

2008 HEALTH LAW FORUM

BAIRD HOLM^{LLP}
ATTORNEYS AT LAW

Friday, November 21, 2008

Marriott Regency
10220 Regency Circle / Omaha, Nebraska

- The Changing Landscape of Hospital - Physician Ventures*
- Stark: Are You Ready For a Compliance Audit?*
- New Challenges in Physician Recruitment*
- The OIG Self-Disclosure Protocol Unwrapped*
- Why You Should Be Worried About HIPAA Privacy and Security Enforcement*
- Medical Identity Theft, the Red Flag Regulations and You*

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Registration is available
online at bairdholm.com

Company _____ Phone _____
Address _____ City _____ State _____ Zip _____

The following people will attend the forum: (please print or type)

Name and Title	E-mail address	Will attend lunch
1. _____	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>
2. _____	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>
3. _____	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>
4. _____	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>

Please register by November 19 online at www.bairdholm.com or by mail to Baird Holm, attention Sara Obermeyer, 1500 Woodmen Tower, Omaha, NE 68102. For further information, please contact Sara at 402.636.8316.

The Forum and Luncheon are complimentary services to our clients and friends. For room reservations, please contact the Marriott directly at 402.399.9000 and mention the Baird Holm block rate, \$115 per night.

This program has been approved for 5.5 hours of CLE credit, which may be credited against the continuing legal education requirement of 15 clock hours per year, established by Rules 41.3 and 42.2 of the Iowa Supreme Court.

SCHEDULE

We welcome and encourage you to invite members of your Board of Trustees/Directors to this educational opportunity.

7:45

Registration and Continental Breakfast

8:15

Welcome and Introduction

8:30

The Changing Landscape of Hospital - Physician Ventures

Kelly Clarke, Andrew Kloeckner

This session will explore what the recent Stark, Anti-markup, IDTF, and other rule changes mean to relationships going forward - examined from the perspective of the hospital, the affiliated clinic and the private physician practice.

9:45

Stark: Are You Ready For a Compliance Audit?

Barbara Person and a panel of hospital compliance officers

With all the regulatory changes, you need compliance program suggestions and steps to take now - with a specific focus on the process of achieving and monitoring Stark compliance. This program will draw on the experience of several compliance officers to see what processes and systems are likely to work best.

10:30

Break and Refreshments

10:45

New Challenges in Physician Recruitment

John Holdenried, Barbara Person

Competing for scarce physician resources means meeting competition while staying within the rules. This program will identify the limits on what you can offer and suggest ways to structure and document your actions. This session will also cover the most common recruiting mistakes raising compliance concerns.

11:30

The OIG Self-Disclosure Protocol Unwrapped

Julie Knutson

Recent additional guidance has made important changes to the OIG's Self Disclosure Protocol (SDP). What are the types of situations that warrant self-disclosure and how do you decide when errors cross the line and become a disclosable event? What steps are required by the SDP and what are the implications and issues? This program will analyze specific factual situations and explain how to determine when self-disclosure is indicated (in contrast to repayment) and when and how to proceed through the steps in the disclosure protocol.

12:15

Lunch

1:15

Latest Word

Panel of Baird Holm Attorneys

Our ever-popular review of several significant state and federal developments from the past year.

2:15

Break and Refreshments

2:30

Why You Should Be Worried About HIPAA Privacy and Security Enforcement

Vickie Brady Ahlers

With misdirected e-mails and security breaches making headlines nearly every day, the federal government is gearing up to crack down. The Department is widely publicizing its plans for enforcement and it hopes you're listening. This session will discuss HIPAA privacy and security audits and the first joint OCR/HHS negotiated six figure "resolution payment" with a health care provider for privacy and security breaches.

3:00

Medical Identity Theft, the Red Flag Regulations and You

Vickie Brady Ahlers, Gray Derrick

This session will address current issues revolving around medical identity theft, the new FTC Red Flag regulations and the challenge for health care providers in implementing these regulations in a health care context.

3:30

Cocktail Reception

SPEAKERS

Vickie Brady Ahlers received her Juris Doctor, *summa cum laude*, in 1998 from Southern Illinois University School of Law. She is currently a Board member and the Past President of the Nebraska Chapter of HFMA.

Kelly Clarke received his Juris Doctor from the University of Colorado in 1970. He is a former member of the Board of Directors and Past President of the American Health Lawyers Association and a past governing board member of the ABA Health Law Forum.

Gray Derrick is a member of the firm's Technology and Intellectual Property Practice Group. He received his Juris Doctor, with distinction, from the University of Nebraska College of Law in 2001. He focuses his practice on the development, acquisition and use of technology and other forms of intellectual property.

John Holdenried received his Juris Doctor, *cum laude*, from the University of Michigan Law School in 1975. John is the Program Chair of the annual Tax Issues for Healthcare Organization program sponsored by the American Health Lawyers Association. He is a member of the IRS Council for the Central/Mountain Region (Tax-Exempt and Governmental Entities) and the Healthcare Roundtable for Corporate Counsel. He is the author of "Tax and Tax Exemption in Transactions," Health Law Practice Guide, American Health Lawyers Association.

Andy Kloeckner received his Juris Doctor, *magna cum laude*, from Creighton University School of Law in 2006. He also holds a B.S.B.A. in Accounting, *summa cum laude*, from Creighton University.

Julie Knutson received her Juris Doctor, *magna cum laude*, from Creighton University School of Law in 1993. Prior to joining the firm, Julie worked in the health care industry in various management capacities. She is currently a member of the Health Care Compliance Association and serves on the Executive Committee of the Iowa Society of Hospital Attorneys.

Barbara Person received her Juris Doctor, with distinction, from the University of Nebraska College of Law in 1985. Barbara served as a Board member (1993-1999) and as President (1997-1998) of the Nebraska Chapter of HFMA. Barbara works extensively in medical staff, EMTALA, physician contracting and licensure and disciplinary matters.