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healthcare financial management association



The Healthcare Financial Management Association of Western New York is pleased to present the following education session:

“Compliance Update: RAC, HIPAA/HITECH, Hospital and Physician Compliance”

3.5 Hours CPE Credit

When: Friday, September 28, 2012

8:30 AM to 12:00 PM

Where: Michael’s Banquet Facility

4885 Southwestern Boulevard

Hamburg, NY 14075

Program Agenda:

7:30 to 8:30 am	Registration and breakfast buffet
8:30 – 9:20	The Health Law Partners – RAC, MIC, and Other Payor Audits <ul style="list-style-type: none">• New York State audit updates• The Landscape of Audit Activity• How to Prepare for an Audit• Appealing the Results of an Audit
9:20 – 9:30	Break

9:30 – 10:50

PNC – HIPAA/HITECH Update

- Strengthen the HIPAA requirements and expand their reach
- Breach notification
- Business associates
- Foster nationwide implementation of electronic health records
- Increase enforcement and enhance penalties for breach of the HIPAA Standards

10:50 – 11:00

Break

11:00 – 12:00

Hodgson Russ – Hospital, Clinic and Physician Compliance – Practical Issues

- Compliance audits and monitoring – review of incident management and internal audit structuring, use of outside consultants and protection of privilege issues
- Corrective measures discussions – assessing self-disclosure obligations, self-disclosure pitfalls and understanding the role of the 60 day overpayment rule
- APG implementation issues – compliance highlights
- Hot topics/war stories (short day stay, medical necessity, hospital/physician interactions, key risk areas to be aware of, etc), recent OMIG compliance program developments



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Registration Form

**“Compliance Update: RAC, HIPAA/HITECH,
Hospital and Physician Compliance”**

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4885 Southwestern Boulevard
Hamburg, NY 14075

September 28, 2012
7:30 AM to 12:00 PM

Please Send Completed Form and Payment to:

By Mail:

Jeffrey Jacobs, CHFP, MBA
Director of Financial Planning and Decision Support
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\$20 for Members and \$25 for Non Members
Please make check payable to HFMA WNY Treasurer

Participant Information

Name and Title	E-Mail	Member (Y,N)	Member #
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Facility: _____

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I will need CPE Credit: Y N

Speaker Biographies

CLAUDIA HINRICHSEN, of The Health Law Partners, represents all forms of healthcare providers and suppliers, including hospitals, physician groups, physician/hospital organizations and independent practice associations (IPAs, PHOs), and diagnostic and treatment centers. Ms. Hinrichsen has addressed a broad array of matters related to such clients, including fraud and abuse, corporate compliance, transactional arrangements, patient-related legal issues, and HIPAA compliance. Additionally, Ms. Hinrichsen devotes a great deal of time representing clients in all aspects of managed care including IPA network formation and corporate governance; negotiation and dispute resolution with respect to managed care contract issues; payor audits; and in pursuing managed care companies for underpayments owed to health care providers.

Ms. Hinrichsen has authored numerous publications on various health law topics, including: HIPAA, corporate compliance and health care fraud and abuse, and frequently lectures on health care fraud and abuse, HIPAA compliance, and managed care issues before hospitals, medical groups, and state and regional professional associations.

Ms. Hinrichsen is an adjunct Professor at Hofstra University's Zarb School of Business, lecturing on business and health law topics.

Ms. Hinrichsen graduated *magna cum laude* with a B.S. from SUNY Geneseo and earned her J.D. from Hofstra Law School with distinction. She was named as one of the top health care attorneys in the United States for 2009 by Chambers Association.

Ms. Hinrichsen was selected as a "Super Lawyer" in 2011, a distinction earned by only five percent of the lawyers in the New York metro area.

LORI A. LA SALLE, of The Health Law Partners, has a great deal of experience in healthcare law, having represented hospitals, nursing homes, physician practices, federally qualified health centers (FQHCs), independent practice associations (IPAs), and Regional Health Information Organizations (RHIOs). Ms. La Salle's experience ranges from advising healthcare providers and suppliers on compliance matters, fraud and abuse issues, HIPAA, EMTALA, human-subject research, assisted reproductive technology, mental health matters, advance directives and all aspects of guardianship proceedings. Moreover, her contracting experience spans from IPA formation to managed care contracting, commercial and government audits, physician arrangements, drafting and negotiating services, clinical trial and software agreements.

Ms. La Salle is an active member of the North Shore-LIJ Health System Institutional Review Board and has served on the Statewide Collaborative Process, Privacy and Security Workgroup, which was responsible for developing state-wide policies and agreements that govern participation in the state-wide HIE.

Ms. La Salle's experience also spans beyond the law firm setting as she was a Senior Associate General Counsel at one of the nation's largest healthcare systems--comprised of fifteen hospitals (including three world-class tertiary hospitals and a nationally-recognized children's hospital and psychiatric facility), a hospice, home care services, a major medical research institute, and skilled nursing facilities. While at the healthcare system, she coordinated and responded to audits and surveys from various state and national regulatory agencies. Moreover, Ms. La Salle also gained a great deal of experience as the

Director of Risk Management at a large NYC hospital system, and as an associate litigation attorney litigating high-exposure medical malpractice cases for a Wall Street law firm.

Ms. La Salle was recently appointed to serve on the Statewide Health Information Network of New York (SHIN-NY) Policy Committee, which is responsible for developing statewide policy governing the electronic exchange of health information between unrelated organizations via a Health Information Exchange (HIE). Ms. La Salle also serves on the Health Law Committee of the New York State Bar Association and the Managed Care Committee of Healthcare Financial Management Association. Prior to her vast legal experience, Ms. La Salle was a practicing RN in the operating room at the New York Hospital-Cornell Medical Center and was instrumental in establishing a multi-specialty physician practice in Westchester County.

ABBY PENDLETON is a founding partner of The Health Law Partners, P.C. She graduated Magna Cum Laude from Wayne State University Law School in 1996 and is a member of the Order of the Coif. Ms. Pendleton was a member of the Wayne State Law Review and served on its editorial board as a Senior Articles Editor. While at Wayne State, she was a recipient of the American Jurisprudence Book Awards in Contracts and Criminal Law as well as the Deloitte and Touche LLP Award for her achievement in tax law. Ms. Pendleton has been practicing healthcare law since 1996. She regularly provides counsel to healthcare providers and organizations in a number of areas, including but not limited to: compliance, Recovery Audit Contractors (“RAC”), Medicare and other payor audits, fraud and abuse, reimbursement matters, and HIPAA Privacy and Security, and physician staff privilege and licensure matters. Ms. Pendleton also specializes in legal issues impacting billing and management companies, anesthesia and pain management providers, hospice providers and mental health agencies. Ms. Pendleton is a member of the State Bar of Michigan (Member, Health Care Law Section) and State Bar of New York (Member, Health Law Section); the American Bar Association; the American Health Lawyer's Association; the Health Care Compliance Association; the Medical Group Management Association and the Michigan Medical Group Management Association.

Bethany Trachtenberg, a Senior Associate in the Health Care practice at Hodgson Russ assists Ms. Trachtenberg focuses her practice on reimbursement, regulatory and compliance guidance for the health care industry. She focuses on the complex laws that govern provider billing and referral relationships that often involve intense regulatory scrutiny and enforcement. Specifically, Ms. Trachtenberg assists clients with compliance issues to prevent federal or state False Claims Act prosecution in both the health care and life sciences industries. She represents providers in Medicare and Medicaid audits and rate appeals, including PRRB appeals, and assists clients with third party payor reimbursement issues. Ms. Trachtenberg represents clients in investigations by various government entities, including the U.S. Department of Justice, U.S. Department of Health and Human Services, Office of Investigator General, New York Office of Medicaid Inspector General, Medicaid Fraud Control Unit, New York State Department of Health, and Office of Professional Misconduct and Physician Discipline.

Ms. Trachtenberg focuses on assisting clients with development of compliance programs, including drafting corporate policies, codes of conduct, training programs, and dealing with reporting and disclosure of noncompliance. She regularly conducts regulatory due diligence reviews to determine effectiveness of a corporate compliance program.

In addition to her legal degree, Ms. Trachtenberg holds a Masters of Public Health from the University of Buffalo and has received a Regulatory Affairs Certificate: Medical Devices and Pharmaceuticals (Dual) from the Regulatory Affairs Professionals Society (RAPS). She is an active member of the American Health Lawyers Association; New York State Bar Association Food, Drug, and Cosmetic Law Section (for which she is currently chair); and Health Care Compliance Association.

Ms. Trachtenberg is a frequent author and speaker on health related compliance issues. She serves on the editorial advisory board of *Medical Devices Law & Industry Report*, a publication of the Bureau of National Affairs, and has contributed articles to numerous other industry publications. She was listed in Chambers USA: America's Leading Lawyers for Business (2012) as a Health Care "associate to watch."

ELLEN V. WEISSMAN, of Hodgson Russ, serves as the head of the firm's Health Law Practice Group. Ms. Weissman devotes her practice to serving health care clients in reimbursement, regulatory, and compliance matters. She advises health care clients on structuring transactions, including forming integrated delivery systems and ambulatory care alternatives in light of licensure, certificate of need, and reimbursement issues. Ms. Weissman counsels academic medical centers on graduate medical education reimbursement and compliance issues. She represents health care clients in Medicare and Medicaid appeals, including appeals before the Provider Reimbursement Review Board. She also represents providers in Medicare and Medicaid audits and investigations conducted by fiscal intermediaries, the Office of the Inspector General of HHS, the U.S. Department of Justice, Medicaid Fraud Control Units, and the New York Office of the Medicaid Inspector General. Prior to joining Hodgson Russ, Ms. Weissman practiced with the New York City office of a national health care law firm, Wood, Lucksinger and Epstein. She also served as counsel to a New York City deputy mayor who chaired the New York City Health and Hospitals Corporation and as law clerk to U.S. District Judge Whitman Knapp in the Southern District of New York.

Ms. Weissman has lectured extensively in health law, including at national conferences sponsored by the American Health Lawyers Association. She has also presented throughout New York State at conferences sponsored by the Healthcare Association of New York State, the Health Law Section of the New York State Bar Association, and the Healthcare Financial Management Association. She has been listed in *The Best Lawyers in America* (Health Care Law) and *Chambers USA: America's Leading Lawyers for Business*. Chambers named Ms. Weissman a "key individual," noting that "clients applaud her thorough and attentive approach." The guide also identifies Ms. Trachtenberg, a senior associate in the Health Law Practice Group, as a "key individual," citing client reviews that praise her as "a good strategic thinker who is very responsive" and that commend her "very strong knowledge of the field."

Ms. Weissman is Chair, New York State Bar Association Health Law Section; former chair of the Payment & Reimbursement Committee, New York State Bar Association Health Law Section

Education:

B.A., with high honors, Swarthmore College
J.D., University of California at Berkeley School of Law

Ms. Alicia Shickle has more than 24 years of clinical and administrative health care experience. Prior to joining the firm, she was a senior health care consultant with RSM McGladrey specializing in revenue cycle integrity, workflow, operations, and compliance. She also worked previously as the practice administrator for a family practice medical group. Ms. Shickle also has experience as a medical practice consultant for primary care, physician office laboratories, FQHC clinics, and DT&C clinics, among other provider categories. She also has experience with FQHC revenue cycle workflow and ambulatory patient group (APG) payment methodologies. As an instructor at Dutchess County Community College, she taught medical coding and billing. The course covered medical terminology, anatomy and physiology, and third-party reimbursement payment structure. She provided review and preparation classes for students seeking to become certified professional coders.

Ms. Shickle is a member of the American Academy of Professional Coders and the Medical Group Management Association. She has delivered presentations on documentation and coding guidelines and compliance before small and large physician groups.

Certifications:

Certified professional coder (CPC), American Academy of Professional Coders

Certified administrator, physician practice management, American Academy of Medical Management

Ms. Beth L. Rubin is Senior Counsel for PNC Healthcare in the legal department at PNC Bank, N.A. She provides legal support for PNC Bank's extensive line of health care-related services and products. Throughout her career, Ms. Rubin has focused on a broad spectrum of health law and benefits issues, including privacy and confidentiality, fraud and abuse, research, licensure and certification, e-commerce, health plan, pharmaceutical issues, and other regulatory and commercial matters. Before joining the law department at PNC Bank, Ms. Rubin was counsel in the Health Law and Employee Benefits Practice Groups at Dechert LLP. Before joining Dechert, she was chief counsel for health delivery at Aetna U.S. Healthcare. Before joining Aetna, she was counsel at Hogan & Hartson in Washington, DC. Ms. Rubin is a graduate of Brown University (A.B., *magna cum laude*), where she concentrated in biomedical ethics and was elected Phi Beta Kappa. She received her law degree from Columbia Law School (J.D., Harlan Fiske Stone Scholar), where she was associate editor of the *Columbia Journal of Law and Social Problems*. Following law school, she clerked for the Honorable John M. Ferren, Associate Judge of the District of Columbia Court of Appeals. Ms. Rubin has written and spoken extensively on HIPAA/HITECH and other issues.



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