering from the same company at the same time  
\$1295 Non-Members

### Celebration Sale Rate

\$920 Eligible AHLA members only

### Family Registration Package

(Includes 1 program registration, 1 spouse/adult guest, and 2 or more teen or youth guest registrations)  
\$1440 Members  
\$1640 Non-Members

### Discounts

When an AHLA member registers for a program, each additional AHLA member registering from his/her organization at the same time is eligible for a discounted registration fee. Government employees, solo practitioners, academicians and students: please call for special discounted fees.

### Cancellations/Substitutions

Cancellations must be received in writing by fax or mail no later than June 15, 2007. Refunds will not be issued for cancellations received after this date. Registration fees, less a \$50 administrative fee for the In-House Counsel Program or \$125 for the Annual Meeting, will be refunded following the program. If you register for both programs and are only able to attend one, you will not be charged a cancellation fee. Please note that registration fees are based on the AHLA Membership status of the individual who actually attends the program. For more information regarding administrative policies such as complaint and refund, please contact our offices at (202) 833-1100. If you wish to send a substitute, please call the Member Service Center at (202)833-0766.

### Continuing Education Credits

Participants will be given continuing education forms at the program. Forms must be completed and returned to AHLA staff to receive credit. American Health Lawyers Association is an approved sponsor of continuing legal education credits in most states.

The annual meeting will be worth 17.7 (including 4.0 ethics credit) continuing education credits based on a 60-minute hour and 21.3 (including 4.8 ethics credit) credits based on a 50-minute hour. AHLA is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN 37219-2417. NASBA's web site is located at



## General Program Information

www.nasba.org. This seminar will be worth approximately 21 CPE credits. The sessions, unless otherwise designated, are intermediate to advanced in level. There are no prerequisites required to register for this program.

### Membership

Dues for attorneys and health professionals are \$175 for those who graduated college/were admitted to the Bar within the last four years; \$295 for those who graduated college/were admitted more than four but less than eight years ago; and \$335 for those who graduated college/were admitted more than eight years ago. Dues are \$150 for government employees and full-time academicians; (or \$75 for electronic benefits) \$25 for full-time law school students. Include the applicable membership fee with your registration form and take advantage of the program registration fee for members.

### Airfare and Car Rental Discounts

ASSOCIATION TRAVEL CONCEPTS (ATC) has been selected as AHILA's official travel agency. ATC has negotiated discounts with United and American Airlines and Enterprise and Avis Rental Car to bring you special airfares and car rental rates that are lower than those available to the public. When calling ATC, you will save 10-15% off on United and American Airline tickets purchased more than 60 days prior to the meeting. For tickets purchased less than 60 days prior, the discounts will be 5% to 10% off of the lowest available fares. Some restrictions may apply and a service fee may apply. ATC will also search for the lowest available fare on any airline.

The above discounts apply for travel June 20-30, 2007. Some restrictions may apply. Service fees apply. ATC is available for reservations from 8:30 am until 8:00 pm Eastern Time, Monday through Friday.

### Make your reservation from one of the following options:

Email: [reservations@atcmeetings.com](mailto:reservations@atcmeetings.com)

Web: [www.atcmeetings.com](http://www.atcmeetings.com)

Fax: (858) 362-3153

You may also call your own agency or the vendors directly and refer to the following I.D. numbers:

United: 510CK (800) 521-4041

American: A2067AA (800) 433-1790

Enterprise: 32H7476 (800) 593-0505

Avis: J947333 (800) 331-1600

### Hotel Reservations

Sheraton Chicago Hotel

301 East North Water Street

Chicago, IL 60611

Phone: (312) 464-1000

Fax: (312) 464-9140

Reservations: (877) 242-2558

Room Rates: \$219 for single occupancy and \$239 for double occupancy. \$20 for each additional person.

Hotel Cut-Off Date: Monday, May 27, 2007

Hotel accommodations are not included in the registration fee. When making reservations by phone, please indicate that you are calling for a room in the American Health Lawyers Association room block; the room block may sell out prior to hotel cut-off date and the rate is subject to availability. Please make your reservations early.

You may also make your hotel reservations online at: [www.starwoodmeeting.com/Book/AHILA](http://www.starwoodmeeting.com/Book/AHILA).

The Hotel will require a deposit to guarantee a particular reservation. To guarantee an individual reservation, a guest must provide a major credit card number and will be charged for one night's stay.

If your plans change and you need to cancel your reservation, you must cancel 72 hours prior to the date of arrival to receive a full refund of the deposit.

The Hotel's check-in time is 3:00 pm. Guests are permitted to check-in earlier subject to the availability of hotel space. Check-out time is 12:00 noon.

### Program Binder Shipping

AHILA has made arrangements to have independent shipping representatives at the program to ship your course materials back to your office. Fees will be determined by shipping method at the time of shipping.

### Special Needs

If you need any of the auxiliary aids or services identified in the Americans with Disabilities Act, please call the Member Service Center at (202)833-0766.

### Suggested Dress

The suggested dress for the Annual Meeting, including the educational sessions and all social events is business casual.

By registering for the program, attendees authorize AHILA to use any photographs taken during the course of the program, which may include attendee, in Association promotional materials.

### Four Ways to Register

Remit payment and completed 2-page Registration Form (p. 37-38) Registrations cannot be processed unless accompanied by payment

- ▶ By Mail  
Program Division  
American Health Lawyers Association  
PO Box 79340  
Baltimore, MD 21279-0340
- ▶ Via the Web  
Go to [www.healthlawyers.org/annual](http://www.healthlawyers.org/annual); fill out the Registration Form online including your credit card information; hit the submit button and your form will be securely encrypted and sent via email to AHILA.
- ▶ By fax with credit card information, at (202) 775-2482
- ▶ By Phone to our Member Service Center, with credit card information, at (202) 833-0766.

*In order to avoid duplicate charges, please do not mail this form if you have already faxed it or sent it through the Web to us.*

**Please register early!**

# In-House Counsel/Annual Meeting Program Registration Form

## American Health Lawyers Association In-House Counsel Program and Annual Meeting

To Register: Remit Payment and completed registration form by mail to the American Health Lawyers Association • PO Box 79340 • Baltimore, MD 21279-0340 or fax with credit card information to (202) 775-2482. To register by phone call (202) 833-0766.

Name \_\_\_\_\_ Member ID# (if applicable): \_\_\_\_\_

First Name for Badge (if different than above) \_\_\_\_\_

Firm/Organization \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_ E-mail \_\_\_\_\_

**Please register me for the In-House Counsel Program—June 24, 2007**

- \$330 Member       \$530 Non-member

**Please register me for the Annual Meeting—June 25–27, 2007**

*Postmarked and paid after May 29, 2007*

- \$995 Member  
 \$920 Each additional member registering at the same time from the same company  
 \$1,195 Non-member

*Postmarked and paid after May 29, 2007*

- \$1,095 Member  
 \$1020 Each additional member registering at the same time from the same company  
 \$1,295 Non-member

**Celebration Sale**

- \$920 Members who have paid to attend another in-person program during the 2006–2007 educational year (Please indicate program(s) attended in box at right.)

*Family Registration Package (includes 1 program registration, 1 adult guest fee and 2 or more teen or youth fees; please include guests names in space provided on the back of this form)*

- \$1,440 Member       \$1,640 Non-member

**Practice Group Luncheons**

Members of sponsoring PG and PG15      Non-Members and Members not enrolled in sponsoring PG

**Sunday, June 24, 2007**

- In-House Counsel .....  \$38       \$43  
*(For those people attending the In-House Counsel Program, the cost of the Practice Group luncheon is included in the registration fee.)*

**Monday, June 25, 2007**

- Health Information and Technology .....  \$38       \$43  
 HMOs and Health Plans .....  \$38       \$43  
 Hospitals and Health Systems, and Regulation, Accreditation and Payment (joint luncheon) .....  \$38       \$43  
 Labor and Employment .....  \$38       \$43  
 Teaching Hospitals and Life Sciences (joint luncheon) .....  \$38       \$43

**Tuesday, June 26, 2007**

- Antitrust .....  \$38       \$43  
 Healthcare Liability and Litigation .....  \$38       \$43  
 Medical Staff, Credentialing and Peer Review .....  \$38       \$43  
 Tax and Finance .....  \$38       \$43

**Wednesday, June 27, 2007**

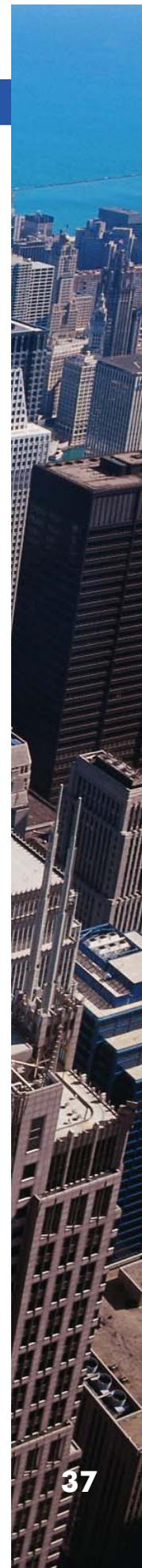
- Fraud and Abuse, Self Referrals and False Claims .....  \$38       \$43  
 Long Term Care .....  \$38       \$43  
 Physician Organizations .....  \$38       \$43

Practice Group Lunch Total ..... \$ \_\_\_\_\_

**Celebration Sale  
2006–2007 Programs**

- Tax Issues for Healthcare Organizations**  
September 18–19, 2006
- Fraud and Compliance Forum**  
September 25–27, 2006
- Fundamentals of Health Law**  
November 8–10, 2006
- Legal Issues Affecting Academic Medical Centers and Other Teaching Institutions**  
January 25–26, 2007
- Physicians and Physician Organizations Law Institute**  
February 5–6, 2007
- Hospitals and Health Systems Law Institute**  
February 6–7, 2007
- Long Term Care and the Law**  
February 21–23, 2007
- Institute on Medicare and Medicaid Payment Issues**  
March 21–23, 2007
- Life Sciences Law Institute**  
April 25–27, 2007
- Law Conference on Health Plans, Insurers, and Providers**  
May 9–11, 2007

Please complete and return both sides of this form.



# In-House Counsel/Annual Meeting Program Registration Form

**Guest Registration Fees**

\$240 Spouse/Adult Guest (includes 3 breakfasts, Welcome Reception, Monday Night off-property reception, and the Tuesday night reception with The Second City)

Name \_\_\_\_\_

\$150 Teen Guest (ages 13-18; includes 3 breakfasts, Welcome Reception, Monday Night off-property reception and the Tuesday night reception with The Second City)

Name \_\_\_\_\_ Age \_\_\_\_\_

Name \_\_\_\_\_ Age \_\_\_\_\_

\$125 Youth Guest (ages 4-12; includes 3 breakfasts, Welcome Reception, Monday Night off-property reception, and the Tuesday evening youth event)

Name \_\_\_\_\_ Age \_\_\_\_\_

Name \_\_\_\_\_ Age \_\_\_\_\_

Guest Registration Fee Total \$ \_\_\_\_\_

**Individual Event Tickets** (Attendance at the Monday and Tuesday night events is included in the attendee and guest registration fees.

Non-refundable individual tickets can be purchased for guests who do not want to attend all events.)

	Number of people	Price	Total
The Art Institute of Chicago (Monday night–youth/teen)	_____	\$65	_____
The Art Institute of Chicago (Monday night–adult)	_____	\$95	_____
Youth Event (Tuesday night–youth)	_____	\$65	_____
Reception with The Second City (Tuesday night–adult)	_____	\$95	_____
Reception with The Second City (Tuesday night–teen)	_____	\$65	_____

Individual Ticket Total \$ \_\_\_\_\_

**New Member/First Time Attendee Reception—Monday, June 25** (Please check here if you would like to attend)

**Fitness Classes** (complimentary; pre-registration required) Please indicate your T-shirt size: S, M, L, XL (adult sizes only)

Name \_\_\_\_\_ Shirt Size \_\_\_\_\_  Cardio-kickboxing  Flexibility Training

Name \_\_\_\_\_ Shirt Size \_\_\_\_\_  Cardio-kickboxing  Flexibility Training

**Issues in Legal Ethics Session—Tuesday, June 26** (Please check here if you would like to attend; limited attendance)

**Payment Information** (Sorry! Registrations cannot be processed unless accompanied by payment)

\$ \_\_\_\_\_ In-House Counsel Program  
 \$ \_\_\_\_\_ Annual Meeting  
 \$ \_\_\_\_\_ Membership Dues  
 \$ \_\_\_\_\_ Practice Group Luncheon Total  
 \$ \_\_\_\_\_ Guest Registration Fee Total  
 \$ \_\_\_\_\_ Individual Event Ticket Total  
 \$ \_\_\_\_\_ AHILA Program on CD: In-House Counsel Total  
 \$ \_\_\_\_\_ AHILA Program on CD: Annual Meeting Total  
 \$ \_\_\_\_\_ **Total Payment**

<input type="checkbox"/> Attorney	<input type="checkbox"/> In-House Counsel	E-Gov/E-ACD (government attorney, or acadamecian; electronic benefits) . . . . .	\$75
Date of Admission to the Bar _____		<b>Health Professional/Other</b>	
Admitted to Bar less than four years ago . . . . .		Graduated from College less than four years ago . . . . .	\$175
Admitted to Bar four to eight years ago . . . . .		Graduated from College four to eight years ago . . . . .	\$175
Admitted to Bar more than eight years ago . . . . .		Graduated from College more than eight years ago . . . . .	\$295
Academician (full-time faculty) . . . . .		Student (full-time, non degreed) . . . . .	\$335
Government Attorneys . . . . .			\$150

**Check enclosed** (U.S. dollars, make checks payable to American Health Lawyers Association)

Bill my credit card:

Card Number \_\_\_\_\_ Exp. date \_\_\_\_\_

Name of Cardholder \_\_\_\_\_

Signature of Cardholder \_\_\_\_\_

ZIP Code of Cardholder's Billing Address \_\_\_\_\_

Please note: Should your credit card total be miscalculated, AHILA will charge your credit card for the correct amount due. To receive a refund of the registration fee paid minus \$50 for In-House Counsel and \$125 for Annual Meeting, cancellation notice must be received in writing by **June 15, 2007**.

## Arbitration Training Registration Form

### One-Day Arbitration Training Program

June 24, 2007  
Sheraton Chicago Hotel  
Chicago, IL



A great opportunity exists to incorporate the special skills involved in arbitration into your practice of health law! We urge you to sign up now for our Arbitration Training Program. Go online for detailed information and to register: [www.healthlawyers.org/ADRtraining](http://www.healthlawyers.org/ADRtraining).

Registration also by phone, fax or mail. Registration limited to 50 attendees on a first-come, first-serve basis.

Please note: No on-site registrations will be accepted.

Whether you will represent a client in arbitration or want to become an arbitrator, this one-day course will provide a foundation in techniques and theories of arbitration as participants review the practical elements of alternative dispute resolution through an in-depth examination of arbitration. The training provides:

- The process of an arbitration from case intake to award
- Current applicable arbitration law
- The legal and ethical issues in arbitration
- The challenges that AHIA arbitrators typically confront, including due process protocols, economic and billing issues, establishing terms of reference, and navigating challenges to the arbitral award

The training will be conducted by the internationally-recognized arbitrator and trainer, Jerry P. Roscoe, of JAMS.

Each registrant will be given a Certificate of Arbitration Training and will have the opportunity to sign up as an arbitrator in Health Lawyers' ADR Service. For those who request CLE credits for the program, a CLE Certificate will be mailed to them after the training session.

To register: ☎ Call (202) 833-0766. Please have your credit card number available. 📠 By Fax, complete credit card information and fax to (202) 775-2482.

✉ By Mail, remit payment and registration form to AHIA, P.O.Box 79340, Baltimore, MD 21279-0340

Name: \_\_\_\_\_ AHIA Member ID#: \_\_\_\_\_

First Name for Badge: \_\_\_\_\_ Member ID#: \_\_\_\_\_

Title: \_\_\_\_\_ Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip+4: \_\_\_\_\_

Telephone: (\_\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_\_) \_\_\_\_\_

Internet E-mail Address: \_\_\_\_\_

Please indicate your profession (i.e., attorney, CPA, physician, etc.): \_\_\_\_\_

I request CLE credits for the states of: \_\_\_\_\_ My state bar number is (if applicable): \_\_\_\_\_

\_\_\_\_\_ My state bar number is (if applicable): \_\_\_\_\_

Registration Information (*Registrations cannot be processed unless accompanied by payment*)

\$460 AHIA Members or dispute resolvers currently enrolled in Health Lawyers' ADR Service

\$535 Non-Members

Payment Information (*Registrations cannot be processed unless accompanied by payment*)

Paying by Credit Card

Credit Card: (check one)  Visa  MasterCard  American Express

Account Number: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Cardholder's Name: (*use only if printing and mailing or faxing this form*) \_\_\_\_\_

Zip Code of Billing Address \_\_\_\_\_

Paying by Check

\_\_\_ Check enclosed. Make checks payable to American Health Lawyers Association and mail to:

American Health Lawyers Association P.O. Box 79340

Baltimore, MD 21279-0340

Cancellations/Substitutions: Cancellations must be received in writing no later than June 8, 2007 for the Arbitration Training in order to receive a refund of registration fees, minus a \$200 administrative fee. Due to the limited attendance permitted at these programs, no refunds will be made after the date above because of insufficient time to register other attendees. If you wish to send a substitute, please call (202) 833-0768. Note that registration fees are based on the membership status of the individual who actually attends the program.

For the latest updates go to [www.healthlawyers.org/annual](http://www.healthlawyers.org/annual)



# Annual Meeting

## In-House Counsel Program

June 24–27, 2007

Sheraton Chicago Hotel



Register by May 29 and Save!

  
AMERICAN  
**HEALTH LAWYERS**  
ASSOCIATION

1025 Connecticut Avenue, NW  
Suite 600  
Washington, DC 20036-5405

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