



MARCH 14–15, 2024 | SAINT JOHN'S RESORT, PLYMOUTH

29TH ANNUAL

# Health Law Institute

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**CAN'T-MISS SESSION**

Andrew J. Hull of the U.S. Attorney's Office provides fraud and abuse updates.

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# Keep Pace with Critical Change in Health Care Law

Ambulatory surgical centers (ASCs), antitrust issues, advanced practice practitioners (APPs)—the health care landscape is evolving. Join us for up-to-the-minute analyses of these hot topics, plus essential updates on state and federal regulations and fraud and abuse.

Examine the legal and business aspects of forming, managing, and operating ASCs. Navigate the increased enforcement against noncompete, nonsolicitation, and no-poach agreements. And stay up to date on Michigan laws and rules regarding advanced practice practitioners (APPs).

Whether you represent hospitals/health systems or physicians/medical practices, there's something for everyone.

## THE MAJOR UPDATES YOU EXPECT

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



Andrew J. Hull

U.S. Attorney's Office, *Grand Rapids*

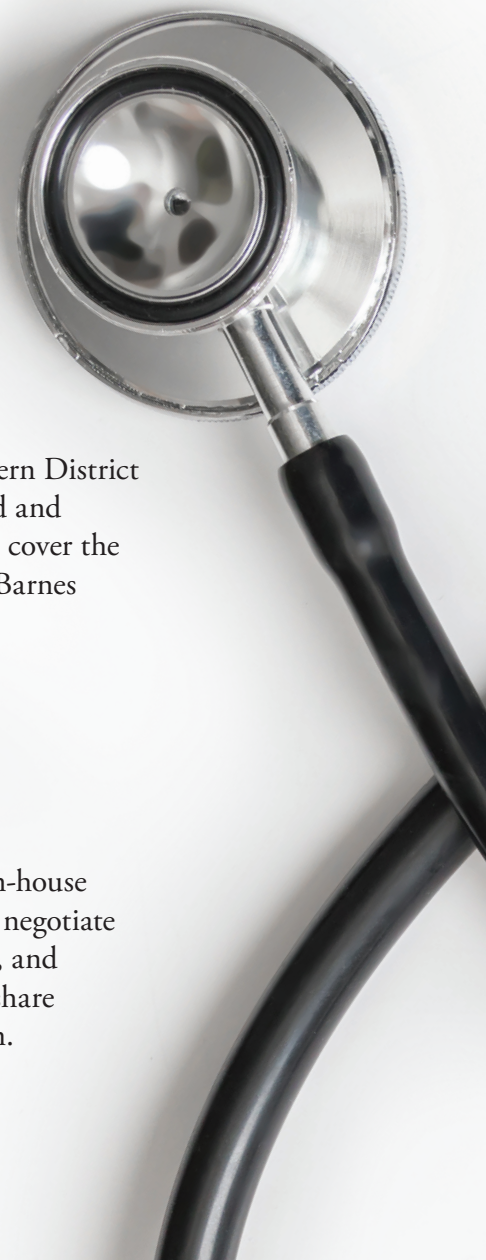
Andrew is an assistant U.S. attorney for the Western District of Michigan. He was previously a lawyer at a food and drug law firm in Washington, DC. He returns to cover the "Fraud and Abuse Update" alongside Denise M. Barnes from Honigman.



Valerie S. Rup

Dykema, *Bloomfield Hills*

Valerie has 24 years of experience and extensive in-house experience with health care groups, helping them negotiate complicated acquisitions, divestitures, affiliations, and more. She is joined by colleague Gerald Aben to share insights on the latest changes in federal regulation.





## FOR HOSPITALS/HEALTH SYSTEMS

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### Hot Topics in Employment

Get practical guidance from counsel at the University of Michigan and Corewell Health on tricky issues such as religious, ADA, and pregnancy accommodations, as well as workplace violence prevention and vaccines.

### HIPAA Rules

Implement best practices when dealing with likely HIPAA changes. Get ahead of the legislation no matter where it stands. Plus, grasp national data privacy trends and their impact on health care providers.

### Antitrust Changes

Navigate the looming changes and increased enforcement against noncompete, nonsolicitation, and no-poach agreements. Walk away with practical strategies for compliance.

## FOR PHYSICIANS/MEDICAL PRACTICES

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### Physician Contracting

Benefit from in-house and private practice perspectives on physician contracting. This nuts-and-bolts session covers professional service agreements, hotly debated clauses, and reimbursement impacts on compensation.

### Working with APPs

The use of advanced practice practitioners (APPs) such as PAs, APRNs, and CRNAs is on the rise. Stay up to date on Michigan laws and rules and be prepared to tackle the real-life challenges of working together.

### Ambulatory Surgical Centers (ASCs)

Dive into the formation, management, and operations of ASCs. Examine laws and regulations ASCs must navigate, including Stark and Anti-Kickback. Hear valuable lessons learned in buying and selling.

## CAN'T-MISS SESSION

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### Artificial Intelligence in Health Care

It's here! Be prepared for challenges when adopting AI and effectively use it to assist clients and patients—from improving health outcomes to mitigating costs. Get an overview of machine learning, natural language processing (NLP), precision medicine, and more.

Lauren is the lead intellectual property, information technology, and data privacy counsel for the health system. Along with Jennifer Dukarski of Butzel Long, she answers your questions on how AI will reshape health care and impact your clients.



Lauren Willens  
Henry Ford Health, Detroit

Schedule

CLE: 8.75 Ethics: 0.75 | Level: Basic/Intermediate/Advanced

8:00am Registration, Vendor Showcase, and Continental Breakfast (Both Days)

THURSDAY, MARCH 14, 2024

9:00am Welcome and Update on Health Care Law Section Activities

9:15am Legal and Business Developments with Ambulatory Surgical Centers

10:15am Federal Regulatory Update

11:00am Networking Break

Expanded Health Care Delivery Track

Professional/Management Development Track

11:15am Working with Advanced Practice Practitioners

Legal Project Management 101: A Case Study

12:05pm Networking Lunch

Expanded Health Care Delivery Track

Professional/Management Development Track

1:15pm Changes in Antitrust and the Impact on Health Care

Ethics Update for Health Care Lawyers

2:15pm Nuts and Bolts of Physician Contracting

Ongoing Discussion on Diversity, Equity, and Inclusion

3:05pm Networking Break

Networking Break

3:20pm Behavioral Health: Crisis and Care

HIPAA Rules and Other Privacy Rules

4:20pm The Dynamics of In-House and Outside Counsel Relationships

5:15pm Networking Reception

FRIDAY, MARCH 15, 2024

9:00am Hot Topics in Employment for Health Care Providers

10:00am Fraud and Abuse Update

11:00am Networking Break

11:15am AI in Health Care: It’s Happening. It’s Here. Now What?

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“A must for lawyers looking to stay ahead of the health law curve.”

-Monica P. Navarro, Vezina Law PLC,  
*Lake Orion*

## Tracks

### Plenary Sessions



**Moderator**

Deborah J. Williamson

Williamson Health Law PLLC, *Brownstown*

8:00am/Thursday & Friday

#### Registration, Continental Breakfast, and Vendor Showcase

9:00am/Thursday

#### Welcome and Update on Health Care Law Section Activities

Hear from the current chair of the Health Care Law Section of the State Bar of Michigan.

Deborah J. Williamson, Williamson Health Law PLLC, *Brownstown*

9:15am/Thursday

#### Legal and Business Developments with Ambulatory Surgical Centers

Review business and legal issues relating to the formation, management, and operations of ASCs. Get the basics of laws and regulations ASCs must navigate, including Stark and Anti-Kickback. Address practical considerations and lessons learned in buying and selling ASCs, including asset versus equity transactions and valuation. Explore trends and statistics for ASC projects.

Mark R. Adams, Hall Render Killian Heath & Lyman PLLC, *Troy*; Scott Trujillo, American Surgical Group, *Bloomfield Hills*

10:15am/Thursday

#### Federal Regulatory Update

Don't miss this annual opportunity to stay current on federal law and regulations in health care. Take away keen analysis of the significance and implications of the past year's new and amended laws, regulations, and judicial interpretations.

Gerald Lawrence Aben, Dykema, *Ann Arbor*; Valerie S. Rup, Dykema, *Bloomfield Hills*

12:05pm/Thursday

#### Networking Lunch

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## AYAR LAW

Tax problems—resolved

4:20pm/Thursday

#### The Dynamics of In-House and Outside Counsel Relationships

The dynamics of the relationship between in-house lawyers and outside counsel are complex. Gain practical insight into the unique balance between customer/client needs and the demands of both in-house and outside counsel. Take away best (and worst) practices for effectively navigating the delicate balance on both sides.

Laura M. Napiewocki, University of Michigan Office of the Vice President and General Counsel, *Ann Arbor*; Mark S. Kopson, Plunkett Cooney PC, *Bloomfield Hills*; Cynthia F. Wisner, Trinity Health, *Livonia*; Andrew B. Wachler, Wachler & Associates PC, *Royal Oak*

5:15pm/Thursday

#### Networking Reception

Relax and join faculty and fellow registrants for light hors d'oeuvres and cocktails.

9:00am/Friday

#### Hot Topics in Employment for Health Care Providers

Hear from experts about the newest developments in labor and employment law in the health care industry. Get the leading perspectives on hot topics, including religious, ADA, and pregnancy accommodations; responding to threats and potential violence by and against employees; vaccination requirements; workplace DEI initiatives; and the use of artificial intelligence. This session will also explore each of these topics in a unionized environment.

Gloria A. Hage, University of Michigan Office of the Vice President and General Counsel, *Ann Arbor*; Ellen Hoepfner, Corewell Health, *Southfield*

## Tracks

10:00am/Friday

### Fraud and Abuse Update

Learn about the latest government activities straight from the U.S. Attorney's Office and a health care lawyer and what precautions you must take to protect your clients. Get an inside look at the complex landscape of fraud and abuse prosecution and get perspectives from both sides.

Denise M. Barnes, Honigman LLP, *Washington, DC*; Andrew J. Hull, U.S. Attorney's Office, *Grand Rapids*

11:15am/Friday

### AI in Health Care: It's Happening. It's Here. Now What?

Artificial intelligence (AI) is groundbreaking and reshaping the way we diagnose, treat, and monitor patients—and how health care systems and payors practice. Leveraging AI can transform how patients receive quality care, mitigate costs for providers, improve research and health outcomes, and reduce physician burnout. Get an overview of machine learning, natural language processing (NLP), large language models (LLMs), rule-based expert systems, precision medicine, and challenges health care will face when adopting AI.

Jennifer A. Dukarski, Butzel Long, *Ann Arbor*; Lauren Willens, Henry Ford Health, *Detroit*

## Expanded Health Care Delivery Track



**Moderator**

Timothy C. Gutwald  
ADHD Online, *Grand Rapids*

11:15am/Thursday

### Working with Advanced Practice Practitioners

The use of advanced practice practitioners (APPs), including PAs, APRNs, and CRNAs is on the rise in all health care settings. Review Michigan laws and rules regulating APP practice and explore the real-life issues and challenges APPs and other health care providers and facilities face when working together.

Kathleen A. Reed, Dykema, *Petoskey*; Rachel Brochert Roe, Munson Healthcare, *Traverse City*

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HEALTH CARE LAW SECTION

1:15pm/Thursday

### Changes in Antitrust and the Impact on Health Care

Big changes are coming in antitrust law. The FTC and DOJ Antitrust Division have significantly increased enforcement against noncompete, nonsolicitation, and no-poach agreements. The agencies have proposed a reworking of the premerger notification process and a rehaul of the merger guidelines. Examine how health care organizations can navigate these changes.

Thomas Jon Cedoz, Husch Blackwell, *Novi*; Matthew C. Hans, Polsinelli PC, *St. Louis, MO*

2:15pm/Thursday

### Nuts and Bolts of Physician Contracting

Analyze the fundamentals of physician contracting and employment agreements, especially professional service agreements, noncompete, nonsolicitation, other hotly debated clauses, and reimbursement impacts on compensation. Gain in-house counsel and private practice perspectives.

Susanne E. Crysler, Henry Ford Health, *Detroit*; Erin M. Drummy, Hall Render Killian Heath & Lyman PC, *Indianapolis, IN*

3:20pm/Thursday

### Behavioral Health: Crisis and Care

Dive into the issues surrounding crisis intervention and telemedicine. Review the recently passed Ryan Haight Act and other recent developments and changes.

Timothy C. Gutwald, ADHD Online, *Grand Rapids*; Beverly Ryskamp, Network 180, *Walker*



## Professional/Management Development Track



**Moderator**

**Mark S. Kopson**

Plunkett Cooney PC, *Bloomfield Hills*

11:15am/Thursday

### Legal Project Management 101: A Case Study

Apply basic principles of legal project management to health care transactions using a case study. Adopt these principles to increase your efficiency and organization, and to better communicate with clients and colleagues.

Jennifer L. Benedict, Honigman LLP, *Detroit*; Sarah McCormick, Honigman LLP, *Detroit*

1:15pm/Thursday

### Ethics Update for Health Care Lawyers

Handle a variety of ethical dilemmas faced by health care lawyers. Avoid the perils and pitfalls of attorney-client privilege and waivers. Safeguard your reputation and dodge the discipline system. Handle difficult clients and ethically engage experts.

Madelaine Lane, Warner Norcross + Judd LLP, *Grand Rapids*

2:15pm/Thursday

### Ongoing Discussion on Diversity, Equity, and Inclusion

Pulling the levers to drive diversity, equity, and inclusion takes keen awareness, risk management, and innovative thinking. Join us for a discussion on decision-making for diversity, equity, and inclusion—not only for hiring and HR-related decisions, but patient care, policy, and advocacy-related matters too. Operationalize DEI principles to attain organizational goals, meet accreditation standards, improve health care equity, and demonstrate a commitment to anti-racism.

David J. Brown, Michigan Medicine Office for Health Equity and Inclusion, *Ann Arbor*; Jaye I. Clement, Henry Ford Health, *Detroit*; Kimberlydawn Wisdom, Henry Ford Health, *Detroit*

3:20pm/Thursday

### HIPAA Rules and Other Privacy Rules

Focus on the effect of proposed amended HIPAA rules for 2023. Get best practices for health care entities and business associates in aligning with the proposed changes. Hear about national trends in general data privacy matters and how they may impact health care providers.

Jeffrey M. Stefan, II, Varum LLP, *Birmingham*; Sarah Wixson, Varum LLP, *Ann Arbor*

## A Sampling of Previous Attendees

Ascension Michigan

Blue Cross Blue Shield of Michigan

Corewell Health

Dykema

Hall Render Killian Heath & Lyman PLLC

Health Alliance Plan

Henry Ford Health

Honigman LLP

Kitch Drutchas Wagner Valitutti & Sherbrook PC

The Health Law Partners PC

Trinity Health

University of Michigan Health System

Varum LLP



# 29TH ANNUAL Health Law Institute

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- ☐ \$157.50 ICLE Partners

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**Accommodations:** A discounted block of rooms has been reserved at Saint John's Resort in Plymouth for 03/13-15/24. Visit [www.icle.org/health/hotel](http://www.icle.org/health/hotel) or call 734-414-0600 and mention ICLE's *Health Law Institute* to reserve a room. Reservations must be made by 02/28/24. Registrants are responsible for their own hotel expenses.