

HEALTH CARE HOT TOPICS SEMINAR:

Strategic Thinking for Hospital Professionals

TUESDAY | JUNE 11, 2019

7:30 AM - 12:15 PM | MANCHESTER, NH

7:30-8:00 AM

Registration & Networking Breakfast

8:00-8:15 AM

Introductions/Welcome

8:15-9:00 AM

Mergers and Acquisitions Due Diligence and Physician Practice Acquisitions

- Practice acquisition versus alternative arrangements such as PSAs or management relationship
- Due diligence
- Fraud and abuse
- Purchase price considerations
- Physician employment considerations
- General labor and employment considerations

Christopher Browning, Partner, Nixon Peabody LLP

Stephen Zubiago, Partner, Nixon Peabody LLP

9:00-9:45 AM

Fraud and Abuse Investigations and Risk Management
(including Stark Law, Anti-Kickback, False Claims Act)

- Physician compensation considerations
- Lease arrangements and other financial arrangements with physician practices
- Internal investigations and compliance plans
- Recent DOJ and OIG settlements/enforcement action

Brian French, Partner, Nixon Peabody LLP

Rebecca Simone, Partner, Nixon Peabody LLP

9:45-10:30 AM

Labor and Employment Issues

- Recent developments in National Labor Relations Board law
- Special solicitation rules for health care institutions
- Union organizing update
- New Hampshire Labor & Employment Law Update

Shelagh Michaud, Department Attorney, Nixon Peabody LLP

Andrew Prescott, Partner, Nixon Peabody LLP



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10:30-10:45 AM

Networking Break

10:45-11:30 AM

Digital Health and Privacy

- Why digital health? Improve access to care, reduce costs, increase quality, and increase patients' engagement to better manage and track their health
- Contrast the application of existing HIPAA, FTC and FDA rules to mobile medical applications marketed directly to consumers versus an app that is offered and made available to patients by a covered entity
- Distinguish when a patient's health information is and is not "protected health information" (PHI) under HIPAA and describes the rules that might apply when such information is not PHI
- Increasing regulatory expectations regarding a patient's right to control the use and disclosure of their health information

Laurie Cohen, Partner, Nixon Peabody LLP

11:30-12:15 PM

Medicare Disproportionate Share (DSH) Litigation Update

- Status of FAQ 33 & 34 litigation regarding dual eligibility, CMS withdrawal of the policy, and current approach to reimbursement
- Status of litigation regarding the New Rule on dual eligibility and its potential outcomes
- Implications for the New Hampshire DSH reimbursement scheme
- SCOTUS strikes down CMS' 2012 Medicare Fraction Guidance

Scott O'Connell, Partner, Nixon Peabody LLP

12:15 PM

Closing Remarks & Boxed Lunches

