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*Learn best
practices for
compliance
lawyers*

Healthcare Enforcement Compliance Institute

OCTOBER 25–28, 2015 | WASHINGTON HILTON | WASHINGTON DC

HCCA's Healthcare Enforcement Compliance Institute gives you the opportunity to learn best and leading-edge practices for the compliance lawyer.

Go beyond legal analysis, learn how to implement systems that ensure the law is followed, and gain practical advice from experts in a one-of-a-kind forum where lawyers and compliance officers work together.

- Discover and discuss the latest trends in regulatory changes.
- Hear the latest legal analysis, and learn what you need to do to ensure you're working most efficiently and in compliance with all the regulations.
- Learn from legal experts dedicated to sharing the latest and best practices for implementing an effective compliance program that finds and fixes problems.

Learn more at hcca-info.org/heci

Questions? taci.tolzman@corporatecompliance.org



SUNDAY, OCTOBER 25: PRE-CONFERENCE

9:00–10:30 AM <i>Pre-Conference Breakout Sessions</i>	P1 Anatomy of False Claims Act Case: Investigation, Negotiation, Resolution – Nancy Brown, Senior Counsel, Administrative and Civil Remedies Branch, Office of Counsel to the Inspector General, HHS; Marlan Wilbanks, Senior Partner, Wilbanks & Bridges, LLP; Rob McAuliffe, Senior Trial Counsel, United States Department of Justice, Civil Fraud Section; Laura Laemmler-Weidenfeld, Partner, Jones Day	P2 Health Information Privacy and Security Standards: Case Examples of Federal Enforcement and Tools for Healthcare Organizations to Reduce the Risks of Unauthorized Disclosure – David Holtzman, VP Compliance, CynergisTek, Inc.; Iliana Peters, Senior Advisor for HIPAA Compliance and Enforcement, HHS Office for Civil Rights; Kevin Moriarty, Esq., Attorney, Federal Trade Commission Division for Privacy and Information Protection
10:30–10:45 PM	Networking Break	
10:45–12:15 PM <i>Pre-Conference Breakout Sessions</i>	P3 Litigating a False Claims Act Case – Laurence Freedman, Member, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.; John T. Boese, Of Counsel, Fried, Frank, Harris, Shriver & Jacobson LLP; Michael Granston, Director, Commercial Litigation Branch, Fraud Section, Civil Division, U.S. Department of Justice	P4 The Government Enforcement Official and Chief Compliance Officer: Learned Experiences on Pro-Active Initiatives to Mitigate and Minimize Risk – Alec Alexander, Partner, Breazeale, Sachse & Wilson; Bret Bissey, Senior Vice President, Compliance Services, MediTract, Inc.; Edward Crooke, Senior Counsel for Healthcare Fraud, U.S. Department of Justice, Civil Division
12:15–1:30 PM	Lunch (on your own)	
12:30–1:15 PM	SpeedNetworking – Optional event: separate registration required. Register online at: www2.speednetworking.com/ViewEvent/heci2015	
1:30–3:00 PM <i>Pre-Conference Breakout Sessions</i>	P5 Handling a Criminal Healthcare Fraud Case – Michael Clark, of Counsel, Duane Morris LLP; Kirk Ogrosky, Partner, Arnold & Porter LLP; Robert Zink, Assistant Chief, Criminal Division, Fraud Section, U.S. Department of Justice	P6 Kickback and Stark Law Developments – Thomas Beimers, Partner, Faegre Baker Daniels (formerly Senior Counsel, Administrative & Civil Remedies Branch, DHHS Office of Counsel to the Inspector General); Daniel Melvin, Partner, McDermott Will & Emery, LLP
3:00–3:15 PM	Networking Break	
3:15–4:45 PM	P7 Federal Administrative Sanctions: Exclusion and Civil Money Penalties – Katie Fink, Senior Counsel, Administrative and Civil Remedies Branch, Office of Counsel to the Inspector General, HHS; Julie Kass, Principal, Ober Kaler	P8 Managed Care Fraud Enforcement and Compliance – Marc Raspanti, Partner, Pietragallo Gordon Alfano Bosick & Raspanti, LLP; David Leviss, Partner, O'Melveny & Meyers LLP
4:45–6:00 PM	Welcome Reception	

MONDAY, OCTOBER 26: CONFERENCE

7:15 AM–8:15 AM	Breakfast		
8:15–8:30 AM	Opening Remarks		
8:30–9:00 AM	General Session 1: OIG-HHS Update – Gary Cantrell, Deputy Inspector General for Investigations		
9:00–9:30 AM	General Session 2: Medicaid Fraud Enforcement Trends – Charlie Hobgood, Director, North Carolina Medicaid Fraud Control Unit, North Carolina Department of Justice		
9:30–10:30 AM	General Session 3: IG and Regulatory Oversight and Enforcement – Michael Horowitz, Inspector General, United States Department of Justice; Greg Demske, Chief Counsel to the Inspector General, HHS-OIG; Cynthia Schnedar, Director, Office of Compliance, FDA's Center for Drug Evaluation and Research		
10:30–11:00 AM	Networking Break		
11:00 AM–12:00 PM <i>Breakout Sessions</i>	101 Health Care Fraud Enforcement 2015: Is It Really All About Quality? – George Breen, Member of the Firm, Epstein Becker & Green PC; Jeffrey Dickstein, Assistant United States Attorney, Southern District of Florida	102 The Reverse False Claims Act: A Reversal of Fortune: Living with FERA and the 60-day Refund Rule – Zuzana Ikels, Shareholder/Principal, Polsinelli, LLC; Judith Waltz, Partner, Foley & Lardner LLP; Wendy Weiss, Managing Director, Disputes & Investigations Healthcare, Navigant; Robert Kaufman, Office of the General Counsel-CMS Division, U.S. Department of Health & Human Services	103 Perspectives on DOJ Enforcement – Pamela Johnston, Partner, Foley & Lardner LLP (formerly, Deputy Chief, Major Frauds Section, U.S. Attorney's Office, Los Angeles); Consuelo Woodhead, Deputy Chief, Major Frauds Section, U.S. Attorney's Office, Los Angeles; Linda Kontos, Deputy Chief, Civil Fraud Section, U.S. Attorney's Office, Los Angeles
12:00–1:00 PM	Lunch		
1:00–2:00 PM <i>Breakout Sessions</i>	201 Advice of Counsel: A Case Study – Matthew Tormey, Chief Compliance Officer, TeamHealth; Kevin McAnaney, Attorney, Law Office of Kevin G. McAnaney	202 Whistleblowers: How to Make Them Friends Not Foes of Your Compliance Efforts – Anne Novick Branan, Attorney, Broad and Cassel; Lesley Ann Skillen, Attorney, Getnick & Getnick LLP	203 Update on Privilege Developments and Challenges in FCA Litigation and other Investigations: Are Your Organization's Practices Adequate? – Sara Kay Wheeler, Partner, King & Spalding; L. Lin Wood, L. LIN WOOD, P.C.
2:00–2:30 PM	Networking Break		
2:30–3:30 PM <i>Breakout Sessions</i>	301 Choose Your Own Adventure: Self-Disclosure Options and Strategy – Tony Maida, Partner, McDermott Will & Emery (formerly Deputy Branch Chief, Administrative and Civil Remedies Branch, Office of Counsel to the Inspector General); Susan Gillin, Deputy Branch Chief, Administrative and Civil Remedies Branch, Office of Counsel to the Inspector General; Gabriel Imperato, Managing Partner, Broad and Cassel	302 CMS Trends and Initiatives Under the Affordable Care Act – Sean McKenna, Partner, Haynes and Boone, LLP; David Wright, Acting Regional Administrator, Consortium for Quality Improvement and Survey and Certification Operations, Centers for Medicare & Medicaid Services-Dallas/Atlanta	303 Navigating Investigations Involving Multiple Parties – Ken Briggs, Attorney, Polsinelli; Kirk Ogrosky, Partner, Arnold & Porter LLP

MONDAY, OCTOBER 26: CONFERENCE

3:30–4:00 PM	Networking Break		
4:00–5:00 PM <i>Breakout Sessions</i>	401 Prescription Drug Diversion in Federal Health Programs – Mike Cohen, Inspector, HHS Office of Inspector General, Office of Investigations	402 Do External Evaluations of Compliance Program Effectiveness Matter? – Steven Ortquist, Managing Director, Aegis Compliance & Ethics Center LLP; Benton Curtis, Former Assistant Chief, Criminal Fraud Section, U.S. Department of Justice Carolyn McNiven, Shareholder Litigation, Greenberg Traurig (formerly Criminal Healthcare Fraud Coordinator, U.S. Attorney’s Office, NDIL [Chicago])	403 The Changing Landscape of CMS’s Anti-Fraud Contractors – James Rose, Director, Navigant Consulting (formerly Chief Audit Officer, Humana and former Director of Performance Audit for the State of Kentucky); Ted Doolittle, Program Director, CGI Federal (formerly Deputy Director of Policy & Enforcement, CMS Center for Program Integrity)
5:00–6:00 PM	Networking Reception		

TUESDAY, OCTOBER 27: CONFERENCE

7:15–8:15 AM	Breakfast (provided)		
8:15–8:30 AM	Opening Remarks		
8:30–9:30 AM	General Session 4: The State of Cyber Risk to the Healthcare Industry – John Riggi, Section Chief, Federal Bureau of Investigation		
9:30–10:00 AM	General Session 5: DOJ Update – Joyce Branda, Deputy Assistant Attorney General, United States Department of Justice		
10:00–10:30 AM	General Session 6: A Conversation with OCR Director Jocelyn Samuels – Jocelyn Samuels, Director, U.S. Department of Health and Human Services, Office for Civil Rights		
10:30–11:00 AM	Networking Break		
11:00 AM–12:00 PM <i>Breakout Sessions</i>	501 Corporate Integrity Agreement Design and Enforcement: How to Mitigate Liability – Greg Radinsky, VP, Chief Corporate Compliance Officer, North Shore-LIJ Health System (formerly Associate Counsel, Office of Counsel to the Inspector General, U.S. Department of Health & Human Services); Raja Sekaran, VP & Associate General Counsel for Regulatory Affairs, Dignity Health (formerly Senior Counsel, Office of Counsel to the Inspector General, U.S. Department of Health & Human Services); Nicole Caucci, Senior Counsel, Administrative and Civil Remedies Branch, Office of Counsel to the Inspector General, HHS	502 Physicians in the Crosshairs: Effective Strategies for Dealing with Recent Enforcement Trends Involving Physician-Related Fraud – Anna Grizzle, Partner, Bass, Berry & Sims PLC; Jerry Williamson, MD, MJ, CHC, Healthcare Consultant	503 Surviving a HIPAA Breach Investigation – Celeste Davis, Regional Manager, Office for Civil Rights-Region V; Nicole Waid, Partner, FisherBroyles LLP; Mark Swearingen, Shareholder, Hall Render Killian Heath & Lyman P.C.
12:00–1:00 PM	Networking Lunch (provided)		
1:00–2:00 PM <i>Breakout Sessions</i>	601 What to Expect When the State Comes Knocking: Insights into Medicaid Fraud Investigations – Jennifer Evans, Shareholder, Polsinelli PC; George Codding, Senior Assistant Attorney General, State of Colorado; Timothy Sokas, First Assistant Attorney General, Director, Medicaid Fraud Control Unit, Criminal Justice Section, Office of the Attorney General of Colorado	602 The Hidden Language of the Sentencing Guidelines – Kathleen Grilli, General Counsel, United States Sentencing Commission; Joseph Murphy, Senior Advisor, Compliance Strategists	603 Responding to Medicare Contractor Audits and Investigations – Lester Perling, Partner, Broad and Cassel; Kim Brandt, Chief Healthcare Investigative Counsel for Senate, US Senate Finance Committee
2:00–2:15 PM	Networking Break		
2:15–3:15 PM <i>Breakout Sessions</i>	701 Balancing Audit Results and Refunds – Lori Laubach, Principal, Moss Adams; Judith Waltz, Partner, Foley & Lardner LLP	702 Board and Management: Compliance Accountability – Dan Roach, General Counsel and CCO, Optum360; James Sheehan, Chief, Charities Bureau, NY Attorney General; Katie Arnholt, Deputy Branch Chief, Administrative and Civil Remedies Branch, Office of Counsel to the Inspector General, HHS	703 Stark Law: What Have We Learned From Recent Cases and the SRDP? – Robert Wade, Partner, Krieg Devault LLP; Matthew Edgar, Health Insurance Specialist, Division of Technical Payment Policy, Centers for Medicare & Medicaid Services

WEDNESDAY, OCTOBER 28: POST-CONFERENCE

8:00–8:30 AM	CHC Exam Check-in
8:30–11:00 AM	Certified in Healthcare Compliance (CHC) [®] exam <i>(optional)</i>

SUNDAY, OCTOBER 25

PRE-CONFERENCE

9:00 – 10:30 AM

P1 Anatomy of False Claims Act Case: Investigation, Negotiation, Resolution

Nancy Brown, Senior Counsel, Administrative and Civil Remedies Branch, Administrative and Civil Remedies Branch, Office of Counsel to the Inspector General, HHS



Marlan Wilbanks, Senior Partner, Wilbanks & Bridges, LLP

Rob McAuliffe, Senior Trial Counsel, United States Department of Justice, Civil Fraud Section

Laura Laemmle-Weidenfeld, Partner, Jones Day

P2 Health Information Privacy and Security Standards: Case Examples of Federal Enforcement and Tools for Healthcare Organizations to Reduce the Risks of Unauthorized Disclosure



David Holtzman, VP Compliance, CynergisTek, Inc.



Iliana Peters, Senior Advisor for HIPAA Compliance and Enforcement, HHS Office for Civil Rights

Kevin Moriarty, Esq., Attorney, Federal Trade Commission Division for Privacy and Information Protection

- Unauthorized disclosure of health information creates harm through identify theft or insurance fraud. Learn through case examples the strategic approach HHS/OCR takes in enforcement of the HIPAA Privacy, Security and Breach Notification Rules
- The FTC protects consumers from unfair and deceptive trade practices. Two recent consent agreements involving disclosure of health care data demonstrate how company information privacy and security standards set enforceable consumer expectations
- Risk based frameworks that assess health information privacy and security safeguards identify threats and vulnerabilities to data. Learn how compliance pros assess an organization for meeting regulatory standards and industry best practices

10:45 AM – 12:15 PM

P3 Litigating a False Claims Act Case

Laurence Freedman, Member, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.



John T. Boese, Of Counsel, Fried, Frank, Harris, Shriver & Jacobson LLP



Michael Granston, Director, Commercial Litigation Branch, Fraud Section, Civil Division, U.S. Department of Justice

P4 The Government Enforcement Official and Chief Compliance Officer: Learned Experiences on Pro-Active Initiatives to Mitigate and Minimize Risk

Alec Alexander, Partner, Breazeale, Sachse & Wilson



Bret Bissey, Senior Vice President, Compliance Services, MediTract, Inc.

Edward Crooke, Senior Counsel for Healthcare Fraud, U.S. Department of Justice, Civil Division

- Every Investigation and settlement has a history of something that could or should have been done proactively. Hear of investigations, settlements and other experiences from the speakers about what could have been done different.
- The relationship between the government and the provider. What is the government looking for from a provider? What approach should the provider take in dealing with a government inquiry – DPA or CIA?
- The negotiation activities which surround a Settlement Agreement or CIA can be pressurized and subsequently result in an agreement that may contain flaws or inaccuracies. Who should be negotiating the CIA for providers? What elements is the government looking to have contained in these agreements?
- Board Governance is a critical component of a compliance program. How does the government review a Board's activity and involvement in the program? From a compliance officer perspective, what initiatives can be taken to make sure your Board is "on-spot" with their obligations?

12:15 – 1:30 PM

Lunch (on your own)

12:30 – 1:15 PM

SpeedNetworking

HCCA is bringing the popular SpeedNetworking event to the HECI. In just one hour you'll enjoy a series of quick, introductory conversations designed to help you better network with other conference attendees. We'll even provide all pre-registered attendees a box lunch!

Registration for this activity is separate but complimentary with your conference registration. Register online now at:

www2.speednetworking.com/ViewEvent/heci2015

1:30 – 3:00 PM

P5 Handling a Criminal Healthcare Fraud Case

Michael Clark, of Counsel, Duane Morris LLP



Kirk Ogrosky, Partner, Arnold & Porter LLP

Robert Zink, Assistant Chief, Criminal Division, Fraud Section, U.S. Department of Justice

P6 Kickback and Stark Law Developments



Thomas Beimers, Partner, Faegre Baker Daniels (formerly Senior Counsel, Administrative & Civil Remedies Branch, DHHS Office of Counsel to the Inspector General)

Daniel Melvin, Partner, McDermott Will & Emery, LLP

- Overview of recent important decisions by the federal and state courts with important implications for enforcement of the Anti-Kickback Statute and False Claims Act
- View from former OIG attorney regarding Anti-Kickback Statute enforcement priorities
- Developing compliance efforts to strengthen your position

3:00 – 3:15 PM

Networking break

3:15 – 4:45 PM

P7 Federal Administrative Sanctions: Exclusion and Civil Money Penalties

Katie Fink, Senior Counsel, Administrative and Civil Remedies Branch, Office of Counsel to the Inspector General, HHS

Julie Kass, Principal, Ober | Kaler

P8 Managed Care Fraud Enforcement and Compliance

 *Marc Raspanti, Partner, Pietragallo Gordon Alfano Bosick & Raspanti, LLP*

 *David Leviss, Partner, O'Melveny & Meyers LLP*

4:45 – 6:00 PM

Welcome Reception

MONDAY, OCTOBER 26

7:15 – 8:15 AM

Breakfast

8:15 – 8:30 AM

Opening Remarks

8:30 – 9:00 AM

GENERAL SESSION 1: OIG-HHS Update

 *Gary Cantrell, Deputy Inspector General for Investigations*

9:00 – 9:30 AM

GENERAL SESSION 2: Medicaid Fraud Enforcement Trends

Charlie Hobgood, Director, North Carolina Medicaid Fraud Control Unit, North Carolina Department of Justice

9:30 – 10:30 AM

GENERAL SESSION 3: IG and Regulatory Oversight and Enforcement

 *Michael Horowitz, Inspector General, United States Department of Justice*

 *Greg Demske, Chief Counsel to the Inspector General, HHS-OIG*

 *Cynthia Schnedar, Director, Office of Compliance, FDA's Center for Drug Evaluation and Research*


10:30 – 11:00 AM

Networking Break

11:00 AM – 12:00 PM

101 Health Care Fraud Enforcement 2015: Is It Really All About Quality?

 *George Breen, Member of the Firm, Epstein Becker & Green PC*

 *Jeffrey Dickstein, Assistant United States Attorney, Southern District of Florida*

- CMS is moving to pay providers based on quality of care: We will discuss the legal theories the government pursues in quality of care and medical necessity investigations and the defenses available to providers caught up in this enforcement effort
- Quality reporting requirements—such as the Physician Quality Reporting System (PQRS)—result in both incentive payments and adjustments based on quality. These requirements may result in false claims act exposure. How can providers minimize the risk?
- Quality and medical necessity need to factor into your fraud and abuse analysis: We'll consider how the Electronic Health Record (EHR) offers a new roadmap to the enforcement community and discuss how compliance could intersect with peer review

102 The Reverse False Claims Act: A Reversal of Fortune: Living with FERA and the 60-day Refund Rule

 *Zuzana Ikels, Shareholder/Principal, Polsinelli, LLC*

 *Judith Waltz, Partner, Foley & Lardner LLP*

 *Wendy Weiss, Managing Director, Disputes & Investigations Healthcare, Navigant*

Robert Kaufman, Office of the General Counsel—CMS Division, U.S. Department of Health & Human Services

- Enforcement trends: Continuum Health and the [still] pending proposed rules— is the act turning into a strict liability statute?
- Do self-disclosures trigger audits or referrals to OIG or DOJ? What if we refund too much? Too little? Or cannot pay the full amount? To whom should we submit the refund?
- What "footprint" does a refund leave? What about personal liability of the officers and directors?

103 Perspectives on DOJ Enforcement

 *Pamela Johnston, Partner, Foley & Lardner LLP (formerly, Deputy Chief, Major Frauds Section, U.S. Attorney's Office, Los Angeles)*

Consuelo Woodhead, Deputy Chief, Major Frauds Section, U.S. Attorney's Office, Los Angeles

Linda Kontos, Deputy Chief, Civil Fraud Section, U.S. Attorney's Office, Los Angeles

- Compliance: Understanding the importance of maintaining company compliance records
- Parallel Proceedings: Understanding what cooperation means in parallel criminal and civil False Claims Act proceedings
- Healthcare Fraud Trends: Discussion of hospital, home health, hospice and ambulance cases

12:00 – 1:00 PM

Lunch

1:00 – 2:00 PM

201 Advice of Counsel: A Case Study

 *Matthew Tormey, Chief Compliance Officer, TeamHealth*

 *Kevin McAnaney, Attorney, Law Office of Kevin G. McAnaney*

- Company Counsel: How can you use it and what protection does it really offer?
- Compliance: Are you caught in the middle?
- Enforcement: impact on enforcement decisions

202 Whistleblowers: How to Make Them Friends Not Foes of Your Compliance Efforts

 *Anne Novick Branan, Attorney, Broad and Cassel*

 *Lesley Ann Skillen, Attorney, Getnick & Getnick LLP*

- Hear from *qui tam* plaintiff's counsel why employees become *qui tam* whistleblowers and what they say about how their employers mishandled their internal compliance reports
- Understand how to harness the energy and motivation of the potential whistleblower as an effective compliance strategy in your company
- Learn compliance processes and strategies to implement today to reduce the possibility of your employees filing *qui tam* actions

203 Update on Privilege Developments and Challenges in FCA Litigation and other Investigations: Are Your Organization's Practices Adequate?

 *Sara Kay Wheeler, Partner, King & Spalding*

 *L. Lin Wood, L. LIN WOOD, P.C.*

- Recent trends in FCA litigation
- Recent cases involving privilege issues and challenges
- Practical approaches to protecting privileged information


2:00 – 2:30 PM

Networking Break

2:30 – 3:30 PM

301 Choose Your Own Adventure: Self-Disclosure Options and Strategy

 *Tony Maida, Partner, McDermott Will & Emery (formerly Deputy Branch Chief, Administrative and Civil Remedies Branch, Office of Counsel to the Inspector General)*

 *Susan Gillin, Deputy Branch Chief, Administrative and Civil Remedies Branch, Office of Counsel to the Inspector General*

 *Gabriel Imperato, Managing Partner, Broad and Cassel*

- Learn about the OIG and CMS self-disclosure protocols
- Best practices and tips in deciding whether an issue is appropriate and ready for disclosure
- Strategic considerations in positioning yourself to obtain a favorable outcome

302 CMS Trends and Initiatives Under the Affordable Care Act

 *Sean McKenna, Partner, Haynes and Boone, LLP*

 *David Wright, Acting Regional Administrator, Consortium for Quality Improvement and Survey and Certification Operations, Centers for Medicare & Medicaid Services-Dallas/Atlanta*

- Learn about CMS's expanded authorities and enforcement actions
- Benefit from a current Regional Administrator's observations about CMS's priorities
- Hear from a former federal prosecutor how DOJ, the OIG, and CMS work together in addressing quality concerns

303 Navigating Investigations Involving Multiple Parties

 *Ken Briggs, Attorney, Polsinelli*

 *Kirk Ogrosky, Partner, Arnold & Porter LLP*

- Summary of key laws (Stark, Anti-Kickback, HIPAA) and how liabilities can arise from multi-party transactions (e.g., vendors, referral relationships, networks) through contracts or operations
- Discussion of obstacles in investigating and resolving multi-party compliance issues and enforcement priorities
- Tips on addressing those obstacles at the formation of the arrangement and how to minimize conflict in the event of a compliance issue

3:30 – 4:00 PM

Networking Break

4:00 – 5:00 PM


401 Prescription Drug Diversion in Federal Health Programs

Mike Cohen, Inspector, HHS Office of Inspector General, Office of Investigations

402 Do External Evaluations of Compliance Program Effectiveness Matter?

 *Steven Ortquist, Managing Director, Aegis Compliance & Ethics Center LLP*


Benton Curtis, Former Assistant Chief, Criminal Fraud Section, U.S. Department of Justice

 *Carolyn McNiven, Shareholder Litigation, Greenberg Traurig (formerly Criminal Healthcare Fraud Coordinator, U.S. Attorney's Office, NDIL [Chicago])*

- How external firms review and evaluate compliance program effectiveness
- What the enforcement community looks for in effectiveness evaluations
- Practical advice from a formal federal prosecutor for compliance officers, external reviewers and enforcement officials

403 The Changing Landscape of CMS's Anti-Fraud Contractors

James Rose, Director, Navigant Consulting (formerly Chief Audit Officer, Humana and former Director of Performance Audit for the State of Kentucky)

 *Ted Doolittle, Program Director, CGI Federal (formerly Deputy Director of Policy & Enforcement, CMS Center for Program Integrity)*

- Understand the shift from MIC/ZPIC to Unified Program Integrity Contractor: How will the new system differ from the old and how will it be the same?
- What actions should you take to prepare for these changes?
- What expectations does CMS have for involved stakeholders UPIC, providers, payers?

5:00 – 6:00

Networking Reception

TUESDAY, OCTOBER 27

7:15 – 8:15 AM

Breakfast

8:15 – 8:30 AM

Opening Remarks

8:30 – 9:30 AM

GENERAL SESSION 4: The State of Cyber Risk to the Healthcare Industry

*John Riggi, Section Chief,
Federal Bureau of Investigation*

- Why the healthcare industry is targeted
- Schemes and methods used to hack healthcare organizations
- How to protect against such schemes and what to do in the event of a breach

9:30 – 10:00 AM

GENERAL SESSION 5: DOJ Update



Joyce Branda, Deputy Assistant Attorney General, United States Department of Justice

10:00 – 10:30 AM

GENERAL SESSION 6: A Conversation with OCR Director Jocelyn Samuels



Jocelyn Samuels, Director, U.S. Department of Health and Human Services, Office for Civil Rights

10:30 – 11:00 AM

Networking Break

11:00 AM – 12:00 PM

501 Corporate Integrity Agreement Design and Enforcement: How to Mitigate Liability



Greg Radinsky, VP, Chief Corporate Compliance Officer, North Shore-LIJ Health System (formerly Associate Counsel, Office of Counsel to the Inspector General, U.S. Department of Health & Human Services)



Raja Sekaran, VP & Associate General Counsel for Regulatory Affairs, Dignity Health (formerly Senior Counsel, Office of Counsel to the Inspector General, U.S. Department of Health & Human Services)

Nicole Caucci, Senior Counsel, Administrative and Civil Remedies Branch, Office of Counsel to the Inspector General, HHS

- What compliance officers and attorneys can learn from CIAs
- Helpful tips on how to demonstrate compliance effectiveness
- How to effectively manage a CIA

502 Physicians in the Crosshairs: Effective Strategies for Dealing with Recent Enforcement Trends Involving Physician-Related Fraud



Anna Grizzle, Partner, Bass, Berry & Sims PLC



Jerry Williamson, MD, MJ, CHC, Healthcare Consultant

- Analysis of lessons learned from recent enforcement actions and government enforcement priorities involving physicians, including use of compliance audits as basis for potential liability
- Focus on increased use of data analytics by regulators in enforcement activities and how to use the same information in your compliance program to proactively protect against enforcement activities
- Effective strategies and best practices for navigating compliance and enforcement issues involving physicians and dealing with government regulators

503 Surviving a HIPAA Breach Investigation



Celeste Davis, Regional Manager, Office for Civil Rights-Region V



Nicole Waid, Partner, FisherBroyles LLP



Mark Swearingen, Shareholder, Hall Render Killian Heath & Lyman P.C.

- Understand the anatomy of a HIPAA breach investigation
- Learn what OCR looks for and expects when conducting a HIPAA breach investigation
- Understand HIPAA enforcement trends and factors that can aggravate and mitigate enforcement activity

12:00 – 1:00 PM

Lunch

1:00 – 2:00 PM

601 What to Expect When the State Comes Knocking: Insights into Medicaid Fraud Investigations



Jennifer Evans, Shareholder, Polsinelli PC



George Coddling, Senior Assistant Attorney General, State of Colorado



Timothy Sokas, First Assistant Attorney General, Director, Medicaid Fraud Control Unit, Criminal Justice Section, Office of the Attorney General of Colorado

- State-driven Medicaid investigations and priorities of Medicaid Fraud and Control Units (MFCU) on the state level, both generally and in response to Medicaid expansion
- Approaches to and lessons learned during Medicaid audits, fraud investigations and settlements, including multi-state investigations, as well as enforcement officials' expectations during an investigation
- Practical insight into Medicaid overpayment and fraud investigations from the perspectives of health care providers, Medicaid Agency, and the MFCUs, including strategies that enhance cooperation between providers and the government

602 The Hidden Language of the Sentencing Guidelines

 *Kathleen Grilli, General Counsel, United States Sentencing Commission*

 *Joseph Murphy, Senior Advisor, Compliance Strategists*

- What words are there that no one sees?
- Do terms like “minimally” and “incentives” have mysterious meanings?
- How should you actually read the Sentencing Guidelines standards?

603 Responding to Medicare Contractor Audits and Investigations

 *Lester Perling, Partner, Broad and Cassel*

 *Kim Brandt, Chief Healthcare Investigative Counsel for Senate, US Senate Finance Committee*

- The right way and the wrong way to approach contractor audits and investigations—yes, they do investigate
- Strategies for appealing contractor actions—overpayments, revocations, suspensions, etc
- The future: what can we expect (or hope for)?

2:00 – 2:15 PM

Networking Break

2:15 – 3:15 PM

701 Balancing Audit Results and Refunds

 *Lori Laubach, Principal, Moss Adams*


 *Judith Waltz, Partner, Foley & Lardner LLP*

- Identifying the need for auditing (and refunds)
- Structuring the audit, getting it done, and moving forward (operational concerns)
- Meeting legal obligations while maximizing legal protections

702 Board and Management: Compliance Accountability

 *Dan Roach, General Counsel and CCO, Optum360*

 *James Sheehan, Chief, Charities Bureau, NY Attorney General*

 *Katie Arnholt, Deputy Branch Chief, Administrative and Civil Remedies Branch, Office of Counsel to the Inspector General, HHS*

This session reviews literature and best practices from government agencies, practitioners and thought leaders on the five aspects of compliance for boards and managers:

- Compliance as a risk: the identification and mitigation of key risk areas
- Compliance as a legal duty: roles and duties for directors and officers,
- Compliance as a performance metric: benchmarks and scorecards
- Compliance as remediation: appropriate corrective and follow up actions
- Compliance as communication: culture and messages

703 Stark Law: What Have We Learned From Recent Cases and the SRDP?

 *Robert Wade, Partner, Krieg Devault LLP*

Matthew Edgar, Health Insurance Specialist, Division of Technical Payment Policy, Centers for Medicare & Medicaid Services

- Key cases and settlements, including Halifax Health, Tuomey, and Infirmary
- What does “takes into account” the volume or value of referrals really mean?
- History and regulatory guidance regarding self-reporting Stark issues, and key learning points from the SRDP both from the perspective of the government and private practice

WEDNESDAY, OCTOBER 28

8:00 – 8:30 AM

Exam Check-in

8:30 – 11:00 AM

Certified in Healthcare Compliance (CHC)[®] Exam

The CHC exam is optional. You must register in advance to sit for the exam. The cost of the exam is not included in the conference registration fee. To register for the exam, complete the date-specific exam application and mail or fax as directed on the application. For a link to the exam application, visit hcca-info.org/heci.

Full name _____
please type or print

Sharing your demographic information with HCCA will help us create better networking opportunities for you. Thank you for taking a moment to fill out the following information.

DEMOGRAPHIC INFORMATION

What is your functional job title? Please select one.

- | | |
|--|--|
| <input type="checkbox"/> Academic/Professor | <input type="checkbox"/> Consultant |
| <input type="checkbox"/> Administration | <input type="checkbox"/> Controller |
| <input type="checkbox"/> Asst Compliance Officer | <input type="checkbox"/> Ethics Officer |
| <input type="checkbox"/> Attorney (In-House Counsel) | <input type="checkbox"/> Executive Director |
| <input type="checkbox"/> Attorney (Outside Counsel) | <input type="checkbox"/> General Counsel |
| <input type="checkbox"/> Audit Analyst | <input type="checkbox"/> HIM Professional |
| <input type="checkbox"/> Audit Manager/Officer | <input type="checkbox"/> HIPAA/Privacy Officer |
| <input type="checkbox"/> Billing Manager/Officer | <input type="checkbox"/> Human Resources |
| <input type="checkbox"/> Charger Master | <input type="checkbox"/> Medical Director |
| <input type="checkbox"/> Chief Compliance Officer | <input type="checkbox"/> Nurse |
| <input type="checkbox"/> CEO/President | <input type="checkbox"/> Nurse Manager |
| <input type="checkbox"/> Chief Financial Officer | <input type="checkbox"/> Patient Safety Officer |
| <input type="checkbox"/> Chief Information Officer | <input type="checkbox"/> Pharmacy Director |
| <input type="checkbox"/> Chief Medical Officer | <input type="checkbox"/> Physician |
| <input type="checkbox"/> Chief Operating Officer | <input type="checkbox"/> Quality Assurance/
Quality of Care |
| <input type="checkbox"/> Clinical | <input type="checkbox"/> Regulatory Officer |
| <input type="checkbox"/> Coder | <input type="checkbox"/> Reimbursement Coordinator |
| <input type="checkbox"/> Compliance Analyst | <input type="checkbox"/> Research Analyst |
| <input type="checkbox"/> Compliance Coordinator | <input type="checkbox"/> Risk Manager |
| <input type="checkbox"/> Compliance Director | <input type="checkbox"/> Trainer/Educator |
| <input type="checkbox"/> Compliance Fraud Examiner | <input type="checkbox"/> Vice President |
| <input type="checkbox"/> Compliance Officer | <input type="checkbox"/> Other (please list below) |
| <input type="checkbox"/> Compliance Specialist | |

List others not listed here:

REGISTRATION CONTINUES ON NEXT PAGE (OVER)

What is your primary health care entity?

- | | |
|---|--|
| <input type="checkbox"/> Academic | <input type="checkbox"/> Long-Term Care |
| <input type="checkbox"/> Ambulance/Transportation | <input type="checkbox"/> Managed Care |
| <input type="checkbox"/> Behavioral Health | <input type="checkbox"/> Medical Device Manufacturer |
| <input type="checkbox"/> Consulting Firm | <input type="checkbox"/> Medical/Clinical Research |
| <input type="checkbox"/> Durable Medical Equipment | <input type="checkbox"/> Nursing |
| <input type="checkbox"/> Government Provider | <input type="checkbox"/> Other Provider of Services/
Products to Health Care Entities |
| <input type="checkbox"/> Health System | <input type="checkbox"/> Payor/Insurance |
| <input type="checkbox"/> Health System/Teaching | <input type="checkbox"/> Pharmaceutical Manufacturer |
| <input type="checkbox"/> Home Care/Hospice | <input type="checkbox"/> Physician Practice |
| <input type="checkbox"/> Hospital | <input type="checkbox"/> Rehabilitation |
| <input type="checkbox"/> Hospital/Teaching | <input type="checkbox"/> Retail Pharmacy |
| <input type="checkbox"/> Integrated Delivery System | <input type="checkbox"/> Third-Party Billing |
| <input type="checkbox"/> Integrated Health System | <input type="checkbox"/> Other (please list below) |
| <input type="checkbox"/> Laboratory | |
| <input type="checkbox"/> Law Firm | |

List others not listed here:

What certifications do you hold? Select all that apply.

- | | | | |
|--------------------------------|-------------------------------|--------------------------------|-------------------------------|
| <input type="checkbox"/> BA | <input type="checkbox"/> CHE | <input type="checkbox"/> FHFMA | <input type="checkbox"/> MSN |
| <input type="checkbox"/> BBA | <input type="checkbox"/> CHP | <input type="checkbox"/> JD | <input type="checkbox"/> MT |
| <input type="checkbox"/> BS | <input type="checkbox"/> CHPC | <input type="checkbox"/> LLM | <input type="checkbox"/> NHA |
| <input type="checkbox"/> BSN | <input type="checkbox"/> CHRC | <input type="checkbox"/> MA | <input type="checkbox"/> PhD |
| <input type="checkbox"/> CCEP | <input type="checkbox"/> CIA | <input type="checkbox"/> MBA | <input type="checkbox"/> RHIA |
| <input type="checkbox"/> CEM | <input type="checkbox"/> CPA | <input type="checkbox"/> MHA | <input type="checkbox"/> RHIT |
| <input type="checkbox"/> CCS | <input type="checkbox"/> CPC | <input type="checkbox"/> MPA | <input type="checkbox"/> RN |
| <input type="checkbox"/> CCS-P | <input type="checkbox"/> CPHQ | <input type="checkbox"/> MPH | |
| <input type="checkbox"/> CFE | <input type="checkbox"/> DDS | <input type="checkbox"/> MS | |
| <input type="checkbox"/> CHC | <input type="checkbox"/> ESQ | <input type="checkbox"/> MSHA | |

List others not listed here:

CONTACT INFORMATION

Mr Mrs Ms Dr

HCCA Member ID (if applicable)

First Name MI

Last Name

Credentials (CHC, CCEP, etc.)

Job Title

Name of Employer

Street Address

City/Town State/Province

Country Zip/Postal Code

Phone

Email (required for registration confirmation & conference information)

SESSION SELECTION

Please select your sessions to assist us in room planning.
Select only ONE session per time slot.

SUN, OCT 25 BREAKOUTS

9:00–10:30 AM

- P1
- P2

10:45–12:15 PM

- P3
- P4

1:30–3:00 PM

- P5
- P6

3:15–4:45 PM

- P7
- P8

MON, OCT 26 BREAKOUTS

11:00 AM–12 PM

- 101
- 102
- 103

1:00–2:00 PM

- 201
- 202
- 203

2:30–3:30 PM

- 301
- 302
- 303

4:00–5:00 PM

- 401
- 402
- 403

TUE, OCT 27 BREAKOUTS

11:00 AM–12 PM

- 501
- 502
- 503

1:00–2:00 PM

- 601
- 602
- 603

2:30–3:30 PM

- 701
- 702
- 703

REGISTRATION OPTIONS

Registration fees are as listed and considered net of any local withholding taxes applicable in your country of residence.

- HCCA Members\$799
- Non-Members\$899
- HCCA Membership & Registration\$999
NEW MEMBERS ONLY / DUES REGULARLY \$295 ANNUALLY
- Pre-Conference Registration.....\$125
- Group Discount: subtract \$_____ from my total (SEE DETAILS AT LEFT)

TOTAL \$_____

SPECIAL REQUEST FOR DIETARY ACCOMMODATION

Gluten Free Kosher Vegetarian Vegan Other

PAYMENT OPTIONS

- Invoice me
 - Check enclosed (payable to HCCA)
 - I authorize HCCA to charge my credit card (choose below)
- CREDIT CARD: American Express Discover MasterCard Visa

Due to PCI Compliance, please **do not provide any credit card information via email**. You may email this form to helpteam@hcca-info.org (without credit card information) and call HCCA at 888-580-8373 or 952-988-0141 with your credit card.

Credit Card Account Number

Credit Card Expiration Date

Cardholder's Name

Cardholder's Signature

HRI1015

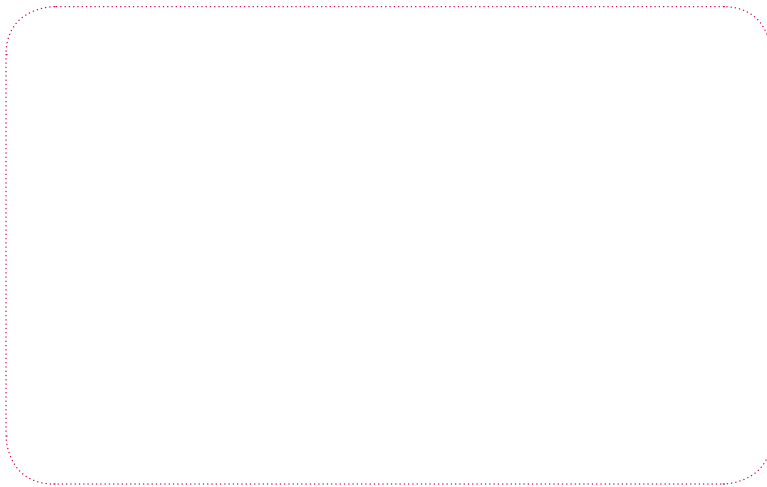
WAYS TO REGISTER

MAIL to HCCA, 6500 Barrie Road, Suite 250, Minneapolis, MN 55435-2358

ONLINE at hcca-info.org/heci

FAX to 952-988-0146 (include completed registration form with payment)

EMAIL helpteam@hcca-info.org (without credit card information)



Hotel & conference location:

Washington Hilton
1919 Connecticut Ave, NW
Washington, DC 20009
202-483-3000

Registration Terms & Conditions: Please make your check payable to HCCA, enclose payment with your registration, and return it to the HCCA office, or fax your credit card payment to 952-988-0146. If your total is miscalculated, HCCA will charge your card the correct amount. All expenses incurred to maintain or improve skills in your profession may be tax deductible, including tuition, travel, lodging, and meals. Please consult your tax advisor.

Cancellations/Substitutions: You may send a substitute in your place or request a conference credit. Conference credits are issued in the full amount of the registration fees paid and are good for 12 months from the date of the cancelled event. Conference credits may be used toward any HCCA service. If you need to cancel your participation, notify us prior to the start date of the event by email at helpteam@hcca-info.org or by fax at 952-988-0146. Please note that if you are sending a substitute, an additional fee may apply.

Special Needs/Concerns: Prior to your arrival, please call HCCA at 888-580-8373 if you have a special need and require accommodation to participate.

Dress Code: Business casual dress is appropriate.

Recording: No unauthorized audio or video recording of HCCA conferences is allowed.

Group Discounts: Discounts take effect the day a group reaches the discount number of registrants. Please send registration forms together to ensure that the discount is applied. A separate registration form is required for each registrant. Note that discounts will NOT be applied retroactively if more registrants are added at a later date, but new registrants will receive the group discount.

5 or more: \$50 discount for each registrant
10 or more: \$100 discount for each registrant

Agreements & Acknowledgements: I agree and acknowledge that I am undertaking participation in HCCA events and activities as my own free and intentional act, and I am fully aware that possible physical injury might occur to me as a result of my participation in these events. I give this acknowledgement freely and knowingly and assert that I am, as a result, able to participate in HCCA events, and I do hereby assume responsibility for my own well-being. I agree and acknowledge that HCCA plans to take photographs at the HCCA Healthcare Enforcement Compliance Institute and reproduce them in HCCA educational, news, or promotional material, whether in print, electronic, or other media, including the HCCA website. By participating in the HCCA Research Compliance Conference, I grant HCCA the right to use my name, photograph, and biography for such purposes.

Continuing Education Units: HCCA is in the process of applying for additional credits. If you do not see information on your specific accreditation and would like to make a request, please contact us at 952-988-0141 or 888-580-8373 or email ccb@compliancecertification.org. Visit HCCA's website, hcca-info.org, for up-to-date information.

ACHE: The Health Care Compliance Association is authorized to award 17 hours of pre-approved Category II (non-ACHE) continuing education credit for this program toward advancement, or recertification in the American College of Healthcare Executives. Participants in this program wishing to have the continuing education hours applied toward Category II credit should indicate on their attendance when submitting application to the American College of Healthcare Executives for advancement or recertification.

Compliance Certification Board (CCB): Compliance Certification Board (CCB): CCB has awarded a maximum of 20.4 CEUs for these certifications: Certified in Healthcare Compliance (CHC)®, Certified in Healthcare Compliance–Fellow (CHC-F)™, Certified in Healthcare Privacy Compliance (CHPC)®, Certified in Healthcare Research Compliance (CHRC)®, Certified Compliance & Ethics Professional (CCEP)®, Certified Compliance & Ethics Professional–Fellow (CCEP-F)®, Certified Compliance & Ethics Professional–International (CCEP-I)™.

Nursing Credit: The Health Care Compliance Association is preapproved by the California Board of Registered Nursing, Provider Number CEP 12990, for a maximum of 20.4 contact hour(s). The following states will not accept CA Board of Nursing contact hours: Delaware, Florida, New Jersey and Utah. Massachusetts and Mississippi nurses may submit CA Board of Nursing contact hours to their state board, but approval will depend on review by the board. Please contact the Accreditation Department at ccb@compliancecertification.org with any questions you may have. Oncology Nurses who are certified by ONCC may request CA Nursing Credit (check box or indicate "Nursing" on the CEU form).

CLE: The Health Care Compliance Association is a State Bar of California Approved MCLE provider, a Pennsylvania Accredited Provider, and is an accredited sponsor, approved by the State Bar of Texas, Committee on MCLE. An approximate maximum of 17.0 clock hours of CLE credit will be available to attendees of this conference. All CLE credits will be awarded based on individual attendance.

NASBA/CPE: The Health Care Compliance Association is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE sponsors, Sponsor Identification No: 105638. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit and may not accept one-half credits. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN 37219-2417. Website: www.nasba.org. A recommended maximum of 20.0 credits based on a 50-minute hour will be granted for the entire learning activity. This program addresses topics that are of a current concern in the compliance environment. This is an update, group-live activity. For more information regarding administrative policies such as complaints or refunds, call 888-580-8373 or 952-988-0141.

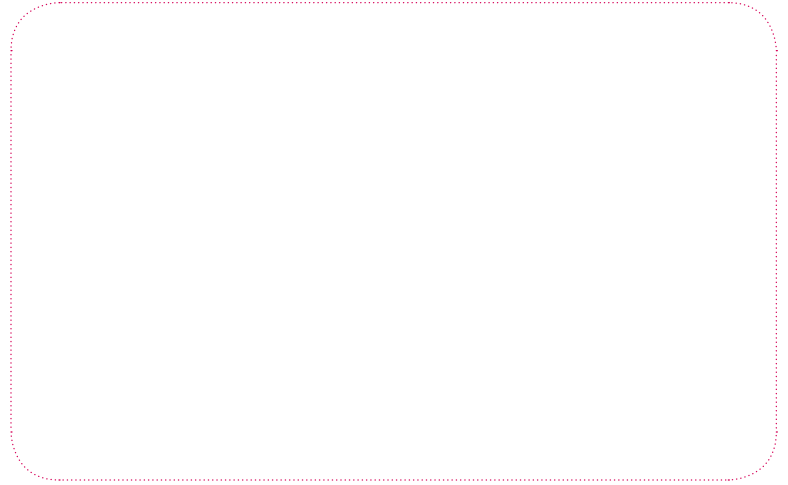


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P 888-580-8373 OR 952-988-0141 | F 952-988-0146
hcca-info.org | helpteam@hcca-info.org





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Healthcare Enforcement Compliance Institute

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practices for
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Learn best and leading-edge practices for the compliance lawyer. Go beyond legal analysis, learn how to implement systems that ensure the law is followed, and gain practical advice from experts in a one-of-a-kind forum where lawyers and compliance officers work together.

