

FOULSTON  SIEFKIN LLP
ATTORNEYS AT LAW
KANSAS HEALTH LAW INSTITUTE
WICHITA HYATT REGENCY
Friday, September 25, 2009

- 8:00 – 8:30 **Registration**
- 8:30 - 9:15 **Top 10 Developments in Health Law in 2009**
Gary Ayers and Dick Hay
- 9:15 – 9:45 **CMS Enforcement Update: RAC Audits and Medicaid Investigations**
There is an unprecedented push by the federal government to reduce an estimated \$24 billion lost annually through improper Medicare and Medicaid reimbursement. CMS has focused its efforts on the Medicare Recovery Audit Contractor (RAC) Program to detect and correct improper Medicare payments and the Medicaid Integrity Program ("MIP") to review and audit payments made by state Medicaid programs. Learn what areas are being targeted, what enforcement tools are being used and how to respond promptly and appropriately.
Gary Ayers
- 9:45 – 10:00 **Refreshment Break**
- 10:00 – 11:00 **Physician Concerns: Medical Staff Membership and Privileges; On-Call and Coverage Issues including EMTALA and Joint Commission; and KS Board of Healing Arts Enforcement Activities**
A discussion of institutional-physician relationships, with an emphasis on medical staff membership and credentialing issues.
Dick Hay and Amy Lemley
- 11:00 – 11:30 **HITECH – Electronic Health Records: Where we are, where we are going, and how are we going to get there.**
The HITECH provisions changed HIPAA Privacy and Security Rules. Learn about those changes to enhance your compliance efforts.
Marta Fisher Linenberger
- 11:30-12:00 **Obama Care – Point Counterpoint**
We will discuss the main healthcare reform proposals in Washington and the implications of these proposals for the healthcare industry.
Gary Ayers and Marta Fisher Linenberger
- 12:00-1:00 Lunch
- 1:00-2:00 **Fraud and Abuse, and the Stark Law in the Real World**
Learn from common (and sometimes uncommon) Stark Law and Fraud and Abuse issues that our panel of health care law experts address in our health care practice and receive hands-on advice on how to stay compliant.
Stan Andeel, Dick Hay, Scott Palecki and Gary Ayers, Moderator
- 2:00 – 2:15 **Refreshment Break**
- 2:15 – 3:00 **Employment Law Update: ADA amendments, FMLA regulations, Genetic Information Nondiscrimination Act of 2008, and recent cases**
Change was promised and change is here. In this session we will highlight a number of significant developments in the employment arena and the rash of new legislation that you now must be aware of.
Wyatt Wright

3:00 – 3:30

FTC Red Flags Rule and Proposed 2010 OPSS Rule

The effective date of the FTC Red Flags Rule is now November 1, 2009. We will discuss identity theft prevention programs and practical challenges and problems for health care providers in complying with the FTC Red Flags Rule. We will also provide an update on the physician supervision requirements for certain therapeutic hospital outpatient services which are covered as services "incident to" a physician's service after CMS' 2008 "clarification" and after the 2010 proposed OPSS Rule. Learn what amendments have been proposed to clarify how certain hospital outpatient services must be supervised along with new more practical approaches that are available.

Scott Palecki

3:30 - 4:00

Audience vs. The Panel: Questions You've Been Wanting to Ask

Stan Andeel, Dick Hay, Marta Fisher Linenberger, Scott Palecki, and Gary Ayers, Moderator