

NEW YORK STATE BAR ASSOCIATION

Health Law Section Annual Meeting

WEDNESDAY, JANUARY 28, 2015

New York Hilton Midtown
1335 Avenue of the Americas, New York City

Committee Breakfast Meetings

7:45 a.m. – 8:45 a.m.

Nassau, 2nd Floor

MCLE Program

9:00 a.m. – 4:45 p.m.

Gramercy, 2nd Floor

Luncheon

12:30 p.m. – 1:45 p.m.

Nassau, 2nd Floor

IMPORTANT INFORMATION

Under New York's MCLE rule, this program has been approved for a total of **6.5 credit hours in Professional Practice**. This program will not qualify for newly-admitted attorneys because it is not a basic practical skills program. **Discounts and Scholarships:** New York State Bar Association members and non-members may apply for a discount or scholarship to attend this program, based on financial hardship. ***This discount applies to the educational portion of the program only.*** Under this policy, any member of our Association or non-member who has a genuine basis for their hardship, if approved, can receive a discount or scholarship, depending on the circumstances. Request for discounts or scholarships must be received **by January 16, 2015**. For more details, please contact Lori Nicoll at New York State Bar Association, One Elk Street, Albany, New York 12207 or lnicoll@nysba.org.

Section Chair/Program Co-Chair

Margaret J. Davino, Esq.

Kaufman Borgeest & Ryan LLP
New York City

Program Co-Chair

Kenneth R. Larywon, Esq.

Martin Clearwater & Bell LLP
New York City

HOT AND UPCOMING TOPICS IN NEW YORK HEALTH LAW

9:00 – 9:15 a.m.

Welcoming Remarks and Introduction

Margaret J. Davino, Esq., Health Law Section Chair and Program Co-Chair

Kenneth R. Larywon, Esq., Program Co-Chair

9:15 – 9:45 a.m.

Update as to State Legislation: Recent Bills and Upcoming Laws

(.5 credits in Professional Practice)

Overview of key issues addressed by New York legislators and regulators in the healthcare arena during 2014 and a preview of coming attractions for the 2015 legislative session, including legislation relating to professional licensure, health personnel staffing, scopes of practice, medical marijuana, heroin treatment, treatment of maternal depression and concussions, and organ donation, as well as regulatory or administrative actions taken on issues such as antitrust relief, ACOs, health information technology and Ebola.

Speaker:

James W. Lytle, Esq.

Manatt, Phelps & Phillips, LLP
Albany

9:45 – 10:35 a.m.

The New York Justice Center (1.0 credits in Professional Practice)

Discussion of the effect of the rollout of the legislation creating the NY Justice Center and its regulations re investigation of incidents involving vulnerable persons, including staff rights and legal responsibilities, recent additional legislation, what allegations the Justice Center investigates, etc.

Speakers:

Lawrence R. Faulkner, Esq.

ARC of Westchester
Hawthorne

Robert A. Hussar, Esq.

Manatt Phelps & Phillips LLP
Albany

10:35 – 10:50 a.m. **Coffee Break**

10:50 – 11:40 a.m. **New NY Out of Network Billing Law** (1.0 credits in Professional Practice)

New York law as of 3/31/2015 will require providers to disclose and post information about participation in patient's networks (including participation by other professionals involved in a patient's care), require health plans to disclose information re authorization and charges, impose new network adequacy requirements, and set up a dispute resolution system between providers and health plans for emergency and other "surprise" out-of-network bills.

Speakers:

Morris M. Auster, Esq.

Medical Society of the State of NY
Albany

Lynelle Bosworth, Esq.

Greenberg Traurig LLP
Albany

Troy J. Oechsner, Esq.

New York State Department of Financial Services
Albany

11:40 – 12:30 p.m. **Implementation of DSRIP** (1.0 credits in Professional Practice)

The NYS Medicaid Director will discuss how DSRIP will fundamentally restructure the health care delivery system in New York by reinvesting in the Medicaid program, with the primary goal of reducing avoidable hospital use by 25% over 5 years.

Speaker:

Jason A. Helgerson

NY State Department of Health
Albany

Tracy E. Miller, Esq.

Bond, Schoeneck & King PLLC
New York City



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| 12:30–1:45 p.m. | LUNCHEON – Murray Hill, 2nd Floor <i>Section Business Meeting and Election of Officers</i> |
| 1:45–2:35 p.m. | Developments in Managed Medicaid Care (1.0 credits in Professional Practice) Representatives of State agencies will discuss major 2015 initiatives in Medicaid managed care, including FIDA, HARP and the transition of nursing home residents into managed care. |
| Speakers: | <div> Gregory Allen, Esq. Director, NYS Department of Health Division of Program and Management Albany </div> <div> Harold N. Iselin, Esq. Greenberg Traurig, LLP Albany </div> <div> Robert A. Kent, Esq. General Counsel, OASAS Albany </div> <div> Mark L. Kissinger, Esq. Director, Division of Long Term Care NYS Department of Health Albany </div> <div> Robert Myers, Esq. Senior Deputy Commissioner Division Director, Division of Adult Services NYS Office of Mental Health Albany </div> |
| 2:35–3:25 p.m. | IT Update: The Statewide Health Information Network for NY (SHIN-NY), RHIOs and providers (1.0 credits in Professional Practice) Review of the legal issues involving participation by providers in Regional Health Information Organizations (RHIOs) that allow sharing of health data between providers, and the new regulations regarding to the Statewide Health Information Network of NY (SHIN-NY), connecting RHIOs as qualified entities to create a secure network spanning the State. |
| Speaker: | Herbert J. Glose, Esq. Hiscock & Barclay, LLP Buffalo |
| 3:25–3:40 p.m. | Coffee Break |
| 3:40–4:45 p.m. | Retention of Overpayments; Enforcement Actions and Self-Disclosures (1.0 credits in Professional Practice) Discussion of how the OIG has interpreted requirements for return of overpayments, recent actions against hospitals for alleged failure to do so and legal issues raised in those actions and self-disclosure and administrative enforcement trends. |
| Speakers: | <div> Robert K. DeConti, Esq. Assistant Inspector General for Legal Affairs Office of the Inspector General U.S. Department of HHS </div> <div> Edward S. Kornreich, Esq. Proskauer Rose LLP New York City </div> <div> Francis J. Serbaroli, Esq. Greenberg Traurig LLP New York City </div> |



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 Lori Nicoll at 518-487-5563.



For overnight room accommodations, please call the New York Hilton Midtown at 1-800-445-8667 and identify yourself as a member of the New York State Bar Association. Room rates are \$259.00 for single/double occupancy. **Reservations must be made by January 9, 2015.** You also can reserve your overnight room on the web at www.nysba.org/15accomm.



For questions about this specific program, please contact Lori Nicoll at 518-487-5563. **For registration questions only, please call 518-487-5621. Fax registration form to 518-463-5993.**

Health Law Section Annual Meeting

Wednesday, January 28, 2015
New York Hilton Midtown
1335 Avenue of the Americas, New York City
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CLE Program, 9:00 a.m.–4:45 p.m.
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