

Tennessee Bar Association Health Law Section  
27th Annual Health Law Forum  
October 8 - 9, 2015  
Embassy Suites Cool Springs - Hotel Conference Center

**Thursday, October 8, 2015 (All times are central standard)**

- 7:15 a.m. Registration**
- 8:00 a.m. Chair's Welcome and Introductions**  
*Jesse Neil, TBA Health Law Section Chair, (Community Health Systems)*
- 8:15 – 8:45 a.m. [TAB 1]**  
**The Role of State Attorneys General in Healthcare Regulation**  
*Robert's remarks will examine the role of state attorneys general in the healthcare sector. He will review areas of activity including multi-state litigation, Medicaid fraud and abuse, antitrust enforcement, and consumer protection.*  
**Robert Cooper (Bass Berry & Sims PLC)**
- 8:45 – 9:45 a.m. [TAB 2]**  
**Update on Fraud and Abuse Developments**  
*The session will provide an update of the latest Fraud and Abuse activities by the Federal government.*  
**Julie Kass (Ober/Kaler)**  
**Sanford (Sandy) V. Teplitzky (Ober/Kaler)**
- 9:45 – 10:45 a.m. [TAB 3]**  
**Trends in Reimbursement - Volume vs. Value**  
*This session will address the movement toward value-based reimbursement, including innovations in Medicare and commercial programs. The panel will consider regulatory guideposts and implementation challenges in defining, measuring and rewarding value in healthcare delivery systems.*  
**Adam Finkelstein (Centers for Medicare/Medicaid Services)**  
**Kim H. Roeder (King & Spalding LLP)**  
**Dr. Lynn T. Simon, M.D. (Community Health Systems)**
- 10:45 – 11 a.m. BREAK (Sponsored by: Horne LLP)**
- 11:00 – 12:00 p.m. [TAB 4]**  
**Hospital/Physician Integration in a New Health Care World**  
*This session will be a discussion of current aspects of physician and hospital integration activities. The panelists will present their observations and practical experiences on the motivating factors behind the continuing movement toward integration, current and evolving models, and elements of those arrangements.*  
**Kim Looney (Waller) - Moderator**  
**Tracy Powell (Sherrard & Roe PLC)**  
**Scott Richardson (LifePoint Health, Inc)**  
**Richard Romero (CBIZ Valuation Group LLC)**
- 12:00 – 1:00 p.m.**  
**Lunch (on your own/Section Lunch Business Meeting)**  
**(Sponsored by: Carnahan Group)**

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**1:15 –  
2:15 p.m.  
[TAB 5]**

**Navigating the Health Care Real Estate Minefield: Regulatory and Transaction-Specific Issues**

*This session will cover regulatory and transaction-specific issues associated with health care transactions involving real estate. The presenters will discuss fraud and abuse concerns associated with leasing space from physician-owned landlords, proposed changes to the Stark Law affecting real property leases, and tips for structuring the best possible transaction when real estate is involved.*

**Lauren Jacques** (Bradley Arant Boult Cummings LLP)

**Lynn Carter Wilson** (HCA)

**2:15 –  
3:15 p.m.  
[TAB 6]**

**Government Perspectives on Healthcare Fraud and Enforcement**

*The panelists will discuss healthcare fraud and enforcement in Tennessee over the past year and give their perspectives on current enforcement trends.*

**Stuart Canale** (Asst. U.S. Attorney for U.S. Department of Justice - Western District)

**Rob McConkey** (Asst. U.S. Attorney for U.S. Dept. of Justice - Eastern District)

**Ellen Bowden McIntyre** (Office of U.S. Attorney - Middle District)

**Philip Bangle** (Office of the Attorney General)

**3:15 –3:30 p.m. BREAK (Sponsored by: Cicayda)**

**3:30 –  
4:30 p.m.  
[TAB 7]**

**Defense Counsel Perspectives on Healthcare Fraud**

*This panel will discuss defense perspectives regarding recent healthcare fraud developments, including DOJ's Yates Memorandum, using statistical extrapolation to prove liability in FCA cases, and knowing retention of overpayment liability.*

**Brian Roark** (Bass Berry & Sims PLC)

**Richard Rose** (Miller & Martin PLLC)

**Jennifer Weaver** (Waller)

**4:30 –  
5:30 p.m.  
[TAB 8]**

**HIPAA & HITECH Update**

*HIPAA basics, an update on recent enforcement actions, breaches and civil cases, and current HIPAA issues and challenges.*

**Stephen Page** (Regional Care)

**Elizabeth Warren** (Bass Berry & Sims PLC)

***Thursday Total Hrs: 7.5 General***

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**Friday, October 9, 2015 (All times are Central Standard)**

**7:30 a.m.                    *Registration***

**8:15–  
9:45 a.m.  
[TAB 9]**                    **Healthcare Antitrust Basics & the St. Luke's Decision**  
*A discussion of the recent landmark case of Saint Alphonsus v. St Luke's, its implications for provider transactions under the antitrust laws, and the likely future direction of antitrust analysis.*  
**David Ettinger**  
**Jeffrey Spigel** (*King & Spalding*)

**9:45 –  
10:45 a.m.  
[TAB 10]**                    **Tennessee Health Law and Legislative Updates 2015**  
*The 2015 Legislative session resulted in several important changes in state law that health lawyers need to know about. The panel, representing perspectives from providers, facilities, and the General Assembly, will highlight the new laws affecting health care professional practice compliance, scope of practice, health insurance, and facility compliance and operations.*  
**Yarnell Beatty** (*Tennessee Medical Association*)  
**Sen. Doug Overbey** (*Robertson Overbey*)  
**Jerry Taylor** (*Burr Forman LLP*)

**10:45 –  
11:00 a.m.**                    ***BREAK (Sponsored by: Miller & Martin PLLC)***

**11:00 –  
12:00 p.m.  
[TAB 11]**                    **Medical/Legal Partnership**  
*In this session, the audience will learn about fundamentals of the Medical-Legal Partnership (MLP) model, which is an emerging best practice through which lawyers join the health team to enhance clinical care of patients.*  
**Amy Campbell** (*Cecil C. Humphreys School of Law*) - Moderator  
**Janet Goode** (*Cecil C. Humphreys School of Law*)  
**Dr. Lauren Mutrie** (*University of Tennessee Health Science Center*)  
**Linda Warren Seely** (*Memphis Area Legal Services, Inc.*)

**12:00 –  
1:15 p.m.  
[TAB 12]  
[1 Dual]**                    **Ethics Session - R-E-S-P-E-C-T**  
*Emotions can run high in our legal world. Being respectful is not always easy, but it is always important. Tips from a trial lawyer who is an expert on anger.*  
**Randall Kinnard** (*Kinnard, Clayton & Beveridge*)  
**(Lunch WILL be provided & Sponsored by: CBIZ)**

**1:15 –  
2:15 p.m.  
[TAB 13]**                    **Telehealth (including mental health telemedicine)**  
*An integrated health system's perspective on issues and opportunities in virtual care.*  
**Jacquelynn Richmond** (*Mercy Health General Counsel*)  
**Angela Youngberg** (*Waller*)

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**2:15 –  
2:30 p.m.**

***BREAK (Sponsored by: Chambliss Bahner & Stophel, P.C.)***

**2:30 –  
4:30 p.m.  
(2.0 Dual)  
[TAB 14]**

**The Ethics of the Distracted Lawyer: An inquiry into the ethical problems of distraction and impairment, and the modern practice of law.**

*What are the professional responsibilities of the wired, connected, multitasking lawyer to his or her colleagues and clients? (Or “is it unethical if I don’t stop & think once in a while?”). Can a lawyers’ self-interest impact her/his ethical duties? AND updates on new developments in Tennessee law.*

**Sheree Wright** (Vanderbilt University) - Moderator

**Timothy P. Chinaris** (Belmont University College of Law)

**Travis Lloyd** (Bradley Arant Boult Cummings LLP)

**Phil Pomerance** (Best Practices Inpatient Care, Ltd.)

***Friday Total Hrs. 4.5 General, 3 Dual***