Healthcare Enforcement Compliance Conference

November 15–18, 2020
Washington, DC

Gain insight into properly monitoring, detecting, investigating, and managing violations. Hear directly from government officials and learn from the unique perspectives of those who deal with regulations daily.

Take advantage of the opportunity to sit for the Certified in Healthcare Compliance (CHC)® exam, offered on the last day of the conference.

Register by August 25 to save

Learn more and register
hcca-info.org/2020HECC

HCCA
Health Care Compliance Association

About the conference

Hear first-hand from government officials about regulatory changes, expectations, and key priorities at the Healthcare Enforcement Compliance Conference. Gain the knowledge and skills needed to properly address potential violations and improve your organization's compliance program. Connect and share ideas with your industry peers and government officials while earning valuable continuing education units (CEUs).

Who should attend?

- Compliance officers
- Chief quality officers
- Presidents/CEOs
- Senior internal auditors
- Directors of compliance
- Regulatory/risk officers
- Government employees
- General counsel
- Compliance attorneys

Learning objectives

Attendees will gain valuable insight into current enforcement issues. They also will gain a greater understanding about how to detect problems and properly investigate violations within their organizations. Session topics this year will include:

- False Claims Act
- Cybersecurity & Healthcare Privacy
- Fraud Enforcement
- Corporate Integrity Agreements & IRO
- Enforcement in Clinical Research
- Privacy Regulations
- Managed Care
- Telehealth
- CMS Oversight
- Anti-kickback and Stark Law
- Compliance Investigations
- Opioid Crisis

Contact us

Please visit us online at hcca-info.org/2020HECC to learn more about the conference and HCCA's other programs.

CHC™
CERTIFIED IN HEALTHCARE COMPLIANCE

Showcase your healthcare compliance knowledge by becoming Certified in Healthcare Compliance (CHC)®

The CHC exam will be offered on the last day of the Healthcare Enforcement Compliance Conference.

A separate application and fee submitted directly to Compliance Certification Board (CCB)® is required.

DETAILS

Wednesday, November 18

Check in: 1:00 – 1:15 PM

Exam: 1:15 – 3:15 PM

Cost: HCCA Members: $275
Non Members: $375

Find qualification information and apply:
hcca-info.org/certification

Program at a glance

Sunday, November 15 • Pre-Conference

8:00 AM – 6:30 PM	**Registration Open**		
9:00 – 10:30 AM Pre-Conference Concurrent Breakout Sessions	**P1 Anatomy of a False Claims Act –** Moderator: Kathy Lauer, Partner, Latham & Watkins, LLP; Sean O'Connell, Counsel, Hunton Andrews Kurth	**P2 Encryption: Policy to Practice, Lower Risk, Increase Compliance –** Uday Ali Pabrai, CEO, ecfirst	**P3 Medicaid Fraud Enforcement Update –** Josh Lichtblau, Director, Medicaid Fraud Division, NJ Comptroller's Office; Jack Wenik, Partner, Epstein Becker & Green PC
10:30 – 11:00 AM	**Networking Break**		
11:00 AM – 12:30 PM Pre-Conference Concurrent Breakout Sessions	**P4 Litigating a False Claims Act Case**	**P5 Is Your Conflicts of Interest Program Effective –** Julie Hamilton, Managing Director, Deloitte & Touche LLP; Debra Berns, Senior Vice President and Chief Risk Officer, Memorial Sloan Kettering Cancer Center; Colleen Curran, Managing Director, Alvarez & Marsal	**P6 Understanding the Components of a Comprehensive Compliance Risk Assessment Process –** Carrie Kusserow, Managing Senior Consultant, Strategic Management Services; Anne Daly, Chief Compliance & Integrity Officer, Children's Hospital of Chicago Medical Center
12:30 – 1:45 PM	**Lunch (on your own)**		
1:45 – 3:15 PM Pre-Conference Concurrent Breakout Sessions	**P7 Handling a Criminal Healthcare Fraud Case**	**P8 Root Cause Analysis Workshop –** Dwight Claustre, Retired Compliance Professional; Rosalind Cordini, Senior Vice President/Director of Compliance Services, Coker Group	**P9 DOJ Updated Guidance: June 2020 –** Judy Ringholz, VP of Compliance and Ethics & Chief Compliance Officer, Jackson Health System
3:15 – 3:45 PM	**Networking Break**		
3:45 – 5:15 PM Pre-Conference Concurrent Breakout Sessions	**P10 Federal Administrative Sanctions**	**P11 CIAs and IROs: What Are They and Why Do They Matter –** Bert F. Lacativo, Sr Managing Director, GlassRatner Advisory & Capital Group LLC; Steve Ortquist, Founder & Principal, Arete Compliance Solutions, LLC	**P12 Compliance Repayment and Self-Disclosure**
5:15 – 6:45 PM	**Welcome Reception in Exhibit Hall**		

Program at a glance

Monday, November 16 • Conference

7:00 AM–6:30 PM	**Registration Open**		
7:00–8:00 AM	**Continental Breakfast and Exhibitor Networking**		
8:00–8:15 AM	**Opening Remarks**		
8:15–9:30 AM	**GS1: Government Compliance Enforcement Panel**		
9:30–10:00 AM	**Networking Break with Exhibitors**		
10:00–11:00 AM Concurrent Breakout Sessions	**101 Preventing Enforcement Actions in Clinical Research: Operational Strategies for Avoiding Financial Frauds –** Brian D. Annulis, Sr Managing Director, Ankura Consulting Group	**102 The Secret Sauce for Complying with Privacy Regulations –** Karen Snyder, Healthcare Marketing, Iron Mountain; Darrell Contreras, Chief Compliance Officer, Millennium Health	**103 The Myth(s) of Median to 75th: New Perspectives on Assessing, Managing, and Monitoring Physician Compensation Arrangement Risk –** Adam Klein, Principal, ECG Management Consultants; James G. Sheehan, Chief, Charities Bureau, NY Attorney General; Heather L. Fields, Shareholder, Chair-Hospital/Health Systems Practice, Reinhart Boerner Van Deuren s.c.
11:00–11:30 AM	**Networking Break with Exhibitors**		
11:30 AM–12:30 PM Concurrent Breakout Sessions	**201 Managed Care Enforcement and Compliance**	**202 How OIG Uses Data in its Affirmative Cases & How Data Can Be Incorporated into Compliance –** Geoffrey Hymans, Senior Counsel, Office of Inspector General, US Health and Human Services	**203 HHS' Regulatory Sprint to Coordinate Care**
12:30–1:30 PM	**Networking Lunch**		
1:30–2:30 PM Concurrent Breakout Sessions	**301 False Claims Act Liability in Post-Acute Care –** Claudia E. Reingruber, Shareholder, Saltmarsh, Cleaveland & Gund	**302 Staying Afloat in a Sea of Privacy Laws –** Jeff Gibson, Member, Bass, Berry & Sims; John M. Bailey, Global Privacy Counsel, St Jude Children's Research Hospital	**303 Lessons Learned from Stark Investigations –** David M. Glaser, Shareholder, Fredrikson & Byron PA; Matthew Krueger, United States Attorney, Eastern District of Wisconsin
2:30–3:00 PM	**Networking Break with Exhibitors**		
3:00–4:00 PM Concurrent Breakout Sessions	**401 Enforcement and Compliance for Pharmacies –** Josh Lichtblau, Director, Medicaid Fraud Division, NJ Comptroller's Office; Jennifer Krusa, Chief Compliance Officer, PharmScript; Daniel Meier, Healthcare Regulatory and Transactional Attorney, Benesch Friedlander Coplan & Aronoff	**402 Why Whistleblowers Matter to Healthcare Compliance –** Edward A. Baker, Counsel, Constantine Cannon LLP; Sandra Miller, Attorney, Womble Bond Dickinson (US) LLP	**403 Trends and Best Practices in Healthcare Privacy and Security Investigations –** Timothy Noonan, Deputy Director, Health Information Privacy Division, U.S. Department of Health and Human Services Office for Civil Rights; Jonathan Skrmetti, Chief Deputy Attorney General, Office of Tennessee Attorney General; Brian Stimson, Principal Deputy General Counsel, U.S. Department of Health and Human Services
4:00–4:30 PM	**Networking Break**		
4:30–5:30 PM	**GS2: Civil and Criminal Enforcement Under the New Stark & Anti-Kickback Statute Rules –** Neil J. Evans, Attorney, Lane Powell PC		
5:30–6:30 PM	**Networking Reception in Exhibit Hall**		

Program at a glance

Tuesday, November 17 • Conference

7:00 AM–5:30 PM	**Registration Open**		
7:15–8:15 AM	**Continental Breakfast with Exhibitors**		
8:15–8:30 AM	**Opening Remarks**		
8:30–9:30 AM	**GS3: Telehealth**		
9:30–10:00 AM	**Networking Break with Exhibitors**		
10:00–11:00 AM Concurrent Breakout Sessions	**501 Laboratory Enforcement and Compliance**	**502 Civil and Criminal Telehealth Enforcement Matters: DME, Pharmaceutical and Other Covered Items and Services**	**503 Negotiating CIAs: What's New, What's Different, What Do You Need to Know –** Mary Findley, Sr. Director, Alvarez & Marsal Healthcare Industry Group
11:00–11:30 AM	**Networking Break in Exhibit Hall: Last Chance to Network with Exhibitors**		
11:30 AM–12:30 PM Concurrent Breakout Sessions	**601 Understanding and Preserving Privilege During Compliance Investigations –** Aleah Schutze, Of Counsel, Steptoe & Johnson PLLC	**602 340B Compliance –** Cindy K. Bartlett, VP Chief Compliance Officer, St. Charles Health System; Barbara Williams, Partner, Powers Pyles Sutter & Verville	**603 Three Competing Perspectives on Federal Healthcare Enforcement Trends: Federal Prosecutor, In-House Counsel, Outside Counsel –** Scott McBride, Partner, Lowenstein Sandler, LLP; Bernard Cooney, Assistant United States Attorney, Office of the United States Attorney, District of New Jersey; Joseph Mack, Senior Compliance Counsel, Bayer U.S
12:30–1:30 PM	**Networking Lunch**		
1:30–2:30 PM Concurrent Breakout Sessions	**701 CMS Oversight and Enforcement of Safety and Quality Standards –** David Wright, Director, Quality, Safety & Oversight Group, Centers for Medicare and Medicaid Services; Peter Urbanowicz, Managing Director, Alvarez & Marsal; Mary Findley, Sr. Director, Alvarez & Marsal Healthcare Industry Group	**702 Enforcement and Compliance Risks Associated with the Opioid Crisis: Who's to Blame Will Cast a Wide Net –** Jennifer Scharf, Attorney, Coppola Law Firm; Robert G. Trusiak, Compliance Officer, Catholic Charities Diocese of Rochester	**703 Ask the Stark Professionals –** Lester J. Perling, Partner, Nelson Mullins Riley & Scarborough, LLP; Robert A. Wade, Partner, Barnes & Thornburg LLP; Charles B. Oppenheim, Partner, Hooper Lundy Bookman, PC
2:30–3:00 PM	**Networking Break**		
3:00–4:00 PM Concurrent Breakout Sessions	**801 Get 'Em Where It Hurts: Using Compensation to Influence Compliance –** Steve Schoenly, Asst Vice President, University of Miami Health System; Alyssa Lawrence, Senior Director, UHealth Compliance, University of Miami Health System	**802 Big Data: How Can It Be Shared and What Are the Considerations Regarding Enforcement –** Marti Arvin, Executive Advisor, CynergisTek, Inc.; Blaine Kerr, Chief Privacy Officer, Jackson Health System	**803 Hot OIG Target Area: Device Credit Reporting & Related Outlier Payments –** Michael Calahan, Vice President, Hospital & Physician Compliance, HealthCare Consulting Solutions (HCS)
4:00–4:30 PM	**Networking Break**		
4:30–5:30 PM	**GS4: Healthcare Enforcement Compliance Session**		

Wednesday, November 18 • Post-Conference

8:00 AM–12:00 PM	**Registration Open**		
8:30–10:00 AM Post-Conference Concurrent Breakout Sessions	**W1 Compliance Officers, General Counsel and Enforcement –** Kirk Ogrosky, Partner, Arnold & Porter; Lisa Ohrin, Senior Technical Advisor, CMS; Matthew F. Tormey, Chief Compliance Officer, Ensemble Health Partners	**W2 Medical Necessity and Civil and Criminal Liability –** Judy Ringholz, VP of Compliance and Ethics & Chief Compliance Officer, Jackson Health System	**W3 Electronic Health Records Fraud Enforcement: What, Why, and Thoughts for Compliance Professionals –** Ryan O'Quinn, Esq., DLA Piper; Joshua A. Boxer, General Counsel, Chief Compliance Officer, Integra Connect
10:00–10:30 AM	**Networking Break**		
10:30 AM–12:00 PM Post-Conference Concurrent Breakout Sessions	**W4 Negotiating and Mediating False Claims Act Cases –** Sean B. O'Connell, Counsel, Hunton Andrews Kurth LLP	**W5 Compliance Matters and Internal Investigations: Building the Team, Process, and Resolution –** Gabriel Imperato, Managing Partner, Nelson Mullins Broad and Cassel	**W6 Data Analytics and AI to Detect and Defend Fraud –** Samantha B. Badlam, Counsel, Ropes & Gray LLP; Emily Treanor, Enterprise Relationship Executive, Lextegrity
12:00–1:00 PM	**Lunch (on your own)**		
1:00–1:15 PM	**CHC Exam Check-in**		
1:15–3:15 PM	**Certified in Healthcare Compliance (CHC)® exam** *(optional)*		

Agenda | Sunday, November 15

8:00 AM – 6:30 PM

Registration Open

9:00 – 10:30 AM

PRE-CONFERENCE
CONCURRENT BREAKOUT SESSIONS

P1 Anatomy of a False Claims Act

LEVEL: **TBA**

MODERATOR: KATHY LAUER, Partner, Latham & Watkins, LLP

SEAN O'CONNELL, Counsel, Hunton Andrews Kurth

P2 Encryption: Policy to Practice, Lower Risk, Increase Compliance

LEVEL: **TBA**

UDAY ALI PABRAI, CEO, ecfirst

- Examine encryption mandates defined in HIPAA Security, HITECH Act, PCI DSS, State regulations and more
- Review specific areas that encryption can have a significant impact in lowering enterprise risk, while improving compliance posture
- Step through core elements of an encryption policy to address both at rest and in motion requirements and understand how to simplify the use of encryption in your organization and do so consistently

P3 Medicaid Fraud Enforcement Update

LEVEL: **INTERMEDIATE**

JOSH LICHTBLAU, Director, Medicaid Fraud Division, NJ Comptroller's Office

JACK WENIK, Partner, Epstein Becker & Green PC

- Recent developments in Medicaid fraud/abuse enforcement at the state level, including regarding managed care organizations
- Focus on home health, adult day care and other providers receiving extra scrutiny
- Government and defense perspectives in responding to Medicaid fraud and abuse investigations

10:30 – 11:00 AM

Networking Break

11:00 AM – 12:30 PM

PRE-CONFERENCE
CONCURRENT BREAKOUT SESSIONS

P4 Litigating a False Claims Act Case

LEVEL: **TBA**

P5 Is Your Conflicts of Interest Program Effective

LEVEL: **INTERMEDIATE**

JULIE HAMILTON, Managing Director, Deloitte & Touche LLP

DEBRA BERNS, Senior Vice President and Chief Risk Officer, Memorial Sloan Kettering Cancer Center

COLLEEN CURRAN, Managing Director, Alvarez & Marsal

- Highlights of regulatory and enforcement activity related to Conflicts of Interest ("COI")
- Components of an effective COI program
- Lessons learned and tactical steps for assessment and enhancement of COI programs

P6 Understanding the Components of a Comprehensive Compliance Risk Assessment Process

LEVEL: **TBA**

CARRIE KUSSEROW, Managing Senior Consultant, Strategic Management Services

ANNE DALY, Chief Compliance & Integrity Officer, Children's Hospital of Chicago Medical Center

- Review the importance of risk assessment in health care compliance, including an overview of historical and recently published health care regulator guidance and enforcement (DOJ, OIG, OCR etc.)
- Outline and discuss the core components for a credible compliance risk assessment process
- Elaborate on processes, tips and best practices for implementing and supporting compliance risk identification and mitigation

12:30 – 1:45 PM

Lunch (on own)

1:45 – 3:15 PM

PRE-CONFERENCE
CONCURRENT BREAKOUT SESSIONS

P7 Handling a Criminal Healthcare Fraud Case

LEVEL: **TBA**

P8 Root Cause Analysis Workshop

LEVEL: **TBA**

DWIGHT CLAUSTRE, Retired Compliance Professional

ROSALIND CORDINI, Senior Vice President/Director of Compliance Services, Coker Group

P9 DOJ Updated Guidance: June 2020

LEVEL: **TBA**

JUDY RINGHOLZ, VP of Compliance and Ethics & Chief Compliance Officer, Jackson Health System

3:15 – 3:45 PM

Networking Break

Agenda | Sunday, November 15

3:45 – 5:15 PM

PRE-CONFERENCE
CONCURRENT BREAKOUT SESSIONS

P10 Federal Administrative Sanctions

LEVEL: **TBA**

P11 CIAs and IROs: What Are They and Why Do They Matter

LEVEL: **INTERMEDIATE**

BERT F. LACATIVO, Sr Managing Director, GlassRatner Advisory & Capital Group LLC

STEVE ORTQUIST, Founder & Principal, Arete Compliance Solutions, LLC

- An introduction to Corporate Integrity Agreements (CIAs) and the requirement for the settling organization to engage an Independent Review Organization (IRO)
- Receive an overview of who can become an IRO along with a discussion of the IRO function
- Learn how an IRO interfaces with the organization, its expectations and reporting responsibilities

P12 Compliance Repayment and Self-Disclosure

LEVEL: **TBA**

5:15 – 6:45 PM

Welcome Reception in Exhibit Hall

Agenda | Monday, November 16

7:00 AM – 6:30 PM

Registration Open

7:00 – 8:00 AM

Continental Breakfast and Exhibitor Networking

8:00 – 8:15 AM

Opening Remarks

8:15 – 9:30 AM

GS1: Government Compliance Enforcement Panel

9:30 – 10:00 AM

Networking Break with Exhibitors

10:00 – 11:00 AM

CONCURRENT BREAKOUT SESSIONS

101 Preventing Enforcement Actions in Clinical Research: Operational Strategies for Avoiding Financial Frauds

LEVEL: **ADVANCED**

BRIAN D. ANNULIS, Sr Managing Director, Ankura Consulting Group

- Billing errors in Clinical Research can and have resulted in large settlements arising from False Claims Act violations
- Accurate billing for research activities is dependent on an multi-step process involving numerous players, departments, and functions. Breakdowns at any point in the process can result in large fines, settlements, and CIAs
- This presentation will show how successful clinical research billing (CRB) revolves around ensuring your clinical research operations team is effectively communicating and that the rules are properly interpreted and applied

102 The Secret Sauce for Complying with Privacy Regulations

LEVEL: **INTERMEDIATE**

KAREN SNYDER, Healthcare Marketing, Iron Mountain

DARRELL CONTRERAS, Chief Compliance Officer, Millennium Health

- Privacy is more of a priority than ever. Organizations must be able to react and respond quickly to increasing consumer privacy concerns, data breaches, and heavy-hitting regulations such as the CCPA and GDPR
- The key to a successful privacy program is instituting an information lifecycle management (ILM) program that provides strong governance rooted in policy. This protects your organization from compliance risks and is vital to protecting patient privacy
- Join us to discuss the impact of today's privacy regulations and learn how ILM enables you to secure a unified view of patient data and related obligations, dispose of PHI in accordance with retention requirements, and reduce exposure to data breaches

103 The Myth(s) of Median to 75th: New Perspectives on Assessing, Managing, and Monitoring Physician Compensation Arrangement Risk

LEVEL: **INTERMEDIATE**

ADAM KLEIN, Principal, ECG Management Consultants

JAMES G. SHEEHAN, Chief, Charities Bureau, NY Attorney General

HEATHER L. FIELDS, Shareholder, Chair - Hospital/Health Systems Practice, Reinhart Boerner Van Deuren s.c.

- Impact of USA ex rel. Bookwalter v. UPMC 938 F.3d 397 (3d Cir. December 20,2019)- the new Stark burden of proof is on the hospital
- Lessons from litigated cases about improving your organization's physician compensation arrangement risk assessment process and strategies and resources for identifying and managing outlier arrangements at an enterprise level
- Innovative, lower cost, and more effective risk management approaches alternatives for determining and monitoring FMV and commercial reasonableness, including tips for mitigating risks inherent in relying on survey data and "independent" FMV reviews

11:00 – 11:30 AM

Networking Break

Agenda | Monday, November 16

11:30 AM – 12:30 PM

CONCURRENT BREAKOUT SESSIONS

201 Managed Care Enforcement and Compliance

LEVEL: **TBA**

202 How OIG Uses Data in its Affirmative Cases & How Data Can Be Incorporated into Compliance

LEVEL: **TBA**

GEOFFREY HYMANS, Senior Counsel, Office of Inspector General, US Health and Human Services

- Learn how the OIG uses data to develop affirmative Civil Monetary Penalty Law and Exclusion cases
- Learn how data can be used in unorthodox ways, such as to prove knowledge, or in quality-of-care cases
- Learn how both large and small entities can incorporate data analysis into their compliance programs

203 HHS' Regulatory Sprint to Coordinate Care

LEVEL: **TBA**

To the extent HHS publishes any Regulatory Sprint final rules before the conference, OIG and CMS representatives will discuss the Regulatory Sprint to Coordinated Care and the provisions of any final rule, including:

- The legal and policy drivers of the Regulatory Sprint to Coordinated Care
- Overview of the provisions of any final rules

12:30 – 1:30 PM

Networking Lunch

1:30 – 2:30 PM

CONCURRENT BREAKOUT SESSIONS

301 False Claims Act Liability in Post-Acute Care

LEVEL: **TBA**

CLAUDIA E. REINGRUBER, Shareholder, Saltmarsh, Cleaveland & Gund

- A review of recent False Claims Act cases, both civil and criminal, and current enforcement focus areas in Medicare for SNF, home health and hospice providers
- Challenges facing post-acute providers, including those associated with new payments systems and regulatory requirements, and new claim audit initiatives
- Current enforcement trends, including potential liability for providers and management, sources of data to manage risk, expectations from CMS that providers have effective compliance programs, and enhanced focus on "worthless care" concerns

302 Staying Afloat in a Sea of Privacy Laws

LEVEL: **INTERMEDIATE**

JEFF GIBSON, Member, Bass, Berry & Sims

JOHN M. BAILEY, Global Privacy Counsel, St Jude Children's Research Hospital

- Review domestic and international data privacy laws and trends
- Identity practical steps to understand laws applicable to your organization
- Identify resources to help your organization comply with competing and potentially conflicting laws

303 Lessons Learned from Stark Investigations

LEVEL: **INTERMEDIATE**

DAVID M. GLASER, Shareholder, Fredrikson & Byron PA

MATTHEW KRUEGER, United States Attorney, Eastern District of Wisconsin

- A U.S. attorney and defense lawyer discuss how cooperation between the government and defendants can lower the cost of an investigation
- Analysis of Stark's complexities, including how regulatory definitions can undermine arguments for both parties
- Exploration of the limitations in salary survey data and why it can be difficult to evaluate fair market value compensation

2:30 – 3:00 PM

Networking Break with Exhibitors

Agenda | Monday, November 16

3:00 – 4:00 PM

CONCURRENT BREAKOUT SESSIONS

401 Enforcement and Compliance for Pharmacies

LEVEL: **INTERMEDIATE**

JOSH LICHTBLAU, Director, Medicaid Fraud Division, NJ Comptroller's Office

JENNIFER KRUSA, Chief Compliance Officer, PharmScript

DANIEL MEIER, Healthcare Regulatory and Transactional Attorney, Benesch Friedlander Coplan & Aronoff

- Medicaid Enforcement Behind-the-Scenes: Identifying a healthcare provider / supplier with a focus on comparing claims, data mining and oddities
- Pharmacy's Response: How to prepare for a state Medicaid review / audit, seek guidance and address the issues
- Resolution: Counsel's role in considering options such as paybacks to MACs, use of the self-disclosure protocol or proceeding to litigation after appeals are exhausted, including discussion about cases and documentation

402 Why Whistleblowers Matter to Healthcare Compliance

LEVEL: **INTERMEDIATE**

EDWARD A. BAKER, Counsel, Constantine Cannon LLP

SANDRA MILLER, Attorney, Womble Bond Dickinson (US) LLP

- In light of recent research suggesting that companies with robust internal reporting systems are more profitable, and have lower litigation costs, than those that do not, what is the best way to handle whistleblower complaints to minimize risk?
- What is the process by which whistleblower complaints are filed, investigated, and litigated by the government?
- Strategies and best practice techniques to evaluate, litigate, and settle FCA qui tam complaints

403 Trends and Best Practices in Healthcare Privacy and Security Investigations

LEVEL: **INTERMEDIATE**

TIMOTHY NOONAN, Deputy Director, Health Information Privacy Division, U.S. Department of Health and Human Services Office for Civil Rights

JONATHAN SKRMETTI, Chief Deputy Attorney General, Office of Tennessee Attorney General

BRIAN STIMSON, Principal Deputy General Counsel, U.S. Department of Health and Human Services

- Trends in management and reporting of health information privacy and security incidents
- Emerging federal and state enforcement priorities regarding health information privacy and security
- Best practices for regulated entities involved in health information privacy or security investigations

4:00 – 4:30 PM

Networking Break

4:30 – 5:30 PM

GS2: Civil and Criminal Enforcement Under the New Stark & Anti-Kickback Statute Rules

NEIL J. EVANS, Attorney, Lane Powell PC

- Learn what the Office of Inspector General will be looking for and how they go about the investigation process when enforcing Stark and Anti-Kickback Statutes, particularly with final rules on these issues expected this year
- Gain a clear understanding of how a matter can go from an investigation to civil or criminal prosecution
- Comprehend the role and importance compliance professionals have in this process

5:30 – 6:30 PM

Networking Reception in Exhibit Hall

Agenda | Tuesday, November 17

7:00 AM – 5:30 PM

Registration Open

7:15 – 8:15 AM

Continental Breakfast with Exhibitors

8:15 – 8:30 AM

Opening Remarks

8:30 – 9:30 AM

GS3: Telehealth

9:30 – 10:00 PM

Networking Break with Exhibitors

10:00 – 11:00 AM

CONCURRENT BREAKOUT SESSIONS

501 Laboratory Enforcement and Compliance

LEVEL: **TBA**

- Recent case studies, with a discussion of what those cases tell us about risks related to medical necessity and arrangements
- Practical solutions and best practices for mitigating risk
- Updates on the Eliminating Kickbacks in Recovery Act

502 Civil and Criminal Telehealth Enforcement Matters: DME, Pharmaceutical and Other Covered Items and Services

LEVEL: **TBA**

503 Negotiating CIAs: What's New, What's Different, What Do You Need to Know

LEVEL: **TBA**

MARY FINDLEY, Sr. Director, Alvarez & Marsal Healthcare Industry Group

- New provisions and requirements in the CIA
- Provisions OIG is willing to negotiate
- Top 10 FAQs

11:00 – 11:30 AM

Networking Break in Exhibit Hall: Last Chance to Network with Exhibitors

11:30 AM – 12:30 PM

CONCURRENT BREAKOUT SESSIONS

601 Understanding and Preserving Privilege During Compliance Investigations

LEVEL: **TBA**

ALEAH SCHUTZE, Of Counsel, Steptoe & Johnson PLLC

- Compliance professionals periodically discover regulatory violations while undertaking their compliance duties. It is extremely important that Compliance professionals work closely with their organization's Legal Department when such matters arise
- This presentation will discuss the various types of privilege and will help compliance professionals identify when and how they should involve their organization's Legal Department in an investigation in order to establish and maintain privilege
- We will provide specific examples and practical advice regarding how to communicate information within an organization, while still maintaining privilege

602 340B Compliance

LEVEL: **TBA**

CINDY K. BARTLETT, VP Chief Compliance Officer, St. Charles Health System

BARBARA WILLIAMS, Partner, Powers Pyles Sutter & Verville

603 Three Competing Perspectives on Federal Healthcare Enforcement Trends: Federal Prosecutor, In-House Counsel, Outside Counsel

LEVEL: **TBA**

SCOTT MCBRIDE, Partner, Lowenstein Sandler, LLP

BERNARD COONEY, Assistant United States Attorney, Office of the United States Attorney, District of New Jersey

JOSEPH MACK, Senior Compliance Counsel, Bayer U.S

- The panel will discuss current enforcement trends in the federal health care arena. Topics will include recent enforcement cases involving the False Claims Act, speaker programs, and the anti-kickback statute
- The panel will discuss how the recent election may influence Department of Justice priorities and trends in healthcare enforcement
- The panel will discuss how in-house attorneys and compliance professionals can help their business leaders understand areas of enforcement and give practical tips on how best to partner with internal stakeholders in this regard

12:30 – 1:30 PM

Networking Lunch

Agenda | Tuesday, November 17

1:30 – 2:30 PM

CONCURRENT BREAKOUT SESSIONS

701 CMS Oversight and Enforcement of Safety and Quality Standards

LEVEL: **INTERMEDIATE**

DAVID WRIGHT, Director, Quality, Safety & Oversight Group, Centers for Medicare and Medicaid Services

PETER URBANOWICZ, Managing Director, Alvarez & Marsal

MARY FINDLEY, Sr. Director, Alvarez & Marsal Healthcare Industry Group

- Learn how CMS is enhancing its oversight activities, including oversight of State Survey Agencies and accrediting organizations, in order to fulfill its critical obligation to develop and enforce essential standards for safety and quality
- Measures providers can implement to recognize and address quality and safety deficiencies to avoid increased survey activity and enforcement actions
- If a CMS survey is inevitable, learn how to prepare for and what to expect during the visit and how to best respond to CMS requests and findings

702 Enforcement and Compliance Risks Associated with the Opioid Crisis: Who's to Blame Will Cast a Wide Net

LEVEL: **INTERMEDIATE**

JENNIFER SCHARF, Attorney, Coppola Law Firm

ROBERT G. TRUSIAK, Compliance Officer, Catholic Charities Diocese of Rochester

- How do compliance professionals manage, and not overmanage, mismanage or not manage the crisis
- Government and responses to the opioid crisis
- Next steps for tomorrow morning

703 Ask the Stark Professionals

LEVEL: **ADVANCED**

LESTER J. PERLING, Partner, Nelson Mullins Riley & Scarborough, LLP

ROBERT A. WADE, Partner, Barnes & Thornburg LLP

CHARLES B. OPPENHEIM, Partner, Hooper Lundy Bookman, PC

- Brief overview of the Stark Law
- Respond to pre-submitted & live questions regarding case examples of the application of the Stark Law
- Opportunity for an open discussion for compliance officers, lawyers, and executives who have questions related to the Stark Law

2:30 – 3:00 PM

Networking Break

3:00 – 4:00 PM

CONCURRENT BREAKOUT SESSIONS

801 Get 'Em Where It Hurts: Using Compensation to Influence Compliance

LEVEL: **INTERMEDIATE**

STEVE SCHOENLY, Asst Vice President, University of Miami Health System

ALYSSA LAWRENCE, Senior Director, UHealth Compliance, University of Miami Health System

- Carrot or the stick: determining reward or consequence shapes human behavior
- Governance impacts ability: how compliance can work with management to achieve goals
- Money talks: if you can equate compliance with compensation, you're in the gold

802 Big Data: How Can It Be Shared and What Are the Considerations Regarding Enforcement

LEVEL: **INTERMEDIATE**

MARTI ARVIN, Executive Advisor, CynergisTek, Inc.

BLAINE KERR, Chief Privacy Officer, Jackson Health System

- Brief primer on the way in which individually identifiable information can be shared with regulatory parameters, both federal and state
- Discussion of considerations when evaluating the sharing of big data sets with third parties for healthcare operations and/or research
- Overview of the enforcement trends: Where it has been, where it is going, consumer privacy concerns, class actions and more

803 Hot OIG Target Area: Device Credit Reporting & Related Outlier Payments

LEVEL: **INTERMEDIATE**

MICHAEL CALAHAN, Vice President, Hospital & Physician Compliance, HealthCare Consulting Solutions (HCS)

- Review the newest OIG-favored target area for hospital audits and learn the 2020 rules & regulations as well as Medicare Program changes for medical device credit reporting!
- Hospital Inpatient, Hospital Outpatient and ASC: Do you know how to identify which devices get reported when a credit is received? Do you know how to correctly report the credits in each of these settings?
- Clouding the picture for accurate reporting: Newly invigorated OIG audits with a specific target of APC outlier payments related to medical device credits—do you know if you are receiving additional outlier payments?

4:00 – 4:30 PM

Networking Break

4:30 – 5:30 PM

GS4: Healthcare Enforcement Compliance Session

Agenda | Wednesday, November 18

8:00 AM – 12:00 PM

Registration Open

8:30 – 10:00 AM

POST-CONFERENCE
CONCURRENT BREAKOUT SESSIONS

W1 Compliance Officers, General Counsel and Enforcement

LEVEL: **TBA**

KIRK OGROSKY, Partner, Arnold & Porter

LISA OHRIN, Senior Technical Advisor, CMS

MATTHEW F. TORMEY, Chief Compliance Officer, Ensemble Health Partners

- The importance of recognizing how the roles of a compliance officer and general counsel are similar and different
- Successful Collaboration Between the Compliance Officer and General Counsel
- Who should be talking with policy makers, regulators, and enforcement officials

W2 Medical Necessity and Civil and Criminal Liability

LEVEL: **TBA**

JUDY RINGHOLZ, VP of Compliance and Ethics & Chief Compliance Officer, Jackson Health System

W3 Electronic Health Records Fraud Enforcement: What, Why, and Thoughts for Compliance Professionals

LEVEL: **INTERMEDIATE**

RYAN O'QUINN, Esq., DLA Piper

JOSHUA A. BOXER, General Counsel, Chief Compliance Officer, Integra Connect

- Overview of government enforcement actions related to EHR providers. A new era in enforcement: software meets false claims
- Accreditation and ongoing compliance obligations related to EHR providers and those providers who utilize them for incentive reporting
- Proactive measure for compliance professionals to prevent and mitigate exposure

10:00 – 10:30 AM

Networking Break

10:30 AM – 12:00 PM

POST-CONFERENCE
CONCURRENT BREAKOUT SESSIONS

W4 Negotiating and Mediating False Claims Act Cases

LEVEL: **BASIC**

SEAN B. O'CONNELL, Counsel, Hunton Andrews Kurth LLP

- The increased difficulties in negotiating and settling False Claims Act cases
- Understanding the roles of the different stakeholders in False Claims Act cases and what they're entitled to
- Understanding the risks of going to trial and why it may be the best option

W5 Compliance Matters and Internal Investigations: Building the Team, Process, and Resolution

LEVEL: **TBA**

GABRIEL IMPERATO, Managing Partner, Nelson Mullins Broad and Cassel

W6 Data Analytics and AI to Detect and Defend Fraud

LEVEL: **INTERMEDIATE**

SAMANTHA B. BADLAM, Counsel, Ropes & Gray LLP

EMILY TREANOR, Enterprise Relationship Executive, Lextegrity

- Kickbacks and fraud can hide in dark corners of your organization. Data analytics and AI can provide powerful tools to prevent and detect such behaviors. Join an interactive panel using sample data and visualizations
- Learn from a former in-house compliance counsel and current outside counsel with enforcement expertise about how data analytics and AI can transform the risk management efforts of healthcare organizations of any size
- Learn how shifting expectations of government agencies mean that not using data analytics and AI to prevent and detect kickback and fraud risks is no longer a viable option for healthcare organizations

12:00 – 1:00 PM

Lunch (on own)

1:00 – 1:15 PM

Exam Check-In

1:15 – 3:15 PM

Certified in Healthcare Compliance (CHC)® Exam

(optional)

Healthcare Enforcement Compliance Conference

November 15–18, 2020 • Grand Hyatt Washington • Washington, DC

Contact Information

◯ Mr ◯ Mrs ◯ Ms ◯ Dr

Member/Account ID (if known)

First Name MI Last Name

Credentials (CHC, CCEP, etc.)

Job Title

Organization (Name of Employer)

Street Address

City/Town State/Province

Zip/Postal Code Country

Work Phone

Email (required)

Dietary Needs Request

☐ Dairy Free ☐ Gluten Free ☐ Kosher ☐ Vegetarian ☐ Vegan

☐ Other _____

Emergency Cell Phone Number (optional)*

Provide your cell phone number so that in an on-site emergency we can keep you informed _____

**This will only be used in cases of emergency and will not be used for marketing.*

Acknowledgements

By submitting this registration, you agree to the full Terms and Conditions, including the use of your information, viewable at hcca-info.org/2020HECC.

Your information (postal address) may be shared with conference exhibitors, attendees, speakers, affiliates, and partners for marketing and/or networking purposes. To see the full use of your information or if you wish to opt-out, visit hcca-info.org/privacy.

By participating in an HCCA conference, you grant HCCA, or anyone authorized by HCCA, the right to use or publish in print or electronic medium any photograph or video containing your image or likeness for educational, news, or promotional purposes without compensation.

Registration Fees

		Register through 8/25/20	after 8/25/20
☐	Member (Monday & Tuesday)	$825	$875
☐	Non-Member (Monday & Tuesday)	$995	$1,045
☐	Registration + First-Time Membership*	$1,045	$1,095
☐	Pre-Conference (Sunday Morning)	FREE	$140
☐	Pre-Conference (Sunday Afternoon)	FREE	$140
☐	Post-Conference (Wednesday)	FREE	$140
☐	Group Discount for 5–9 Attendees	($50)	($50)
☐	Group Discount for 10 or More	($100)	($100)

**Save by joining today (first-time members only). Dues renew at $325.*

TOTAL $ _____

Session Selections

Visit hcca-info.org/2020HECC to choose your sessions, update your conference badge, and see our on-site attendee networking opportunities. If you do not select your sessions online, please write them in the form below. Your selections will be used to assist us in planning. You are not obligated to attend the sessions you select. Session selection is not available for discussion groups.

SUNDAY		MONDAY		TUESDAY		WEDNESDAY	
9:00 AM		10:00 AM		10:00 AM		8:30 AM	
11:00 AM		11:30 AM		11:30 AM		10:30 AM	
1:45 PM		1:30 PM		1:30 PM			
3:45 PM		3:00 PM		3:00 PM			

Payment

Online registration at hcca-info.org/2020HECC

Mail this form to HCCA, 6500 Barrie Road, Suite 250, Minneapolis, MN 55435-2358

Fax this form to 952.988.0146

Email this form to helpteam@hcca-info.org — Due to PCI compliance, do not provide credit card information via email. You may email this form (without credit card information), then call HCCA at 888.580.8373 with payment information.

◯ Invoice me

◯ Check enclosed (payable to HCCA)

◯ Wire transfer requested

◯ Credit card: I authorize HCCA to charge my:

◯ Visa ◯ MasterCard ◯ Discover ◯ American Express

Credit Card Account Number

Credit Card Expiration Date

Cardholder Name

Cardholder Signature

Details

Hotel & Conference Location

Grand Hyatt Washington
1000 H Street NW
Washington, DC 20001

Online reservations:
https://www.hyatt.com/en-US/group-booking/WASGH/G-HC20

Phone reservations: Call 202.582.1234 or 877.803.7534 and ask for the HCCA Healthcare Enforcement Compliance Conference group rate or HCCA.

A reduced rate of $289 for a standard room with single/double occupancy per night, plus applicable taxes (currently 14.5%, subject to change) has been arranged for this program.

All reservations must be guaranteed and accompanied by a first night room deposit or guaranteed with a major credit card. The cut-off date to receive this discounted rate is Friday, October 16, 2020 or once the group block is full, whichever comes first.

Federal Government Rate:
https://www.hyatt.com/en-US/group-booking/WASGH/G-HC20/PER-DIEM

If you are a federal government employee, you make take advantage of the federal government rate. Please note that you will be required to show government ID at check-in.

Please note: Neither HCCA nor any hotel it is affiliated with will ever contact you to make a hotel reservation. If you receive a call soliciting reservations on behalf of HCCA or the event, it is likely from a room poacher and may be fraudulent. We recommend you make reservations directly with the hotel using the phone number or web link on the conference website. If you have concerns or questions, please contact 952.988.0141 or 888.580.8373.

Continuing Education

HCCA will be applying for external continuing education units (CEUs). If you would like to make a request, please email ccb@compliancecertification.org. Only requests from registered attendees will be considered. Visit HCCA's website, hcca-info.org, for up-to-date information.