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Keep Pace with Critical Change in Health Care Law

Stay current on the impact of COVID-19 and more. In-house and outside counsel share pandemic lessons learned in 2020—and provide the practical guidance you need to move forward. Get updates on state and federal regulations, fraud and abuse, and Stark. Examine the explosion of telemedicine and reimbursement hot topics like surprise billing. Dive into cybersecurity and remote practice implications.

THE MAJOR UPDATES YOU EXPECT

Get up-to-the-minute information on state and federal regulatory changes and fraud and abuse developments. Better serve your clients with keen insights from trusted Michigan practitioners.



Tulika Bhattacharya

Michigan Department of Health and Human Services, *Lansing*

Tulika has 17 years of regulatory experience with MDHHS. During the institute’s “State Regulatory Update” session, she shares the latest department information on the Certificate of Need (CON) process.



Adam Townshend

U.S. Attorney’s Office—Western District of Michigan, *Grand Rapids*

Adam is back! An assistant U.S. attorney experienced in health care fraud cases, he shares insights on the current state of fraud and abuse enforcement. Don’t miss out—this session will be livestreamed only!

HOT TOPIC FOR EVERYONE

Cybersecurity: In this era of remote work and uber-connectivity, cyber breaches and ransom demands can wreak havoc. Hear from an expert at N1 Discovery, a company that specializes in the fields of cybersecurity, digital forensics, and e-discovery. Learn how to avoid work stoppages, identify vulnerabilities, remediate an incident, and more.

THE EXPERT GUIDANCE TO MOVE FORWARD

You've weathered COVID-19 over the last year. Let our experts guide you through lessons learned and put your practice on the path to success in 2021. Hear from trusted peers, state regulatory agencies, payors, and more.

FOR HOSPITALS/HEALTH SYSTEMS

The Pandemic's Impact on Employers

Hear from in-house and outside counsel on how health care employers are functioning as the "new normal" continues to evolve. Get answers to tough questions regarding vaccinations, screenings, leave policies, remote work, and more.

The Latest on Stark

Dive into the latest exceptions and clarifications—including isolated transaction and physician compensation compliance. Get up to speed on COVID-19 waivers. You won't find a better place to get current analysis, with historic changes having recently gone into effect.

Navigating EOs and Waivers

What have we learned about interpreting and advising on executive/epidemic orders and waivers? Walk away with creative solutions and be prepared for looming questions about administering vaccines, allocating treatments, and more.

FOR PHYSICIANS/MEDICAL PRACTICES

The Joint Commission

Hear straight from the Joint Commission's general counsel on accreditation options in light of the pandemic. With in-person surveys on hold, learn how the virtual survey option being developed can help your clients going forward.

Reimbursement Changes

Hear both payor and private practice perspectives as experts break down how COVID-19 has affected reimbursement and share practical tips on surprise billing and more.

Physician Compensation

The pandemic, along with sweeping regulatory changes, has forced payors, providers, and health systems to adopt new policies and strategies. Learn ways to mitigate the effects this has had so far on recruitment and compensation arrangements for your clients—and be ready for what's next.

SPECIALTY SESSION

Hospital M&As: Explore the latest—and unique—challenges that arise in hospital mergers and acquisitions (M&As). Take away insight on bankruptcy alternatives for distressed facilities. Get answers to tough questions regarding special sales, Medicare and Medicaid contracts, and more.

25+ Speakers, 15 Sessions Including 4 Livestreams

This year we're bringing Michigan's health care law community to you! Get your questions answered in four livestreams on March 11, 2021—including a livestreamed-only session with Adam Townshend of the U.S. Attorney's Office. Plus, watch 15 sessions on demand starting April 16. Video recordings and other electronic materials are available to you for three years.

HEAR FROM MICHIGAN EXPERTS LIKE THESE—LIVE ON MARCH 11!

Four special livestreamed sessions connect you live via Zoom to some of Michigan's top minds in health care. Get your questions answered in real time from experts such as:



Timothy C. Gutwald
Miller Johnson, *Grand Rapids*

Tim has spent his entire career representing health care providers, including some of the largest health systems and physician practices in Michigan. He brings you up to date on frontline considerations for employers during the pandemic.



Michelle Johnson Tidjani
Henry Ford Health System, *Detroit*

Michelle is vice president and general counsel at HFHS, having previously served as deputy chief legal officer at the Cleveland Clinic. She lends her perspective on how the health care legal marketplace has changed in the wake of COVID-19.

Agenda

SESSION DURATIONS: Each on-demand session runs 30-60 minutes on average.

Livestreams

Current Trends in Health Care Fraud and Abuse Enforcement

(Livestream Only 03/11/21, 9:00am)

In this ever-popular update, learn about the latest government activities and what precautions you must take to protect your clients. Get an inside look at the complex landscape of fraud and abuse prosecution in the face of health care reform. Mark your calendars—this is the only livestream that will not be recorded.

Ronald W. Chapman II, Chapman Law Group, *Troy*; Adam Townshend, U.S. Attorney's Office—Western District of Michigan, *Grand Rapids*

Riding the Wave of EOs and Waivers Through the Pandemic

(Livestream 03/11/21, 10:05am)

Explore the realities of advising on the wave of Executive Orders, 1135 waivers, and Epidemic Orders over the last year. Take away lessons learned in this ever-changing landscape—from interpreting the latest orders and advising administration on implementation, to navigating tough questions and developing creative solutions. Apply these insights to questions on the horizon—including allocating treatments, vaccine administration, and social determinants in the midst of the pandemic.

Laura Appel, Michigan Health & Hospital Association, *Okemos*; Martha Rabaut Boonstra, JD, RN, Spectrum Health Medical Group, *Grand Rapids*; Laura M. Napiewocki, JD, MHSA, University of Michigan Office of the General Counsel, *Ann Arbor*

The Current Health Care Legal Marketplace

(Livestream 03/11/21, 11:10am)

Take a critical look at the health care legal marketplace in the wake of COVID-19's wide-ranging impacts. With the rapid transition to remote work, what has worked well? What can we do differently? Whether in-house, in a large firm, or in solo practice, explore technology for connecting with your team and your clients. Gain insight into personal and business development and marketing in times of change. Take away real-life lessons learned to apply in your practice and in your firm.

Reesa N. Benkoff, Benkoff Health Law PLLC, *Bloomfield Hills*; Mark S. Kopson, Plunkett Cooney PC, *Bloomfield Hills*; Michelle Johnson Tidjani, Henry Ford Health System, *Detroit*

Health Law Hot Topics and Town Hall Q&A

(Livestream 03/11/21, 12:15pm)

Select faculty members lead an interactive discussion of new developments, statewide and local trends, and up-to-the-minute practice strategies in this freewheeling session. Get in on the discussion and get your questions answered.

Timothy C. Gutwald, Miller Johnson, *Grand Rapids*; Ann T. Hollenbeck, Jones Day, *Detroit*; Cynthia F. Wisner, Trinity Health, *Livonia*

On-Demand Sessions

Welcome and Update on Health Care Law Section Activities

Sheerin Siddique, Chair, Health Care Law Section, State Bar of Michigan, *Northville*

Federal Regulatory Update

Don't miss this annual opportunity to stay current on all the latest changes in federal regulations. In a year unlike any other, take away keen analysis of the significance and implications of each critical development.

Ann T. Hollenbeck, Jones Day, *Detroit*

State Regulatory Update

Stay up to date on the latest regulatory changes in Michigan. Get updates on Certificate of Need (CON), the new regulations for health facility licensing, and more. Gain critical insight into the interplay between CDC, CMS, MDHHS, and LARA guidance in the age of COVID-19. Learn how recent changes will impact your health care clients.

Amy J. Barkholz, Michigan Health & Hospital Association, *Okemos*; Tulika Bhattacharya, Michigan Department of Health and Human Services, *Lansing*; Larry Horvath, Michigan Department of Licensing and Regulatory Affairs, *Lansing*

Reimbursement Dispute Hot Topics

How is reimbursement for health care changing? Explore how COVID-19 has affected health care reimbursement and take away practical pointers you need to know. Hear the latest developments surrounding surprise billing and get a look at what's next on the horizon.

Jessica L. Gustafson, The Health Law Partners, *Farmington Hills*; Stefanie Phillips, Blue Cross Blue Shield of Michigan, *Detroit*

Agenda

SESSION DURATIONS: Each on-demand session runs 30-60 minutes on average.

Stark Law Update for 2021

Get up to speed on the latest Stark Law updates. Learn what lawyers should know about reliance on Stark COVID-19 waivers. Dive into the final rule's new Stark exceptions and clarifications—from the isolated transaction exception to physician compensation compliance to revisiting EHR donation programs. Explore Stark's impact on outcome-based payments, recent enforcement actions and disclosures, and more.

Gerald M. Griffith, Jones Day, *Detroit*; Cynthia F. Wisner, Trinity Health, *Livonia*

Life After the Public Health Emergency (PHE)?

Explore the current state of the Public Health Emergency (PHE) and what it means from an accreditation perspective from the view of the Joint Commission. Delve into the virtual survey option developed by the Joint Commission, the options it may provide for your clients, and more. Take away critical insights on what has changed during the PHE and what is expected as we move forward.

Lisa Diehl Vandecaveye, The Joint Commission, *Oakbrook Terrace, IL*

Health Care Alignment and Consolidation Strategies in the COVID Era

Tune in for a critical look at the changes in health care driven by the pandemic and the impact on health care provider consolidation and alignment strategies. Examine the latest trends and legal issues raised in alignment strategies for health care providers including hospital-physician relationships, health system consolidations, and provider network development. Take away effective strategies employed by health care providers to strengthen, improve, and broaden their operations and capabilities.

Arthur F. deVaux, Hall Render Killian Heath & Lyman PLLC, *Troy*

Frontline Considerations for Health Care Employers in the 'New Normal'

Explore the impact of COVID-19 on health care organizations in the dual role of employers and health care providers. Dive into employee safety—from screening policies to compliance with national and local requirements. Navigate workforce management

including remote work, reductions, employee leave, and accommodations, among others. Examine contracting and compensation issues raised by lockdowns, safety, and more. Get key practical considerations and learn to avoid the potential legal pitfalls.

Timothy C. Gutwald, Miller Johnson, *Grand Rapids*; Shanta S.W. McMullan, Trinity Health, *Livonia*

What to Do When the Health Care Facility Is Sick

Learn about the unique challenges and opportunities that arise in mergers and acquisitions of distressed hospitals and other health care providers. Examine the special considerations for sales under the Bankruptcy Code, including the role of patient care ombudsman, the treatment of Medicare and Medicaid payer contracts, and the treatment of patient records. Gain insight on bankruptcy alternatives and special considerations related to not-for-profit entities.

Glenn Walter, Honigman LLP, *Detroit*

Looking Back and Looking Ahead at Physician Compensation

COVID-19 disrupted health care in unfathomable ways, forcing regulators, payors, health care organizations, and providers to adopt new policies and strategies. Layered on questions from COVID-19 were sweeping regulatory changes that altered long-standing rules regarding Stark, AKS, CMP Law, and reimbursement under Medicare Physician Fee Schedule. Explore the impact all this had on physician compensation, discuss lessons learned, and identify long-term effects that may continue into 2021 and beyond.

Michael D. Bossenbroek, Beaumont Hospital, *Southfield*; Andrea Ferrari, HealthCare Appraisers Inc., *Boca Raton, FL*

Dr. Zoom Will See You Now: The Overnight Success of Telehealth for COVID-19

Is it a fad, or is it the future? The COVID-19 public health emergency caused rapid expansion and public acceptance of telehealth. Explore where we sit a year later.

Kate E. Flewelling, Munson Healthcare, *Traverse City*; Andrea Lee Linna, Honigman LLP, *Chicago, IL*

Medicare Advantage Risk Adjustment, RADV Audits, and Beyond

Get up to speed on Medicare Advantage risk adjustment, Risk Adjustment Data Validation (RADV) audits, and current RADV and False Claims Act (FCA) cases. Delve into key considerations for drafting provider agreements to allocate risk from both sides—how to account for the extended time between the coding at issue and audit, appeal, and litigation? How will plans and providers handle retroactive premium reductions and penalties? Do vendors offering risk-adjustment services have liability?

Christopher J. Laney, Health Alliance Plan, *Detroit*

Cybersecurity Road Map in the Era of Remote Work and Big Data

In this time of uber-connectivity, remote work, and big data, technology can be a huge asset. That same technology can be the cause of a complete work stoppage, as is often the case with cyber breaches. Explore common attack vectors and vulnerabilities that hackers exploit to wreak havoc. Learn the complicated (and often expensive) process of remediating an incident, and take away proactive measures to improve your cybersecurity posture and prevent hacker malfeasance.

Scott Bailey, N1 Discovery, *Troy*; Elizabeth Callahan-Morris, Henry Ford Health System, *Detroit*; Claudia Rast, Butzel Long, *Ann Arbor*

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HOT TOPIC FOR EVERYONE

Telehealth

This was one of last year's most popular topics—just as the pandemic was first appearing in Michigan. Where are we now? Andrea Lee Linna is back to share insights along with copresenter Kate E. Flewelling of Munson Healthcare. Explore the public's new perception of telehealth and whether it's here to stay.



Andrea Lee Linna

Honigman LLP, *Chicago, IL*

Andrea, a partner with the firm, is passionate about helping her clients embrace emerging technologies. She breaks down telemedicine, a topic she has also presented on for the American Health Lawyers Association and University of Michigan School of Public Health.

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B. Institute Registration | Pick One

Health Law Institute

Includes electronic materials. Get individual on-demand access to video recordings, written materials, and PowerPoints for three years starting 04/16/21. Plus four livestreamed sessions on 03/11/21.

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- \$345 ICLE Partner
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C. Livestreamed Sessions | 03/11/21

- Current Trends in Health Care Fraud and Abuse Enforcement (9:00am-9:50am)
- Riding the Wave of EOs and Waivers Through the Pandemic (10:05am-10:55am)
- The Current Health Care Legal Marketplace (11:10am-12:00pm)
- Health Law Hot Topics and Town Hall Q&A (12:15pm-1:05pm)

"Current Trends" session will be livestreamed only; other three sessions will also be recorded and available on demand.

D. Payment Info

Total Due for Institute Registration (Box B) \$ _____

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