

2014 ANNUAL MEETING AND SPRING SEMINAR



CALIFORNIA SOCIETY FOR HEALTHCARE ATTORNEYS
APRIL 11-13, 2014 | RESORT AT SQUAW CREEK



PRESIDENT'S MESSAGE

Please join us for the CSHA 2014 Annual Meeting and Spring Seminar at the beautiful Resort at Squaw Creek. Weekend sessions are scheduled in the mornings, leaving the afternoons free for you and your party to enjoy the majestic Lake Tahoe Basin, including a variety of outdoor activities both on and off the ski slopes.

This is a time of uncertainty and change for the healthcare industry, and we have selected a diverse range of presentations to assist you in meeting some of the latest challenges and opportunities facing our clients. We are confident you will be delighted with both the breadth and depth of our MCLE-approved sessions, as well as the knowledge and experience of our presenters. Our topics are specifically designed to appeal to our members' diverse practices, whether they represent health facilities, physicians, health plans or government agencies.

We will hold a brief business meeting to bring you current information about our Society's operations, finances and initiatives. Our always-popular Friday evening Welcome Reception and Saturday evening Annual Dinner (with live entertainment) provide opportunities to network with your health law colleagues. In addition, we will host a new member luncheon on Saturday afternoon. Attorneys who are new to CSHA, committee members and current Board members are encouraged to attend.

Please read this brochure carefully for further information on our program. Whether a novice or veteran healthcare attorney, CSHA's 2014 Annual Meeting and Spring Seminar is sure to be a worthwhile investment of your time. I look forward to greeting you there.

Raja Sekaran, CSHA President

GENERAL INFORMATION

LOCATION

Located just minutes from North Lake Tahoe, the Resort at Squaw Creek is a four-diamond, full-service luxury resort nestled in a stunning mountain setting. Ranked by *Condé Nast Traveler* magazine as one of the top 50 ski hotels in North America, the resort offers its guests fantastic skiing, a championship golf course, fly fishing, ice skating, heated pools and much more. In addition, the Resort at Squaw Creek features its own shopping promenade, various dining venues and full-service spa. The hotel's address is 400 Squaw Creek Road, Olympic Valley, CA, 96146.

ACCOMMODATIONS

CSHA has reserved a limited number of rooms at the Resort at Squaw Creek, available on a first-come, first-served basis at a nightly rate of \$189 (Deluxe Guestroom), \$219 (Fireplace Suite) or \$239 (Deluxe Fireplace Suite), plus tax and \$18 resort fee. The deadline for reserving rooms at this rate is March 20, 2014. After that date, reservations will be confirmed subject to general availability. Contact the hotel directly at (800) 403-4434 and ask for the California Society for Healthcare Attorneys (CSHA) group rate.



CALIFORNIA
SOCIETY *for* HEALTHCARE
ATTORNEYS

TUITION

Fees include seminar, handouts, breakfast each day, Friday lunch, the Friday evening Welcome Reception, and the Saturday evening Annual Dinner. Guests are welcome to attend the Annual Dinner (a guest fee applies). Registrations paid in full and postmarked by March 14, 2014, qualify for a discount in registration.

SEMINAR TUITION		
Rate	Early <i>Postmarked by March 14</i>	Regular <i>Postmarked after March 14</i>
Member Rate	\$545	\$600
Non-member Rate*	\$800	\$855

*Includes 2014 CSHA Membership

Registrations after Friday, March 14, add \$55

Note: CSHA has a pilot project that grants a discount to eligible government attorneys, new attorneys and law students. Please call the CSHA office for additional information.

REFUNDS/SUBSTITUTIONS/CANCELLATIONS

All cancellations must be in writing and received in the CSHA office by March 21, 2014. Seminar registration fees, minus a \$75 processing fee, will be refunded for cancellations received by the March 21 deadline. Substitutions may be arranged by contacting the CSHA offices.

MINIMUM CONTINUING LEGAL EDUCATION

The California Society for Healthcare Attorneys is a State Bar of California-approved MCLE provider. The Annual Meeting & Spring Seminar provides up to 14.25 hours of MCLE credit.

REASONABLE ACCOMMODATION PURSUANT TO THE ADA

If you require special accommodation related to your attendance at the educational seminar pursuant to the Americans with Disabilities Act, please contact the CSHA office at (916) 552-7605. If you require special accommodation related to your hotel accommodations, please contact the Resort at Squaw Creek directly at (800) 403-4434.

SOCIAL EVENTS

WELCOME RECEPTION

We are pleased to continue the longstanding tradition of social collegiality by offering a Welcome Reception for registered program participants and guests on Friday evening, April 11. The annual cocktail reception provides an excellent opportunity to network with your fellow health lawyer colleagues while enjoying some delicious delectables. Please join us!

ANNUAL DINNER

This year's Annual Dinner will be held Saturday evening, April 12, at the Resort at Squaw Creek and will feature California cuisine, local wines and special entertainment. Spouses and adult guests are welcome to attend for an additional fee of \$65. Be sure to join us for this ever-popular event!

SATURDAY NEW MEMBER LUNCHEON

We are pleased to offer a networking opportunity specifically for attorneys new to CSHA. Members who joined CSHA after April 2013 are invited to attend, as are CSHA committee members, and current CSHA Board members. The luncheon will take place on Saturday, April 12, immediately following Saturday morning's educational session. Those who wish to attend this event must RSVP with their registration, or contact the CSHA office no later than March 28, 2014.

ADDITIONAL INFORMATION

ATTIRE

Casual attire is recommended. Guests may choose to dress up a bit more for the Annual Dinner on Saturday evening.

TAPE RECORDING

Tape recording of the education sessions is strictly prohibited.

CONTACT

If you have any questions regarding the 2014 Annual Meeting and Spring Seminar or CSHA membership, please contact Amber McEwen, Program Coordinator, at (916) 552-7605 or amcewen@calhealth.org. You may also visit the CSHA website at www.csha.info.

AGENDA

Friday, April 11, 2014

8:00 – 8:45 am | Registration and Continental Breakfast

8:45 – 9:00 am | Welcome and Introductions

Raja Sekaran, President, California Society for Healthcare Attorneys

9:00 – 10:15 am | The ACA and the Transformation of the California Health Care Marketplace

Jane Ogle, former Deputy Director of the Department of Health Care Services; Katrina Pagonis, Hooper, Lundy & Bookman, PC; and Julie Simer, Buchalter Nemer

Millions of previously uninsured Californians started receiving health care coverage from the California health insurance exchange or the expanded Medi-Cal program in 2014. In addition, many Californians have been moved into a new private plan or into Medi-Cal managed care. California has been at the forefront of implementing the provisions of the ACA, from the exchange (Covered California), Medi-Cal's Coordinated Care Initiative (CCI) (including the Duals Demonstration/Cal MediConnect), and efforts with respect to Medicaid expansion, including presumptive eligibility. Our speakers will provide detailed, up-to-the minute information as well as predictions for the future of California's health care industry.

10:30 – 11:30 am | Don't Sign That Yet! - Avoiding Typical Traps and Potential Litigation in Health Care Contracting

Andrew Hefty, Crowell & Moring LLP (moderator); panelists to be announced

This panel of experts — who typically are on opposite sides of negotiations and related disputes — will focus on health care contracting issues, sharing their experiences and providing examples from contract negotiations and litigation. The panel will address topics such as consents, integration clauses, non-waiver, reimbursement provisions, no oral modification, dispute resolution provisions and arbitration, contingencies relating to the sale of contracting entities, limitations of liability, indemnification, confidentiality, and more.

11:30 am – 12:15 pm | In the Event of a Breach ...

Marty Knutson, Law Practice of Martha Ann Knutson

Healthcare organizations, health plans and their "business associates" all face heightened reporting obligations under the California and federal rules regarding breaches of protected health information. The overlapping requirements are detailed and the time frame for compliance is short. This presentation will focus on both the legal and practical aspects of whether and how to report particular situations and what happens next. Learn from an experienced practitioner what questions to ask and how to guide your clients through their responsibilities.

12:15 – 1:30 pm | Lunch (hosted)

1:30 – 3:00 pm | Fraud and Abuse

Michael Dowell, Hinshaw & Culbertson LLP (moderator); Curtis Bernstein, Altegra Health; Katherine Lauer, Latham & Watkins LLP; and Kevin McAnaney, Law Offices of Kevin G. McAnaney

This interactive panel will discuss recent trends in hospital-physician transaction enforcement action judgments and settlements related to the anti-kickback statute, Stark self-referral prohibition, and False Claims Act. Attendees will learn about key valuation considerations and valuation report content requirements, as well as how to determine fair market value and commercial reasonableness. The panelists will describe the roles and responsibilities of hospital administrators, legal counsel and valuers in hospital-physician transactions. Defense counsel will discuss strategies to resolve compliance and enforcement matters with government regulators. Lastly, the panelists will outline hospital-physician transaction compliance program best practices and explain how to conduct compliance audits.

3:15 – 4:00 pm | Mental Health Coverage in 2014: Federal and State Mental Health Mandates after the MHPAEA

David Johnson, Crowell & Moring LLP

Private and public coverage of mental health conditions is being transformed by successive waves of federal and state parity and mandate statutes. Some of the greatest changes are being made by the federal Mental Health Parity and Addiction Equity Act (MHPAEA), with final rules taking effect in July 2014. Must plans increase coverage? What changes are in store regarding medical management practices and provider contracting and reimbursement?

This session will describe the new rules and provide guidance for compliance. It will explain the interaction between the MHPAEA and other state and federal mental health mandate rules. Finally, this session will explore how the new MHPAEA rules impact the current and future litigation environments.

4:00 – 5:15 pm | Mediation Best Practices for Reimbursement Disputes

Viggo Boserup, Boserup Mediation; Frank Fedor, Murphy Austin Adams Schoenfeld LLP; Kurt Peterson, Reed Smith; and Martin Quinn, JAMS

Mediation has become the predominant forum for resolving health care reimbursement disputes. This panel discussion will include both mediators and advocates in order to provide different perspectives on concrete "best practices" to make these mediations successful for all parties. Specific discussion points will include preparing for mediation and categorizing the claims in dispute; negotiation approaches, including sampling techniques; navigating through impasse; and effecting changes to claim processing and approval procedures.

5:15 – 5:30 pm | CSHA Business Meeting

Raja Sekaran, President, California Society for Healthcare Attorneys

5:30 – 7:00 pm | Welcome Reception (hosted)

Saturday, April 12, 2014

7:45 – 8:45 am | Breakfast Roundtables

9:00 – 10:15 am | Health Litigation Update

Joseph Laska, Manatt, Phelps & Phillips LLP; Abbie P. Maliniak, Davis Wright Tremaine LLP; and Erin Muellenberg, Arent Fox LLP

This popular annual session will highlight some of the recent significant court decisions that will affect the California health care industry for years to come. This year's panel has been expanded to focus on litigation that impacts payers as well as hospitals, physicians, and medical staffs.

10:15 – 11:00 am | ACA Implementation from the National Perspective

Joel Ario, Manatt Phelps & Phillips

This session will explore the national dynamics of the Affordable Care Act (ACA) and how they affect California. Regulations, delays, cancellations —and un-cancellations! — get the latest news from the former director of the HHS Office of Exchanges on what is progressing with the ACA, what stumbling blocks remain, and how the ACA is likely to change the marketplace in the years ahead.

11:15 am – 12:15 pm | Detection, Treatment and Current Systemic Challenges in the Management of Substance-Abusing Professionals

John G. Rosenberg, M.D., M.P.H., Berkeley Therapy Institute

This session will examine the substance abuse and mental illness difficulties often encountered by legal and medical professionals, including the behavioral, health and work-related consequences of addiction. The presentation will address the warning signs of addiction, treatment interventions and options for monitoring to maximize ongoing stability after treatment.

12:15 – 1:00 pm | Credentialing and Peer Review for Accountable Care Organizations

Jennifer Hansen, Hooper, Lundy & Bookman, PC

As ACOs continue to develop, many challenges remain regarding how credentialing and peer review are handled to successfully implement ACOs' cost reduction and quality improvement goals. This presentation will examine some of the questions facing ACOs, including whether an ACO is eligible for Evidence Code 1157 confidentiality or Civil Code 47 immunity protections; whether hearing procedures should be the same for ACOs and medical staffs, or streamlined; the risks if different credentialing/privileging/peer review standards are developed for ACOs versus medical staffs; how an ACO can best implement ACO quality metrics, value based purchasing and similar quality standards as part of its credentialing/peer review procedures, and how information sharing can be structured to maintain confidentiality protections.

1:00 – 2:00 pm | New Member Luncheon for Pre-registered Participants

Members who joined CSHA after April 2013 are invited to attend, as are CSHA committee and current Board members. Please RSVP with your registration, or contact the CSHA office no later than March 28, 2014.

6:00 – 9:00 pm | CSHA 2014 Annual Dinner (hosted)

This year's Annual Dinner features California cuisine, local wines and live entertainment. Plan to join us for this ever-popular event!

Sunday, April 13, 2014

7:30 – 8:30 am | Continental Breakfast

8:30 – 9:30 am | How Will You Vote?

Gail Blanchard-Saiger, California Hospital Association; William Helvestine, Crowell & Moring LLP; and Alicia Wagnon, California Medical Association

Five initiatives on the November 2014 ballot may dramatically change the healthcare industry in California. Voters will weigh in on caps on hospital executive compensation and hospital billings, and determine whether to allow the California Insurance Commissioner to regulate health care insurance premiums. In addition, voters may impose drug testing on physicians, limits on physician prescribing of controlled substances, and raise the cap on pain and suffering damages in medical malpractice cases. Finally, voters will decide whether to limit the legislature's ability to redirect federal health care dollars away from health care. This presentation will give you the back story on each initiative, and help you advise your clients regarding their business decisions as well as inform your friends about these hot topics.

9:30 – 10:30 am | Pandemic or Panacea? The Financial Impact of the ACA on the Modern Health Care Industry

Craig Garner, Craig Boyd Garner, A PLC and Sam Maizel, Pachulski Stang Ziehl & Jones LLP

Four years into its evolution, the political debates surrounding the Affordable Care Act continue to engage the nation. From its inception, the impact of the ACA on the changes in health care for individuals has held center stage. However, what will be the fiscal ramifications for the health care industry as a whole? With a revamped emphasis on efficiency and quality of service on the part of providers, transparency for payers and the notion of patient responsibility, how will the industry fare as it transitions from its cost-based legacy toward a performance-based model? Like it or not, America's new health care structure is here to stay, and so we must be mindful of the collateral damages faced by the industry as the ACA works through its growing pains, while paying special attention to the burdens placed on smaller systems, hospitals and providers who find themselves ill-prepared to weather such storms. This panel will discuss the impact of the ACA on the financial wellbeing of California's hospitals and physicians.

10:45 – 11:45 am | Quasi-Judicial Authority: What Hearing Officers Do, Don't Do (as Well as They Should) and Shouldn't Do

Arthur Chenen, Theodora Oringer, PC (moderator); Lowell Brown, Arent Fox LLP; Carlo Coppo, DiCaro, Coppo & Popcke; and John Harwell, Esq.

This panel will review the authority and limitations of hearing officers in peer review proceedings. The panelists will examine exemplary bylaws, decisions in important cases — including Mileikowski and Sadeghi — and suggestions for reducing the length and expense of judicial review proceedings. Most importantly, panelists will share war stories and practical advice for counsel presenting in such hearings.

11:45 am | Adjournment and Distribution of MCLE Certificates

SPONSORS

CSHA is fortunate to receive generous sponsorship of the 2014 Annual Meeting & Spring Seminar, including the Welcome Reception and Annual Dinner, from the following firms:



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CSHA ANNUAL MEETING AND SPRING SEMINAR

April 11–13, 2014 — RESORT AT SQUAW CREEK

To register online:

visit www.csha.info/spring-seminar-registration

To register by fax:

Complete this form and fax to (916) 552-2607

To register by mail:

Complete this form and mail to:
 California Society for Healthcare Attorneys
 1215 K Street, Suite 800
 Sacramento, CA 95814

Please type or print clearly and use one form per person. Make checks payable to CSHA.

Name: _____ Nickname for Badge: _____

Firm/Organization: _____

Address: _____ City: _____ State/Zip: _____

Telephone: _____ Email: _____

Special meal requirements (e.g., vegetarian): _____

TUITION AND FEES

	<i>by March 14</i>	<i>after March 14</i>	Amount
Member Rate	\$ 545	\$ 600	
Non-member Rate*	\$ 800	\$ 855	
Annual Dinner Guest	\$ 65	\$ 65	
TOTAL			\$ _____

* The non-member tuition includes dues for membership through 2014.

Note: CSHA has a pilot program that grants a discount to eligible government attorneys, new attorneys and students. Please contact the CSHA office for more information.

Please indicate which social events you will attend:

- | | | | |
|---|---|---|---|
| <input type="checkbox"/> Friday Breakfast | <input type="checkbox"/> Friday Lunch | <input type="checkbox"/> Reception (Friday Evening) | <input type="checkbox"/> Saturday Breakfast Roundtables |
| <input type="checkbox"/> Saturday New Member Luncheon** | <input type="checkbox"/> Saturday Annual Dinner | <input type="checkbox"/> Sunday Breakfast | <input type="checkbox"/> Annual Dinner Guest (fees above) |

Guest Name: _____

** Members who joined CSHA after April 2013 are invited to attend, as are CSHA committee members, and current CSHA Board members.

PAYMENT METHOD

- Check enclosed (make payable to CSHA)
 American Express
 Discover
 Mastercard
 Visa

Name as it appears on card: _____

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CALIFORNIA
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