

Join us virtually for Foulston's annual

HEALTH LAW INSTITUTE

WEDNESDAY, OCTOBER 13, 2021

AGENDA:

LEGISLATION, LITIGATION, AND OTHER TRENDS

8:30 - 9:45 AM CT

Panel Presentation

Kicking off the day, the Foulston team will highlight key legislation, litigation, and other trends to keep your eye on. Topics include price transparency, information blocking, behavioral health, supply chain management, rural emergency hospitals, E&M documentation and reimbursement changes, Medicare revocation and enrollment, Provider Relief Funds, the Competitive Health Insurance Reform Act, and Section 1557 compliance.

HIPAA HUSTLE

9:45 - 10:30 AM CT

Brooke Bennett Aziere

In this session, Brooke Aziere will help you dance your way through the HIPAA Privacy, Security, and Breach Notification Rules. This session will explore the Office for Civil Rights' (OCR) enforcement and compliance actions and highlight lessons that all covered entities and business associates should learn from the OCR's actions including a focus on breach and incident response. Ms. Aziere will also cover proposed rulemaking which could lead to changes in how covered entities and business associates approach HIPAA Privacy compliance in the future.

BREAK

10:30 - 10:45 AM CT

VACCINES & MASKS & SURVEYS, OH MY! COVID-19 ISSUES FROM AN EMPLOYMENT AND HEALTH LAW PERSPECTIVE

10:45 - 11:30 AM CT

Amanda Wilwert and Tara Eberline

Amanda Wilwert and Tara Eberline will explore the challenges experienced by healthcare providers as both employers and providers of healthcare services during the COVID-19 pandemic. They will address a variety of topics including vaccine mandates, mask requirements, infection control surveys, COVID-19 safety protocols, and the OSHA healthcare ETS. They will cover best practices for healthcare providers as they continue to navigate the COVID-19 pandemic.

CRITICAL ACCESS HOSPITAL SYSTEMS

11:30 AM - 12:00 PM CT

Dick Hay

This presentation will examine options and hurdles for critical access hospital systems. Dick Hay will draw on his decades worth of experience in representing critical access hospitals and provide examples from Kansas and other states. The limitations in Kansas law applicable to governmental hospitals will also be examined.

LUNCH

12:00 - 1:00 PM CT

On your own

STARK LAW AND ANTI-KICKBACK STATUTE REGULATORY CHANGES: VALUE-BASED PAYMENT MODELS AND BEYOND

1:00 - 1:45 PM CT

Alex Schulte

Late last year, the Centers for Medicare and Medicaid Services (CMS) and the HHS Office of the Inspector General (OIG) each issued final rules implementing significant changes to regulations governing the enforcement of key federal healthcare fraud and abuse statutes. Both CMS's Stark law final rule and the OIG's final rule concerning the Anti-Kickback Statute include substantial provisions aimed at facilitating the transition from fee-for-service to value-based payment models. The final rules, however, also incorporate other significant regulatory changes, including refining the definitions of statutory terms like "fair market value," "commercially reasonable," and "vary with the volume or value of referrals"; implementing new regulatory exceptions and safe harbors; and describing additional requirements for physician practices to qualify as "group practices" under the Stark law. In this presentation, Alex Schulte will provide a summary of these important regulatory changes and present key takeaway messages for healthcare providers.

MONEY FOR NOTHIN' AND YOUR GRIEF FOR FREE

1:45 - 2:30 PM CT

Gary Ayers and Clayton Kaiser

COVID-19 brought forth many different types of relief programs—the Provider Relief Fund, COVID-19 Accelerated and Advance Payments, and the Paycheck Protection Program—that providers, practice groups, hospitals, and health systems rightfully took part of. However, as time goes on and the regulators catch up, numerous allegations of abuse have surfaced. During this session, Gary Ayers and Clayton Kaiser will unpack the background of the early cases that the regulators have brought, discuss the regulators' priorities, and provide recommendations on how healthcare providers can avoid falling within the regulators' crosshairs as they continue to fight through the current global pandemic we are in.

BREAK

2:30 - 2:45 PM CT

LET'S TALK TELEMEDICINE

2:45 - 3:30 PM CT

Gabriella Grause

As the COVID-19 Public Health Emergency continues, Gabriella Grause will delve into the status of Kansas and Missouri telemedicine laws and regulations as well as CMS waivers with respect to telemedicine. Ms. Grause will also analyze what providers can anticipate in the realm of telemedicine—are these laws and regulations here to stay? Or, should providers prepare themselves to transition back to a pre-pandemic approach to telemedicine?

STUMP THE PANEL

3:30 - 4:00 PM CT

Panel Presentation

Back by popular demand, the Foulston team will end the day with Stump the Panel. Attendees can submit their questions at the time they register for Health Law Institute or throughout the day on October 13.

PRESENTERS:

Attendees will hear from these Foulston attorneys on the top issues, laws, and regulations impacting physicians, medical facilities, and other healthcare providers:



AZIERE



ANDEEL



AYERS



EBERLINE



GRAUSE



HAY



KAISER



SCHULTE



WILWERT