

NEW YORK STATE BAR ASSOCIATION



Section Chair:
Lawrence R. Faulkner, Esq.
ARC of Westchester
Hawthorne, NY

Program Chair
Anoush Koroghlian Scott, Esq.
Whiteman Osterman & Hanna LLP
Albany, NY

NYSBA

Health Law Section Fall Meeting

New Frontiers in Health Care

Friday, October 27, 2017

State Bar Center
Albany, NY 12207

#hlsfall17

Attendance at this meeting offers up to 7 MCLE credit hours including 6.0 in Professional Practice and 1 in Ethics. This is not a transitional program and is not suitable for newly-admitted attorneys.



SCHEDULE OF EVENTS

Program Description:

The ever-changing health care industry continues to struggle with reducing the cost of care while enhancing access and improving the quality of care and patient satisfaction, and finds itself needing to embrace new technology, new applications of emerging technology, and new ways of managing terminal illness and chronic disease as a means of achieving that triple aim. These new frontiers of medicine are not without legal, ethical and political implications pertaining to data security, patient privacy, and a patient's right to choose physician-assisted death with dignity or a new (perhaps controversial) course of treatment.

These issues continue to challenge our clients while they keep a watchful eye on the tides of anticipated sweeping change under the current federal administration, and the implications of "repeal and replace" for New York State. This program offers participants insight to regulatory changes, anticipated regulatory changes, and the corresponding legal, ethical, and political implications. Our expert panel of speakers will describe how these new regulatory programs work, recent changes, and how to avoid pitfalls as we help our clients navigate these new frontiers in health care. This program is relevant for attorneys representing all provider types including, but not limited to, health systems, in-house counsel, insurance /payor plans and governmental attorneys involved in health care regulation.

Schedule of Events

Friday, October 27

7:30 am – 8:30 am

Health Law Section Executive Committee Meeting (members only)

Peck Room

8:30 am – 9:00 am

Registration/Breakfast

Front Lobby

9:00 am – 9:10 am

Welcome and Introductions

Section Chair

Lawrence R. Faulkner, Esq.

ARC of Westchester

Hawthorne, NY

Membership Committee Chair

Mishka A. Woodley, Esq.

Shenker Russo Clark LLP

Albany, NY

Program Chair

Anoush Koroghlian Scott, Esq.

Whiteman Osterman & Hanna, LLP

Albany, NY

9:10 am – 10:00 am

Privacy Implications with the Use of Mobile Devices in the Health Care Industry

1.0 MCLE credits in Professional Practice

This panel will explore the privacy implications of the increased use of mobile devices by consumers to collect and track medical data (e.g., FitBit).

Speakers:

Jarom D. Kesler, Esq.

Knobbe Martens

Irvine, CA

Susan M. Natland, Esq.

Knobbe Martens

Irvine, CA

Boris Zelkind, Esq.

Knobbe Martens

Irvine, CA

10:05 am – 10:55 am

NYS Regulatory Updates

1.0 MCLE credits in Professional Practice

• OPWDD regulatory update

• DOH regulatory update

Speakers:

Roger A. Bearden, Esq.

General Counsel

Office for People with

Developmental Disabilities

(OPWDD)

Albany, NY

Lisa Sbrana, Esq.

Director

Office of Marketplace Counsel

NY State of Health

Albany, NY

10:55 am – 11:10 am

Break

11:10 am – 12:00 pm

New York's Medical Marijuana Program: What All Healthcare Attorneys Should Know

1.0 MCLE credits in Professional Practice

Speakers:

James E. Dering, Esq.

Garfunkel Wild PC

Albany, NY

Sandra Jensen, Esq.

Garfunkel Wild PC

Albany, NY

SCHEDULE OF EVENTS

12:05 pm – 12:55 pm

HIPAA Audits: What's Triggering Them and What's on the Horizon?

1.0 MCLE credits in Professional Practice

Speakers:

Christopher W. Meyer, Esq.

Whiteman Osterman & Hanna LLP
Albany, NY

Lisa Lee Anderson, Esq.

U.S. Dept. of Health & Human Services-Office for Civil Rights
New York, NY

12:55 pm – 1:35 pm

Lunch

1:40 pm – 2:30 pm

ACA Repeal and Replace: Implications for New York State

1.0 MCLE credits in Professional Practice

Speaker:

James W. Lytle, Esq.

Manatt Phelps & Phillips, LLP
Albany, NY

2:35 pm – 3:25 pm

Aid in Dying – Legislation and Litigation

1.0 MCLE credits in Professional Practice

Speakers:

David C. Leven, Esq.

End of Life Choices
New York, NY

Brendan Parent, Esq.

NYU School of Professional Studies
New York, NY

3:35 pm – 3:45 pm

Break

3:45 pm – 4:35 pm

Aid in Dying: Ethical Implications

1.0 MCLE credits in Ethics

Moderator:

Brendan Parent, Esq.

NYU School of Professional Studies
New York, NY

Speakers:

Corinne A. Carey, Esq.

New York Campaign Director
Compassion & Choices

Mary Beth Morrissey, Esq.

Fordham University
New York, NY

David C. Leven, Esq.

End of Life Choices
New York, NY

Stephanie L. Woodward, Esq.

Center for Disability Rights
Rochester, NY

Adjournment



IMPORTANT INFORMATION

The New York State Bar Association's Section and Meeting Services Department has been certified by the NYS Continuing Legal Education Board as an accredited provider of continuing legal education in the State of New York. **Under New York's MCLE rule, this program has been approved for a total of 7.0 MCLE credit hours.** This is **NOT** a transitional program and is **NOT** suitable for MCLE credit for newly-admitted attorneys.

DISCOUNTS AND SCHOLARSHIPS: New York State Bar Association members and non-members may receive financial aid to attend this program. Under this policy, anyone who requires financial aid may apply in writing, not later than seven working days prior to the program, explaining the basis of his/her hardship, and if approved, may receive a discount or scholarship. Scholarships apply to the

educational portion of the program only. To apply for a discount or scholarship, please send your request in writing to Amy Jasiewicz at: ajasiewicz@nysba.org or New York State Bar Association, One Elk Street, Albany, New York 12207.

ACCOMMODATIONS FOR PERSONS WITH DISABILITIES: NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Amy Jasiewicz at New York State Bar Association, One Elk Street, Albany, New York 12207 or ajasiewicz@nysba.org.

Special Thanks to Our Planning Committee

Chair

Anoush Koroghlian Scott, Esq.
Whiteman Osterman & Hanna LLP
Albany, NY

Section Chair

Lawrence Faulkner, Esq.
ARC of Westchester
Hawthorne, NY

Caitlin J. Monjeau, Esq.
Community Care Physicians
Latham, NY

James E. Dering, Esq.
Garfunkel Wild PC
Albany, NY

Program Recording:

This program will be recorded. The recording will be available in 60 days at www.nysba.org

CLE:

This program is accredited for MCLE credit in New York State only. Attorneys seeking credit in other jurisdictions may contact the governing body for CLE in their respective locations for credit application details.



NEW YORK STATE BAR ASSOCIATION
HEALTH LAW SECTION
One Elk Street, Albany, NY 12207