

HINSHAW'S ANNUAL

# HEALTH CARE CONFERENCE 2012

Illinois attorneys can earn 4.25 General CLE credit hours by attending this Conference

## Hinshaw's 8th Annual Health Care Conference

Join senior management, board members and in-house counsel of hospitals and health systems, and physician group and other providers as our presenters examine and analyze current issues and strategies affecting the healthcare industry.

**Breakout sessions** are back again this year to allow for interactive discussions between the speakers and attendees.

### Registration Fee

The \$95 non-refundable registration fee includes a continental breakfast, lunch and Conference materials.

**November 15, 2012**

9:00 a.m. – 3:15 p.m.

*Registration begins at 8:30 a.m.*

**Hilton Lisle / Naperville**

3003 Corporate West Drive  
Lisle, Illinois



**Register online today!**

<http://www.hinshawlaw.com/healthcareconference2012>

**HINSHAW**

& CULBERTSON LLP

# CONFERENCE SCHEDULE

**8:30 a.m. – 9:00 a.m. Registration and Continental Breakfast**

**9:00 a.m. Welcome Remarks**

**9:00 a.m. – 10:00 a.m. Plenary Session 1**

## **Health Care Reform: Business, Technology and Regulatory Developments**

Following the Supreme Court's ruling—and with 2014 fast approaching—health care reform discussions are shifting from the theoretical to the practical and from legal hypotheticals to business and design realities. This session will focus on the business implications of health care reform, including the impact on hospital systems and strategies to address the challenges. The panel also will cover regulatory and implementation challenges associated with designing and building insurance exchanges, and will discuss on-the-ground (pilot) accountable care organizations from both provider and payor perspectives.

**Moderator: Stephen T. Moore**

**Speakers: Robert E. Wagner, Leonard Karpowich, Director - Regulatory Affairs, UnitedHealthcare and Edward J. McGrath, Principal, Health Care Futures L.P.**

**10:00 a.m. – 10:15 a.m. Break**

**10:15 a.m. – 11:00 a.m. Breakout Session 1**

## **Business Track: Best and Worst Practices in Hospital/Physician Alliances, Including Advanced Physician Contracting and Compensation Models**

This breakout session will focus on key issues related to hospital and physician alliances. This presentation will also provide an overview of the key regulations, coverage guidelines, and compliance issues which impact alliances between hospitals, physicians, and physician practice groups. New trends in hospital and physician alliances, compensation models, and hospital relationships with physicians and physician group practices will be discussed to provide the audience with an overview of the current landscape. The speakers will also provide examples of hospital and physician alliances, advanced contracting, and various compensation models to identify best and worst practices.

**Speakers: Roy M. Bossen and Jayme R. Matchinski**

## **Regulatory Track: Regulatory Issues Facing Illinois Tax-Exempt Hospitals**

In June of this year, the U.S. Department of the Treasury and the Internal Revenue Service issued proposed regulations to implement Sections 501(r)(4)-(6) of the Internal Revenue Code enacted by the Patient Protection and Affordable Care Act of 2010. This session will highlight best practices for Illinois hospitals to satisfy new Financial Assistance Policy, Billing, and Collection requirements to receive and maintain Section 501(c)(3) federal tax-exemption status. Also in June, the Illinois General Assembly enacted a new standard that requires a hospital to show that the value of health care services it provides to low-income or underserved individuals exceeds its estimated property tax liability during each year for which it seeks to obtain or maintain a property tax exemption. This presentation will discuss the new standard in detail and the steps not-for-profit hospitals should take to earn property tax exemptions. Finally, with the Illinois FY 2013 state budget requiring a \$1.6 billion cut in the Medicaid Program in an effort to fill a \$2.7 billion budget hole, we will cover the numerous challenges facing both medical providers and Medicaid recipients.

**Speakers: Michael P. Davidson, Victoria R. Glidden and Linnea L. Schramm**

**11:00 a.m. – 11:15 a.m. Break**

**11:15 a.m. – 12:00 p.m. Breakout Session 2**

## **Business Track: Bundled Payments**

Are you prepared to contract under alternative models as payors shift away from fee-for-service reimbursement? This session will explore various contract models for the implementation of bundled payment arrangements and other alternatives to fee-for-service payor/provider contracts.

**Speakers: Angela M. Rust and Lora L. Zimmer**

# CONFERENCE SCHEDULE

## Regulatory Track: Labor and Employment Law Update for Healthcare Employers

Labor and employment laws and regulations are always changing and continue to pose unique challenges to the healthcare industry. This session will provide an update on discrete areas of labor and employment law that have a more significant impact on healthcare employers in particular, including employee benefits following the Supreme Court decision on Health Care Reform, the EEOC's new guidance on background screening, and immigration.

**Speakers:** *Anthony E. Antognoli, Aimee E. Delaney and Penelope M. Lechtenberg*

**12:00 p.m. – 1:15 p.m. Lunch**

**1:15 p.m. – 2:00 p.m. Breakout Session 3**

## Business Track: Consolidation, Collaboration and Competition – An Antitrust Perspective for Today's Healthcare Industry

The structure of the health care industry is rapidly changing. Consolidation is occurring horizontally – including hospitals with hospitals, physicians with physicians – and vertically – including hospitals with physicians and hospitals with clinics. Different structures are being explored – mergers, joint ventures, contractual and other arrangements. Whether you are considering consolidation, have just completed a consolidation or are concerned about a competitor's consolidation, we will explore how the antitrust laws are applicable to all aspects of consolidation among various entities in the health care industry. We will discuss how antitrust laws are enforced by federal and state agencies, how antitrust laws are used by federal agencies, state agencies and competitors to challenge consolidations, how to increase your chances of avoiding an inquiry or convincing agencies to approve your transaction, and what to be aware of if your consolidation is challenged.

**Moderator:** *Alan I. Greene*

**Speakers:** *Kristin M. Kurczewski and Matthew J. O'Hara*

## Regulatory Track: HIPAA Security Breaches and Cyber-Liability

This session will provide an overview of HIPAA reporting obligations under the Breach Notification Rule under the HITECH Act, including discussion of: what data is covered, what constitutes a security breach, to whom breach notification requirements apply, when and how notice is given; data breach incident response plans and letters, and the interplay with state data breach notification requirements. The speakers will also discuss major enforcement activity during 2012 and related lessons learned, legal and financial impact of the loss or theft of PHI, key areas of vulnerability, and recommended safeguards to help better protect the covered entity. The session will also provide an overview of the availability and impact of data breach insurance.

**Speakers:** *Danielle M. Costello Schrom and Michael A. Dowell*

**2:00 p.m. – 2:15 p.m. Coffee/Dessert Break**

**2:15 p.m. – 3:15 p.m. Plenary Session 2**

## Oversight Responsibility and Liability for Corporate Officers and Directors

Governing Boards of tax-exempt hospital/health care corporations are increasingly being required to exercise diligence in, and being held accountable to, the governance of their corporation, including complying with an ever-expanding number of regulatory and compliance requirements. The first part of this session will focus on the recent developments concerning Board responsibilities: IRS requirements, PPACA's new rules, and industry standards. The second part will focus on the government's use of The Responsible Corporate Officer Doctrine to obtain criminal convictions and healthcare lifetime exclusions of corporate officers who have not participated in any wrongdoing.

**Speakers:** *Douglass A. Marshall and Daniel M. Purdom*

# CONFERENCE INFORMATION AT A GLANCE



## Who Should Attend?

Senior management, board members and in-house counsel of hospitals and health systems, physician groups and other providers, as well as professionals in other industries whose work focuses on the healthcare sector



## Why Is This Conference Unique?

Attorneys who specialize in different areas of health care law are together in one location and will educate attendees on current issues and strategies affecting the health care industry. These attorneys will be available for questions at the luncheon, during breakout discussions and following the Conference.



## Registration Fee

There is a \$95 non-refundable fee to attend the conference. The fee includes a continental breakfast, lunch and Conference materials.



## Registration

To register online and pay by credit card, please visit Hinshaw's website at: <http://www.hinshawlaw.com/healthcareconference2012>



## Date & Location

**Thursday**  
**November 15, 2012**  
**Hilton Lisle / Naperville**  
3003 Corporate West Drive  
Lisle, Illinois



## Accommodations

A block of guest rooms has been set aside for Conference attendees at the Hilton Lisle/Naperville. The room rate is \$139 plus tax. Rooms are available for the night of November 14, 2011. To make a reservation, call 800-HILTONS or 630-245-7687, or visit the hotel website [www.lislenaperville.hilton.com](http://www.lislenaperville.hilton.com). Refer to this program or group code CHIN to receive the discounted rate. The cutoff date for the room block is October 24, 2012.



## Directions to Hilton Lisle / Naperville

### From Chicago:

Interstate 290 (Eisenhower Expressway) West to the Interstate 88 West (East / West Tollway / Aurora exit), go approximately 13 miles to Naperville Road exit; turn right at stoplight onto Freedom Drive (north). Next light is Warrenville Road. Turn right (east). Stay right. Turn right at second stoplight (south). The Hilton will be located on the south side (right) of Warrenville Road.

## Questions

If you have any questions regarding the Conference, please contact Hannah Lopas at 414-225-4813 or [hlopas@hinshawlaw.com](mailto:hlopas@hinshawlaw.com).