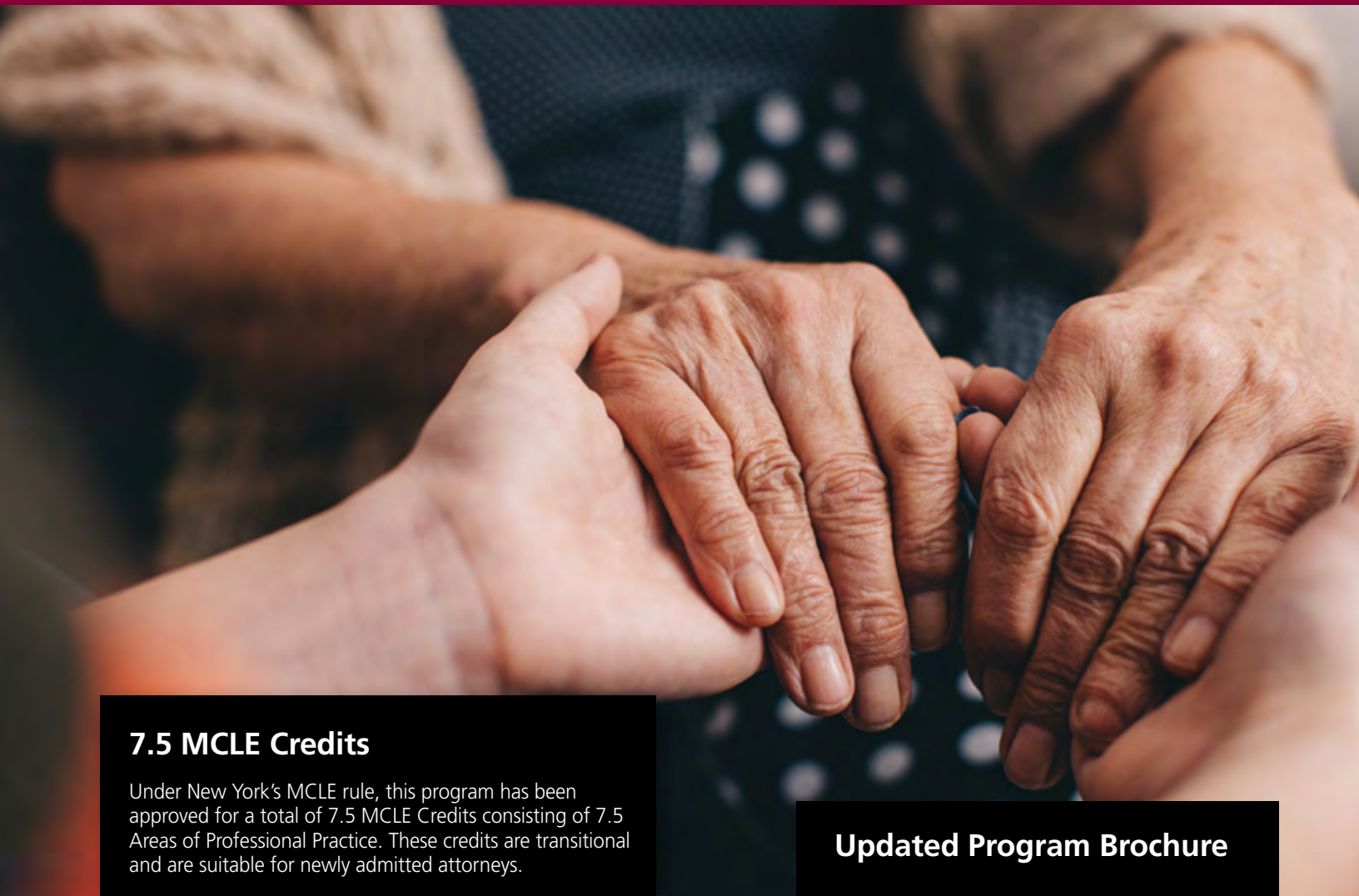




NEW YORK STATE BAR ASSOCIATION HEALTH LAW SECTION



7.5 MCLE Credits

Under New York's MCLE rule, this program has been approved for a total of 7.5 MCLE Credits consisting of 7.5 Areas of Professional Practice. These credits are transitional and are suitable for newly admitted attorneys.

Updated Program Brochure

Fall Meeting 2019

Duties, Rights and the Law at the End of Life

Friday, November 8, 2019
New York State Bar Association | 1 Elk St. | Albany

7.5 MCLE Credits: 7.5 Areas of Professional Practice

Co-Sponsored by the Elder Law and Special Needs Section and Committee on Disability Rights

www.nysba.org/HLSFallMeeting19

Program Co-Chairs

Anoush Koroghlian Scott, Esq. | Jackson Lewis, PC | Albany
Brendan Parent, Esq. | NYU School of Medicine | New York
Lawrence Faulkner, Esq. | The ARC Westchester | Hawthorne, NY

Special Thanks to the Planning Committee:

David I. Kronenberg, Esq. | Goldfarb Abrandt Salzman & Kutzin, LLP | NYC
Tammy Lawlor, Esq. | Miller & Milone, P.C. | Garden City, NY
John V. Tauriello, Esq. | Brown & Weinraub | Albany, NY
Sheila E. Shea, Esq. | Mental Hygiene Legal Service | Appellate Division 3rd Judicial Department | Albany
Kathryn E. Carroll, Esq. | Center for Disability Rights | Albany, NY

Co-Sponsors:

Elder Law and Special Needs Section | Committee on Disability Rights | Health Law Section | Committee on Ethical Issues in the Provision of Healthcare

\$195 Health Law Section members or Elder Law and Special Needs Section members

\$240 NYSBA Members

\$295 Non-NYSBA members

7.5 MCLE Credits: 7.5 Areas of Professional Practice

These credits are transitional and are suitable for newly admitted attorneys.

Join the NYSBA Health Law Section!

Membership in the Health Law Section provides attorneys with the opportunity to meet and network with other health law attorneys, as well as have access to many great benefits specific to the health law area of practice. Annual dues: \$35.

The Benefits of Health Law Section Membership Include:

Receive the Section's newsletter, Health Law Journal features peer-written substantive articles relating to the practice of health law on various topics including the Family Health Care Decisions Act, HIPAA, nursing homes, managed care, mental health, medical ethics and long-term care.

- Participate on the Section's private online community, to post requests for guidance and referrals from health law attorneys from across the state.
- Earn CLE and learn at our New York-specific high-quality educational programs and networking events.
- Join a Committee for professional growth opportunities — the Health Law Section has more than a dozen substantive Committees that provide you with the opportunity to learn about very specific practice areas, and work to influence the laws that can affect your practice.

www.nysba.org/Health/

CLE 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 will provide you with a total of 7.5 credit hours. The breakdown is as follows: 7.5 MCLE Credits in Areas of Professional Practice. These credits are transitional and are suitable 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 ten working days prior to the program, explaining the basis of his/her hardship, and if approved, can receive a discount or scholarship, depending on the circumstances. For more details, please contact: Holly Hirsch, New York State Bar Association, One Elk Street, Albany, New York 12207, or hhirsch@nysba.org.

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 518.487.5682 or ajasiewicz@nysba.org.

AGENDA

8:30 a.m. – 9:00 a.m.	Registration and Continental Breakfast NYSBA 1 Elk St Great Hall
9:00 a.m. – 9:10 a.m.	Welcome Program Co-Chairs Anoush Koroghlian Scott, Esq. Jackson Lewis PC Albany Brendan Parent, Esq. NYU School of Medicine New York Lawrence Faulkner, Esq. The ARC Westchester Hawthorne, NY Health Law Section Chair Hermes Fernandez, Esq. Bond, Schoeneck & King, PLLC Albany NYSBA President Henry M. Greenberg, Esq. Greenberg Traurig, LLP Albany, NY
9:10 a.m. – 10:00 a.m.	The Landscape of Hospice and Palliative Care <ul style="list-style-type: none">• Palliative Care Information Act; Access Act• Social/Economic Determinants of Health and what this means for Palliative Care Speakers: David C. Leven, J.D. End of Life Choices New York NYC Mary Beth Quaranta Morrissey, Esq., PhD Fordham University NYC Christopher P. Comfort, MD Calvary Hospital Medical Director NYC <i>1.0 MCLE credits in Areas of Professional Practice</i>
10:00 a.m. – 10:15 a.m.	Coffee break
10:15 a.m. – 11:30 a.m.	Examining Medical Aid in Dying in NY State Introduction: David C. Leven, JD End of Life Choices New York NYC Moderator: Peter J. Strauss, Esq. Pierro, Connor & Strauss, LLC NYC Speakers: Corinne A. Carey, Esq. Campaign Director, Compassion and Choices Troy, NY Kathryn E. Carroll, Esq. Manager, Government Affairs Center for Disability Rights Albany Seth Morgan, MD Neurologist and Fellow, American Academy of Neurology Chevy Chase, MD Dennis C. Vacco, Esq. Lippes Mathias Wexler Friedman, LLP Buffalo, NY <i>1.5 MCLE credits in Areas of Professional Practice</i>
11:30 a.m. – 12:20 p.m.	Lunch (Buffet served in the Great Hall) Lunch Speaker: Health Policy Reform in the New York State Legislature New York State Assemblyman Richard N. Gottfried Advance Directives and Surrogate Decision Making for Patients Who Lack Capacity
12:20 p.m. – 12:25 p.m.	I. Why Make It Simple? Introduction of Presenters Speaker: Lawrence Faulkner, Esq. The ARC Westchester Hawthorne, NY
12:25 p.m. – 12:50 p.m.	II. Choosing the Statute that Applies A. Advance Directives Speakers: Tammy Lawlor, Esq. Miller & Milone, P.C. Garden City, NY <i>0.5 MCLE credits in Areas of Professional Practice</i>

AGENDA

12:50 p.m. – 1:40 p.m.

B. The Family Health Care Decisions Act (FHCDA) Issues

- Scope of statute-hospitals, nursing homes, hospice;
- Patients subject to the statute;
- Legally Authorized Surrogates;
- Decision Making Standards

Speakers:

Hon. Kathy J. King | Kings County Supreme Court | Brooklyn
Robert N. Swidler, Esq. | St. Peter's Health Partners | Albany, NY
Eve Green Koopersmith, Esq. | Garfunkel Wild, PC | Great Neck, NY

1.0 MCLE credits in Areas of Professional Practice

1:40 p.m. – 2:30 p.m.

C. Special Populations

- Section 1750-b of the Surrogate's Court Procedure Act;
- Decision Making Standards, consulting clinicians;
- Strategies to Improve Quality of Care and Honoring Preferences for Persons with
- Case example (Matter of Sloane).
- What does it mean to be transferred from a mental hygiene facility to a hospital;
- Notice requirements when a patient transferred from a mental hygiene facility is deemed to lack capacity.

Speakers:

Sheila E. Shea, Esq. | Mental Hygiene Legal Service | Appellate Division 3rd Judicial Department | Albany
Lisa Volpe, Esq. | New York State Mental Hygiene Legal Service for the 2nd Judicial Department | Garden City, NY
Sadie Ishee, Esq. | Mental Hygiene Legal Service | Appellate Division 1st Judicial Department | NYC

1.0 MCLE credits in Areas of Professional Practice

2:30 p.m. – 2:55 p.m.

II. Recommendations of the Task Force on Life and the Law with respect to patients with mental illness and developmental disabilities

Robert N. Swidler, Esq. | St. Peter's Health Partners | Albany, NY

0.5 MCLE credits in Areas of Professional Practice

2:55 p.m. – 3:10 p.m.

Break

3:10 p.m. – 4:00 p.m.

New Issues in Organ Donation in NY State

- Move to include more donation after cardiac death
- Anti-Discrimination in Organ Recipient legislation
- Administrative Consent to Donation
- Figuring out why New York has the worst procurement in the United States
- Understanding and Regulating Vascularized Composite Allograft Transplants

Speakers:

Brendan Parent, Esq. | NYU School of Medicine | New York
Christina W. Strong | Law Office of Christina Woodward Strong | Belle Mead, NJ
James W. Lytle, Esq. | Manatt Phelps & Phillips, LLP | Albany, NY

1.0 MCLE credits in Areas of Professional Practice

AGENDA

4:00 p.m. – 4:50 p.m.

Clinical Trials and Non-Trial Access to Investigational Medical Products

- Understanding US mechanisms for access to unapproved drugs and devices (e.g., clinical trials and non-trial access pathways, such as Expanded Access and Right to Try)
- Understanding “Right to Try” Laws: What they claim vs do
- Why clinical trials are the preferred route of accessing investigational medical products and what is owed to a trial participant once the trial ends

Speakers:

Alison Bateman-House, PhD, MPH | Division of Medical Ethics | NYU Langone School of Medicine | NYC

Valerie N. Bonham, Esq. | Ropes & Gray | Washington DC

1.0 MCLE credits in Areas of Professional Practice

4:50 p.m. – 5:00 p.m.

Closing/Thank You

ANNUAL MEETING AND EXPO

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**JANUARY
27–31, 2020**
NEW YORK CITY

SAVE THE DATE

Health Law Section CLE and Luncheon
Wednesday, January 29, 2020



NEW YORK STATE
BAR ASSOCIATION



NEW YORK STATE BAR ASSOCIATION

MEETING REGISTRATION FORM

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Health Law Section Member Fee: \$195.00 _____

☐ I'd like to join the Health Law Section for \$35 and register at the Section member rate (NYSBA membership required).
\$35.00 _____

☐ Elder Law and Special Needs Section Member \$195.00 _____

☐ I'd like to join the Elder Law and Special Needs Section for \$30 and register at the Section member rate (NYSBA membership required).
\$30.00 _____

NYSBA Member Fee: \$240.00 _____

Non-NYBSA Member Fee: \$295.00 _____

NYSBA Member Law Students: FREE _____

Newly Admitted Attorney Fee \$95.00 _____

PAYMENT INFORMATION

☐ Check or money order enclosed in the amount of \$ _____
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Duties, Rights and the Law at the End of Life Health Law Section - Fall Meeting 2019

Friday, November 8, 2019
9:00 a.m. - 4:30 p.m.

Live CLE Program
New York State Bar Association
1 Elk Street, Albany, NY 12207

Registration fee includes:

Continental breakfast, lunch,
coffee breaks and program
materials.

Cancellation Notice:

Notice of cancellation must
be received by November 1, 2019
in order to obtain a refund
for registration fees.

Fax or mail this form with registration fee(s) to:

Amy Jasiewicz
New York State Bar Association
One Elk Street
Albany, New York 12207
Phone: 518.487.5682
Fax: 518.463.5993





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

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7.5 MCLE Credits

NYSBA – HEALTH LAW SECTION