

GUIDE TO SEMINAR MATERIALS



HEALTH LAW UPDATE & ANNUAL MEETING

June 8-10, 1994
Chicago, IL

Program Co-Chairs:

Marilou M. King, Esquire
and
Jeanie M. Johnson, M.A.

Paper Title: *Fundamentals for Payors and Providers*
Author: James P. Kelly, Esquire
Abstract: Introductory overview of the most significant fundamentals of Medicare, Medicaid and managed care payment mechanisms.
Subject Keys: Payment Issues, Managed Care
No. of Pages: 31 Price: \$20.50

Paper Title: *Fundamentals of Health Law*
Author: Tom Curtis, Esquire
Abstract: Outlines legal issues concerning healthcare providers including medical staff issues, patient rights, liability issues, and related legislation.
Subject Keys: Professional Rights, Individual Rights, Medical Malpractice, Healthcare Reform
No. of Pages: 19 Price: \$14.50

Paper Title: *Major Regulations Affecting Health Care Providers*
Author: Susan O. Scheutzow, Esquire
Abstract: Reviews major regulations affecting healthcare providers, including anti-referral and anti-kickback statutes, tax exemption issues, anti-trust law, and state certificate of need programs.
Subject Keys: Fraud and Abuse, Tax, Antitrust, Health Planning
No. of Pages: 54 Price: \$32.00

Paper Title: *Practice Management Issues for Healthcare Practices in Large Firms*
Author: Michael F. Anthony, Esquire
Abstract: Outlines practice management issues facing those involved with large law firms. Outlines general concepts discussed in workshop.
Subject Keys: Representation Issues, Employment Issues
No. of Pages: 9 Price: \$9.00

Paper Title: *Practice Management Issues for Healthcare Practices in Small Firms*
Authors: Brent L. Henry, Esquire and Thomas K. Hyatt, Esquire
Abstract: Outline of management issues according to type of practice; how to develop new areas of expertise; monitoring new developments; marketing; networking; working with consultants and in-house counsel; and computers.
Subject Key: Representation Issues
No. of Pages: 5 Price: \$5.00

To order a Seminar Paper or Full Program Binder, use the order form on page 8 of this *Guide*, or call NHLA at (202) 833-1100.

Paper Title: ***Case Law Update: Review and Emerging Trends***
Authors: Marilou M. King, Esquire, David A. Rapoport, Esquire, and Elizabeth S. Turqman, Esquire
Abstract: Highlights the most influential developments and trends in healthcare case law in the past year; includes overview of key decisions in eleven areas of health law.
Subject Keys: Antitrust, Employment Issues, Insurance, Fraud and Abuse, Healthcare Reform, Managed Care, Medical Malpractice, Payment Issues, Professional Rights, Tax
No. of Pages: 160 Price: \$70.00

Paper Title: ***New Physician Structures***
Author: Michael A. Cassidy, Esquire
Abstract: Legal and practical issues (with sample documents) facing physicians in creation of multi-site clinics and affiliations with/acquisitions by insurers.
Subject Keys: Professional Rights, Managed Care
No. of Pages: 40 Price: \$25.00

Paper Title: ***New Physician Organizations: Structures and Legal Issues***
Author: John M. DeLaney, Esquire
Abstract: Discusses various PPO models, including Staff, Messenger and Standing Offer, IPAs, and PHOs. Examines new model of PPO with National Cardiovascular Network. Looks at growth of managed care and movement toward integration and affiliation of physicians.
Subject Key: Managed Care
No. of Pages: 13 Price: \$11.50

Paper Title: ***PHO Overview***
Author: Douglas A. Hastings, Esquire
Abstract: Brief analysis of some of the typical structures of physician-hospital organizations and the strategic and legal reasons for their proliferation in recent years. Also addresses the legal issues related to capitation and other risk-sharing arrangements by PHOs as well as issues related to PHO credentialing.
Subject Keys: Managed Care, Professional Rights
No. of Pages: 72 Price: \$41.00

Paper Title: ***Physician-Hospital Organizations: The Physician Perspective***
Author: Dale H. Cowan, M.D., J.D.
Abstract: Reviews the advantages and disadvantages of PHOs for physicians and discusses the business and legal considerations from a physician's perspective of the planning, organizing, financing, governing, and operation of PHOs.
Subject Keys: Managed Care, Professional Rights
No. of Pages: 24 Price: \$17.00

Paper Title: ***Physician Hospital Organizations***
Author: Julia Krebs-Markrich, Esquire
Abstract: Discusses the development of the Physician Hospital Organization from the perspective of hospital members of the PHO. Outlines business issues to be considered, and possible issues arising under the anti-kickback statute, Stark II, antitrust and tax laws.
Subject Keys: Antitrust, Fraud and Abuse, Tax
No. of Pages: 36 Price: \$23.00

Paper Title: ***Contracting Issues Between Integrated Systems and Managed Care Organizations and Plans***
Author: Gary Scott Davis, Esquire
Abstract: Outlines the impact of health reform on providers, including contract management and drafting, contracting alternatives, creating an IDS network, and merging of coverage and care.
Subject Keys: Healthcare Reform, Contracts
No. of Pages: 39 Price: \$24.50

Paper Title: ***Selected Insights into Managed Care Contract Negotiations from the Plan Sponsor's Perspective***
Author: Cynthia M. Stamer, Esquire
Abstract: Provides an overview of selected factors affecting plan sponsors in managed care. Discusses marketing and contracting processes illustrated by a number of hypothetical common managed care provisions.
Subject Keys: Managed Care, Contracts
No. of Pages: 77 Price: \$43.50

Paper Title: **Legal Update for HMOs**
Author: Alan Bloom, Esquire
Abstract: Reviews the notable cases, government actions, and legislation in the HMO field in the last 12 months, with speculation on what to expect in the 12 months ahead.
Subject Key: Managed Care
No. of Pages: 17 Price: \$13.50

Paper Title: **Ancillary Facilities for Physicians in the 1990s: Formation and Dissolution Issues**
Author: Anthony M. DiLeo, Esquire
Abstract: Physician ancillaries from the standpoint of the fraud and abuse statutes and regulations, and from the standpoint of Stark I, Stark II, and potentially Stark III are considered in detail. Additionally considers present and proposed Safe Harbor regulations and developments in the area of ancillary facilities.
Subject Key: Fraud and Abuse
No. of Pages: 57 Price: \$33.50

Paper Title: **HIV Issues Specific to the Healthcare Worker**
Author: Maria Currier, Esquire
Abstract: Overview of Americans with Disabilities Act and its application to HIV-infected healthcare workers. Discusses the obligation of a healthcare employer to ensure a safe work environment and to inform patients of the HIV status of healthcare workers under certain circumstances. Provides a summary of recent court cases analyzing the conflict between private rights and public interests.
Subject Keys: AIDS, Disability Issues, Employment Issues, Individual Rights
No. of Pages: 35 Price: \$22.50

Paper Title: **IDS - The Stark Reality**
Author: Leonard C. Homer, Esquire
Abstract: Outlines the implications of Stark II on physician self-referrals; defines key elements; lists exceptions to prohibitions, means of reporting, and possible sanctions.
Subject Keys: Fraud and Abuse, Healthcare Reform
No. of Pages: 14 Price: \$12.00

Paper Title: **Capitalizing & Financing New Integrated Systems**
Author: Francis J. Serbaroli, Esquire
Abstract: Outlines legal and practical considerations in determining how to acquire other healthcare providers, and how to finance such acquisitions.
Subject Keys: Capital Finance, Managed Care, Tax, Payment Issues
No. of Pages: 13 Price: \$11.50

Paper Title: **Applying Risk Management to New Practice Arrangements**
Author: Ellen Covner Weiss, Esquire
Abstract: Reviews the applications of risk management principles and procedures to the formation and operation of new practice arrangements and its implications for improving quality and reducing cost. Discusses physician credentialing and creation and function of a Quality Management Committee, with attention to applicable laws, e.g., ADA, National Practitioner Data Bank.
Subject Keys: Professional Rights, Medical Malpractice, Disability Issues
No. of Pages: 36 Price: \$23.00

Paper Title: **Equity Financing for Physician Groups**
Author: Walter Earl Bissex, Esquire
Abstract: Summary and guidelines for advising physician practice groups in raising capital through a public offering. Includes outlines for restructuring the practice, due diligence review, and summary of the public offering process.
Subject Key: Capital Finance
No. of Pages: 48 Price: \$29.00

Paper Title: **New Enforcement Regulations for Nursing Facilities**
Author: Stephen J. Maag, Esquire
Abstract: Outlines nursing home enforcement regulations from 1980 to 1992 and proposed regulations, including recent decisions on enforcement authority.
Subject Key: Long Term Care
No. of Pages: 20 Price: \$15.00

Paper Title: ***Antitrust and Health Care Reform***
Authors: Robert E. Bloch, Esquire and Donald M. Falk, Esquire
Abstract: Analyzes the antitrust issues raised by health alliances, health plans, provider networks, mergers and joint ventures, enforcement agencies' healthcare policy statements, and exemptions proposed by federal and state legislation.
Subject Keys: Antitrust, Healthcare Reform
No. of Pages: 58 Price: \$34.00

Paper Title: ***Legal Ethics and Malpractice Prevention in Health Lawyering: The Rules of the Winding Road***
Author: Alan S. Goldberg, Esquire
Abstract: Reviews issues of whether or not to accept representation of a for-profit or not-for-profit provider in a pending legal matter, and whether such representation precludes representation of the professional or administrative staff.
Subject Key: Representation Issues
No. of Pages: 5 Price: \$5.00

Paper Title: ***The Role of Practice Parameters in Healthcare Reform, Medical Malpractice and Managed Care***
Author: Stephen J. Schanz, Esquire
Abstract: Discusses state and federal AHCPDR development of practice parameters and their use legally and medically. Highlights recent court rulings which have arguably expanded the potential uses of practice parameters in litigation. Review of these cases provides a glimpse into how courts are dealing with the emergence of these parameters and guidelines.
Subject Keys: Professional Rights, Healthcare Reform, Medical Malpractice, Managed Care
No. of Pages: 18 Price: \$14.00

Paper Title: ***Bankruptcy and Insolvency Risks in Health Care Reform and Integration***
Authors: Stephen H. Warren, Esquire and William M. Sage, M.D., J.D.
Abstract: Identifies patterns of risk in the emerging healthcare marketplace; suggests ways to reduce legal difficulties arising from insolvency; and explores the potential effects of healthcare reform on business failure.
Subject Keys: Bankruptcy, Healthcare Reform
No. of Pages: 23 Price: \$16.50

Paper Title: ***Management Services Organizations (MSOs): Structural, Legal and Operational Issues***
Author: Paul R. DeMuro, Esquire
Abstract: Discusses the structural, legal and operational issues with respect to Management Services Organizations, their advantages and disadvantages, medical group development, the need for a business plan, and MSO models and operational issues.
Subject Keys: Managed Care, Professional Rights
No. of Pages: 24 Price: \$17.00

Paper Title: ***Medicare Payment and Regulation of Clinical Laboratory Testing***
Author: Robert E. Mazer, Esquire
Abstract: Discussion of basis for payment for clinical laboratory services, fraud and abuse as they apply to clinical labs, CLIA and OSHA.
Subject Keys: Payment Issues, Fraud and Abuse
No. of Pages: 32 Price: \$21.00