

33rd Annual Health Law Forum

October 21-22, 2021 – Nashville, Tenn.



Program Producer: Amanda Busby, Anderson Busby

Total Credits: 12 General; 3 Dual

Recognized as one of the premier health law programs in the country, this annual forum addresses key issues impacting our practice area. Sessions will provide insight from health law providers, practitioners and regulators. This year's forum will feature a virtual format designed with your time, the topics you have been asking for and an esteemed list of panelists and health law experts from right here in Tennessee.

Thursday, Oct. 21

7 – 7:45 a.m. CDT

Registration

7:45 – 8 a.m.

Chair's Welcome

Amanda Busby, Anderson Busby

8 – 9:30 a.m.

Regulatory Fraud and Abuse Update

This session will provide an update of the latest Fraud and Abuse developments, including federal case law and settlements under the FCA, and OIG and CMS activity.

Julie Kass, Baker Ober Health Law

Patsy Powers, Waller Lansden Dortch & Davis LLP

Sandy Teplitzky, Baker Ober Health Law

Travis Lloyd, Bradley Arant Boult Cummings LLP

9:30 – 10:30 a.m.

Keynote Address

10:30 – 10:45

Break

- 10:45- 11:45 a.m. **Lessons Learned in the Time of COVID-19: How Employers Can Learn from the Past to Ensure Better Practices Going Forward**
 Martha Boyd, Baker Donelson Bearman Caldwell & Berkowitz
 Rebecca Wells Demaree, Cornelius & Collins
- 11:45 – 12 p.m. **Get Lunch**
- 12 – 1 p.m. **Health Care Fraud Enforcement in Tennessee**
 Ellen Bowden McIntyre, US Attorney's Office M.D. of Tenn.
 Rob McConkey, US Attorney's Office E.D. of Tenn.
 Stuart Canale, US Attorney's Office W.D. of Tenn.
 Tony Hullender, Deputy Atty Gen., Medicaid Fraud and Integrity Div.
- 1 – 2 p.m. **Transactional topic**
 Denise Burke, Waller Lansden Dortch & Davis
 Jed Roebuck, Chambliss Bahner & Stophel
 Mark Ison, Sherrard Roe Voigt & Harbison
 Michael Burcham, Shore Capital Partners
- 2 – 2:15 p.m. **Break**
- 2:15 – 3:45 p.m. **Tennessee Legislative Update and State Case Review**
 The Tennessee Legislative Update and State Case Review panel will provide a synopsis of legislation enacted in 2021 and state cases of importance to lawyers representing health care clients.
 Jerry Taylor, Thompson Burton
 Trammel Hoehn, Butler Snow
 Yarnell Beatty, Tennessee Medical Association
- 3:45 – 4:45 p.m. **Access to care**
DUAL
 Dr. Consuelo Wilkins, M.D., Vanderbilt University Medical Center

(7 General; 1 Dual)

Friday, Oct. 22

8 – 9 a.m. CDT

Physician Discipline through the Medical Staff Corrective Action and Licensure Board Processes

This one-hour program will provide an overview of physician discipline through the hospital medical staff and state licensure board processes. Specifically, the program will focus on (i) medical staff corrective action and fair hearing procedures; (ii) the obligation of hospitals to report certain discipline to the National Practitioner Data Bank and Tennessee Board of Medical Examiners; and (iii) Tennessee Board of Medical Examiner investigations and disciplinary proceedings.

Amy Hampton, Vanderbilt University Medical Center

David Steed, Cornelius & Collins

Kyle Simonton, Buerger, Moseley & Carson

9 – 10 a.m.

Legal Considerations and Common Pitfalls Related to Claims Coding and Billing

This presentation will provide an overview of important legal issues related to claims coding and billing. The discussion will include telemedicine considerations post-COVID, common risk areas, and the potential options available to payors if coding and billing issues are identified.

Amy Garner, West Tennessee Healthcare

Anna Grizzle, Bass Berry & Sims

Linda Thacker, TeamHealth

10 – 10:15 a.m.

Break

10:15 – 11:15 a.m.

HIPAA and Related Privacy Law Developments

This presentation will focus on recent HIPAA developments, including recent changes to the Privacy Rule, patient right of access issues, and other privacy law developments, including issues raised by the Information Blocking Rule issued pursuant to the 21st Century Cures Act. The presenters will provide an overview of legal developments along with practical advice on tackling HIPAA questions related to the issues discussed.

Cal Marshall, Chambliss Bahner & Stophel

Elizabeth Warren, Bass Berry & Sims

11:15 – 12:15 p.m.

Health Care Fraud and Enforcement

Brian Roark, Bass Berry & Sims
JD Thomas, Waller Lansden Dortch & Davis
Richard Rose, Miller & Martin

12:15 – 1:15 p.m.

Lunch – Section Business Lunch

1:15 – 2:15 p.m.

Human Subjects Research: Law, Contracting and a COVID-19 Vaccine Trial

After lawyers review biomedical research regulation in the United States and discuss related key contracting issues, a physician-investigator will describe how these concepts play out in practice through the example of a Phase III, Blinded, Placebo-Controlled, COVID-19 Vaccine Clinical Trial.

Kathy Steuer, St. Jude Children's Research Hospital (Moderator)

Cara Baer, Butler Snow

Dr. Patricia Flynn, St. Jude Children's Research Hospital

2:15 – 2:30 p.m.

Break

2:30 – 4:30 p.m.

Ethics

DUAL

Lucian Pera, Adams and Reese LLP

Phil Pomerance, Best Practices Inpatient Care Ltd.

Sheree Wright, Vanderbilt University

(5 General; 2 Dual)