Still time to register!

# Virtual

# Healthcare Enforcement Compliance Conference

### November 8-10, 2021

Gain insight into current enforcement issues and come away with a greater understanding of how to detect problems and properly investigate violations within your organization.

- Access to 35 virtual session choices
- Earn 21 live Compliance Certification Board (CCB)<sup>®</sup> continuing education units (CEUs)

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# About the conference

The Healthcare Enforcement Compliance Conference is an annual event for healthcare compliance professionals looking to gain insight into properly monitoring, detecting, investigating, and managing violations.

Hear first-hand from government enforcement leaders about regulatory changes, expectations, and key priorities. Speakers will include representatives from the HHS-OIG, Civil Division of the DOJ, U.S. Department of Health and Human Services, Office of Counsel to the Inspector General, and leaders in the healthcare enforcement compliance industry.

### 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

### Key subject areas:

- False Claims Act
- Cybersecurity and healthcare privacy
- Fraud enforcement
- Corporate integrity agreements and IRO
- Enforcement in clinical research
- Privacy regulations
- Managed care
- Telehealth

### **HCCA's mission**

Health Care Compliance Association® (HCCA) exists to champion ethical practices and compliance standards and to provide the necessary resources for healthcare professionals and others who share these principles.

# **Become Certified**

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Take the first step and apply to sit for a Compliance Certification Board (CCB)<sup>®</sup> exam.

#### Exams now offered online =

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# Schedule at a glance

### Monday, November 8

| 8:55 AM EST                                              | Welcome and Announcements                                  |  |  |  |
|----------------------------------------------------------|------------------------------------------------------------|--|--|--|
| 9:00–10:30 AM EST<br>Concurrent Breakout<br>Sessions     | P1 Recent Developments: Kickback and Stark Law             |  |  |  |
|                                                          | P2 CIAs and IROs                                           |  |  |  |
| 10:30–10:45 AM EST                                       | Break                                                      |  |  |  |
| 10:45 AM–12:15 PM EST<br>Concurrent Breakout<br>Sessions | P3 Anatomy of a False Claims Act Case                      |  |  |  |
|                                                          | P4 False Claims Act Liability and Post-Acute Care          |  |  |  |
| 12:15–1:45 PM EST                                        | Mid-Conference Break                                       |  |  |  |
| 1:45 – 3:15 PM EST<br>Concurrent Breakout<br>Sessions    | P5 Negotiating and Mediating False Claims Act Cases        |  |  |  |
|                                                          | P6 Cybersecurity in Healthcare Privacy                     |  |  |  |
| 3:15-3:30 PM EST                                         | Break                                                      |  |  |  |
| 3:30-5:00 рм EST                                         | P7 Compliance Experts and Compliance Program Effectiveness |  |  |  |
| Concurrent Breakout<br>Sessions                          | P8 Hot Topics in Retail Pharmacy                           |  |  |  |

### Tuesday, November 9

| 9:00–9:15 AM EST                | Opening Remarks                                                                               |
|---------------------------------|-----------------------------------------------------------------------------------------------|
| 9:15–10:45 AM EST               | General Session 1: Government Enforcement Panel                                               |
| 10:45–11:15 AM EST              | Networking Break                                                                              |
| 11:15 AM-12:15 PM EST           | 101 Ask the Stark Professionals                                                               |
| Concurrent Breakout<br>Sessions | 102 Federal Administrative Sanctions                                                          |
|                                 | 103 Privacy Breach Response                                                                   |
| 12:15–1:15 рм EST               | Mid-Conference Break                                                                          |
| 1:15–2:15 PM EST                | 201 Internal Investigation and Self-Disclosure                                                |
| Concurrent Breakout<br>Sessions | 202 Enforcement and Compliance and Electronic Health Records                                  |
|                                 | 203 Enforcement, Compliance Officer, and General Counsel                                      |
| 2:15-2:45 pm EST                | Networking Break                                                                              |
| 2:45-3:45 PM EST                | 301 Mistakes to Avoid Under CIAs                                                              |
| Concurrent Breakout<br>Sessions | 302 Litigating a False Claims Act Case                                                        |
|                                 | 303 Enforcement Actions, Investigations, and Settlements                                      |
| 3:45-4:00 PM EST                | Break                                                                                         |
| 4:00 PM-5:00 PM EST             | 401 Criminal and Civil Enforcement and Telehealth                                             |
| Concurrent Breakout<br>Sessions | 402 Collateral Consequences to Audits and Adverse Enrollment Actions in a Post COVID-19 World |
|                                 | 403 Using Data in Enforcement and Compliance                                                  |
| 5:00-5:15 pm EST                | Break                                                                                         |
| 5:15-6:15 PM EST                | General Session 2: Healthcare Regulatory, Enforcement and Policy Issues                       |

# Schedule at a glance

### Wednesday, November 10

| 9:00-9:15 AM EST                                    | Opening Remarks                                                                                               |
|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| 9:15-10:15 AM EST                                   | General Session 3: An Update from OIG's Division of Data Analytics                                            |
| 10:15-10:45 AM EST                                  | Networking Break                                                                                              |
| 10:45–11:45 AM EST                                  | 501 Criminal and Civil Liability and Medical Necessity                                                        |
| Concurrent Breakout<br>Sessions                     | 502 Enforcement and Compliance in Clinical Research                                                           |
|                                                     | 503 Attorney-Client Privilege and Internal Investigations                                                     |
| 11:45 ам—12:45 рм EST                               | Mid-Conference Break                                                                                          |
| 12:45–1:45 PM EST                                   | 601 Fraud and Compliance Issues Relating to Genetic Testing                                                   |
| Concurrent Breakout<br>Sessions                     | 602 Managed Care Enforcement and Compliance                                                                   |
|                                                     | 603 Laboratory Enforcement and Compliance                                                                     |
| 1:45–2:15 PM EST                                    | Networking Break                                                                                              |
| 2:15-3:15 PM EST                                    | 701 Handling a Criminal Healthcare Fraud Case                                                                 |
| Concurrent Breakout<br>Sessions                     | 702 Hospital Physician Compensation Arrangements, Enforcement, and Compliance                                 |
|                                                     | 703 Compliance Repayment and Self-Disclosure                                                                  |
| 3:15-3:30 PM EST                                    | Break                                                                                                         |
| 3:30–4:30 РМ EST<br>Concurrent Breakout<br>Sessions | 801 Medicaid Fraud Enforcement                                                                                |
|                                                     | 802 Practical Steps to Prepare Your Hospital's Controlled Substance Diversion Program for Government Scrutiny |
|                                                     | 803 Effective Compliance Due Diligence                                                                        |
|                                                     |                                                                                                               |

### Monday, November 8

#### 8:55 AM EST

#### Welcome and Announcements

#### 9:00-10:30 AM EST

#### CONCURRENT BREAKOUT SESSIONS

#### **P1** Recent Developments: Kickback and Stark Law

#### LEVEL: INTERMEDIATE

TONY MAIDA, Partner, McDermott Will & Emery

AMY KEARBEY, Senior Counsel, Industry Guidance Branch, Office of Counsel to the Inspector General

- Overview of Anti-Kickback or Stark Law developments and settlements
- Summary of recent regulatory developments including value-based payment arrangements
- Review and developments in all-payer kickback statue (EKRA 2018)

#### P2 CIAs and IROs

#### LEVEL: INTERMEDIATE

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

DARRELL CONTRERAS, Chief Compliance Officer, Millennium Health

NICOLE CAUCCI, Deputy Branch Chief, Office of Inspector General - HHS

- Corporate integrity agreements and requirements for an Independent Review Organization (IRO)
- Obligations and role of an IRO
- Keys to successful IRO engagements

#### 10:30-10:45 AM EST

**Break** 

#### 10:45 AM-12:15 PM EST

#### CONCURRENT BREAKOUT SESSIONS

### **P3** Anatomy of a False Claims Act Case

#### LEVEL: INTERMEDIATE

KATHERINE A. LAUER, Partner, Latham & Watkins, LLP

THOMAS BARNARD, Shareholder, Baker Donelson

DAN SPIRO, Senior Trial Counsel, U.S. Department of Justice

TAMAR TERZIAN, Senior Counsel, Office of Inspector General - HHS

- The investigation phase: Subpoenas/CIDs, data analysis, witness interviews, and more
- The negotiation phase: Initiation, ADR, scope of release, monetary, and other issues
- The resolution phase: Settlement agreements, individual liability, CIAs/OIG, and relator issues

## **P4** False Claims Act Liability and Post-Acute Care

#### LEVEL: INTERMEDIATE

DR. STEFANIE CORBETT, President, Corbett Healthcare Solutions

DAVID R. HOFFMAN, President, David Hoffman & Associates

TAMAR ABELL, CEO, TBA Consultant

- 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

#### 12:15-1:45 PM EST

#### **Mid-Conference Break**

#### 1:45-3:15 PM EST

#### CONCURRENT BREAKOUT SESSIONS

#### **P5** Negotiating and Mediating False Claims Act Cases

#### LEVEL: INTERMEDIATE

SARA MCLEAN, Assistant Director, U.S. Department of Justice

SEAN O'CONNELL, Counsel, Hunton Andrews Kurth

#### JEB WHITE, President & CEO, Taxpayers Against Fraud Education

- False Claims Act settlements and DOJ policy and procedure
- Negotiating and mediating False Claims Act cases
- Drafting False Claims Act settlement agreements

## **P6** Cybersecurity in Healthcare Privacy

#### LEVEL: INTERMEDIATE

CORY HALL, Executive Director, Information Technology, Nicklaus Children's Health System

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

- Assessing the current cybersecurity and privacy legal landscape and enforcement actions
- Emerging technologies: Cybersecurity and privacy risks for healthcare-related entities
- Addressing risks from supply chain and third-party vendors

#### 3:15-3:30 PM EST

Break

#### 3:30-5:00 PM EST

#### CONCURRENT BREAKOUT SESSIONS

#### **P7** Compliance Experts and Compliance Program Effectiveness

#### LEVEL: INTERMEDIATE

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

JUDY RINGHOLZ, VP of Compliance and Ethics & Chief Compliance Officer, Jackson Health System SCCE & HCCA Board Member

ANNE DALY, Chief Compliance & Integrity Officer, Ann & Robert H. Lurie Children's Hospital of Chicago

- What to ask and look for in effectiveness evaluation proposals
- Things to consider as your effectiveness review is being conducted
- Using review results to improve your compliance program's performance

#### **P8** Hot Topics in Retail Pharmacy

#### LEVEL: INTERMEDIATE

SELINA COLEMAN, Partner, Reed Smith

DANIEL P. FITZGERALD, Senior Counsel, Government Litigation Dept., Walgreen Co.

- Trends in False Claims Act enforcement
- Compliance strategies for retail pharmacy
- Pharmacy "usual and customary" pricing

### Tuesday, November 9

#### 9:00-9:15 AM EST

#### **Opening Remarks**

#### 9:15-10:45 AM EST

#### General Session 1: Government Enforcement Panel

MODERATOR: KIRK OGROSKY, Partner, Arnold & Porter LLP

JAMIE YAVELBERG, Director, Fraud Section, Commercial Litigation Branch, Civil Division, U.S. Department of Justice

GUSTAV EYLER, Director, Consumer Protection Branch, U.S. Department of Justice

LISA RE, Assistant Inspector General for Legal Affairs, Office of Inspector General, Department of Health & Human Services

ALLAN MEDINA, Chief of the Department of Justice, Health Care Fraud Unit, Criminal Division, U.S. Department of Justice

- Overview of DOJ criminal and civil enforcement priorities
- Discussion of OIG and CMS enforcement initiatives
- Discussion of Medicaid fraud enforcement priorities

#### 10:45–11:15 AM EST

**Networking Break** 

#### 11:15 АМ-12:15 РМ EST

#### CONCURRENT BREAKOUT SESSIONS

#### 101 Ask the Stark Professionals

#### LEVEL: ADVANCED

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

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

ROBERT A. WADE, Partner, Barnes & Thornburg LLP

- General overview of the Stark Law
- Bring your Stark Law questions and the panel will analyze and discuss "real-time" potential Stark Law risks
- "Live" answers to your Stark Law operational questions

## **102** Federal Administrative Sanctions

#### LEVEL: BASIC

GEOFFREY W. HYMANS, Deputy Branch Chief, Exclusions Branch, Office of Counsel to the Inspector General, OIG-DHHS

#### HOWARD J. YOUNG, Partner, Morgan, Lewis & Bockius LLP

- Understand OIG enforcement actions, remedies, and appeals
- Appreciate differences between available CMS enrollment actions
- Identify new CMS program integrity rules and authorities

#### 103 Privacy Breach Response

#### LEVEL: INTERMEDIATE

GINA GINN GREENWOOD, Partner, Co-Lead of Data Protection, Privacy, and Security Practice, Nelson Mullins

BLAINE KERR, Sr. Director of Security & Privacy Compliance, Ensemble Health Partners

- Things organizations should consider prior to the occurrence of a data security breach (such as ransomware)
- Information regarding who does what when a data security breach occurs that involves a business associate and a covered entity
- Ways to examine what was learned after a data security breach response

#### 12:15-1:15 PM EST

#### **Mid-Conference Break**

#### 1:15-2:15 PM EST

#### CONCURRENT BREAKOUT SESSIONS

## **201** Internal Investigation and Self-Disclosure

#### LEVEL: INTERMEDIATE

DWIGHT CLAUSTRE, Retired Compliance Professional

ROSALIND CORDINI, Senior Vice President, Coding & Compliance Services, Coker Group

- Authority and practical considerations for conducting internal investigations
- Procedures and best practices for internal investigations
- Evaluation and report and potential selfdisclosure

## **202** Enforcement and Compliance and Electronic Health Records

#### LEVEL: INTERMEDIATE

ED CROOKE, Assistant Director, U.S. Department of Justice

WILLIAM H. JORDAN, Partner, Alston & Bird

- Enforcement actions related to electronic health records
- Compliance obligations and electronic health records and meaningful use

## **203** Enforcement, Compliance Officer, and General Counsel

#### LEVEL: INTERMEDIATE

LAURA ELLIS, Senior Counsel, Office of Inspector General, U.S. Department of Health and Human Services

DANIEL ROACH, Chief Compliance Officer, Optum360

- General counsel and compliance officer response to enforcement action
- Discussion of managing compliance risks and avoiding enforcement action
- Best practices for compliance officers and general counsel

#### 2:15-2:45 PM EST

#### **Networking Break**

#### 2:45-3:45 РМ EST

#### CONCURRENT BREAKOUT SESSIONS

#### **301** Mistakes to Avoid Under CIAs

#### LEVEL: INTERMEDIATE

FELICIA HEIMER, Senior Counsel, Office of Counsel to the Inspector General, Office of Inspector General, U.S. Department of Health and Human Services

BERNIE FORD, Senior Managing, Director, Ankura

- An overview of OIG's expectations of companies that operate under Corporate Integrity Agreements, including expectations of the Board, Compliance Officer and Compliance Committee
- A discussion of the top problems that OIG has identified with companies' implementation and management of CIA obligations
- A discussion of OIG's response to issues of noncompliance
- Strategies that companies can employ to course-correct and achieve compliance

## **302** Litigating a False Claims Act Case

#### LEVEL: ADVANCED

HOLLY SNOW, Senior Trial Counsel, U.S. Department of Justice

JONATHAN L. DIESENHAUS, Partner, Hogan Lovells US LLP

ROBERT VOGEL, Partner, Vogel, Slade & Goldstein, LLP

- Define and discuss key provisions of the False Claims Act that regularly get litigated
- Identify emerging issues that often arise during FCA litigation
- Learn strategies for maximizing discovery in FCA cases

## **303** Enforcement Actions, Investigations, and Settlements

#### LEVEL: INTERMEDIATE

ANA-CRISTINA NAVARRO, Deputy Chief Compliance Officer, HealthRIGHT360

ANNE DALY, Chief Compliance & Integrity Officer, Ann & Robert H. Lurie Children's Hospital of Chicago

ANGELA M. ALTON, Vice President, Privacy Officer, Ann & Robert Lurie Children's Hospital of Chicago

- Adverse events, government surveys, and enforcement actions
- Compliance professionals and enforcement actions
- Lessons learned from responding to enforcement actions

#### 3:45-4:00 PM EST

#### Break

4:00 PM-5:00 PM EST

CONCURRENT BREAKOUT SESSIONS

## **401** Criminal and Civil Enforcement and Telehealth

#### LEVEL: INTERMEDIATE

JACOB FOSTER, Assistant Chief, Criminal Division, Fraud Section, U.S. Department of Justice

RYAN STUMPHAUZER, Partner, Stumphauzer Foslid Soloman Ross & Kolaya

- Telemedicine Fraud and Enforcement Efforts by DOJ and HHS-OIG
- COVID-19 Fraud Schemes Examples and Warning Signs
- Genetic Testing, Urine Drug Testing and Other Lab Fraud Schemes

#### **402** Collateral Consequences to Audits and Adverse Enrollment Actions in a Post COVID-19 World

#### LEVEL: INTERMEDIATE

ANDREW B. WACHLER, Partner, Wachler & Associates, P.C.

#### RICHARD R. BURRIS, Shareholder, Polsinelli PC

- Enrollment, claims audits, and False Claims Act liability
- · Responding to adverse enrollment actions
- 60-day rules and investigations related to Covid-19 related services

## **403** Using Data in Enforcement and Compliance

#### LEVEL: INTERMEDIATE

LAURA ELLIS, Senior Counsel, Office of Inspector General, HHS

NANCY BECKLEY, President, Nancy Beckley & Associates

- How OIG uses data to fulfill its mission
- Why OIG recommends compliance officers have access to all the data
- How to find and use the data healthcare providers have

#### 5:00-5:15 PM EST

#### Break

#### 5:15-6:15 РМ EST

#### **General Session 2:** Healthcare Regulatory, Enforcement and Policy Issues

KIM BRANDT, Partner, Tarplin, Downs & Young

- Provide an overview of current Congressional actions impacting healthcare providers
- Summary of CMS CY 2022 payment rules and the impact on providers
- Discussion of the public health emergency and how long the CMS flexibilities granted by the waiver will continue
- CMS policy priorities and overview of the new CMS team under the Biden Administration
- Enforcement outlook for the new Administration

### Wednesday, November 10

#### 9:00-9:15 AM EST

#### **Opening Remarks**

#### 9:15-10:15 AM EST

#### General Session 3: An Update from OIG's Division of Data Analytics

STEVE SHANDY, Director, Division of Data Analytics, Office of Inspector General, Department of Health & Human Services

JENNIFER WAGNER, Assistant Director, Data Provisioning and Ad Hoc Analysis Team, Division of Data Analytics, Office of Inspector General, Department of Health & Human Services

SCOTT HUTCHISON, Assistant Director, Self-Service Tools and Modeling Team, Division of Data Analytics, Office of Inspector General, Department of Health & Human Services

- Get to know OIG's data shop: who we are, what we do, and who we collaborate with
- Learn more about DDA's analytic methods, approaches, and capabilities to protect HHS programs and beneficiaries
- Hear about examples of how OIG data analytics contributed to recent audits, evaluations, and enforcement actions

#### 10:15-10:45 AM EST

#### **Networking Break**

#### 10:45-11:45 AM EST

#### CONCURRENT BREAKOUT SESSIONS

## **501** Criminal and Civil Liability and Medical Necessity

#### LEVEL: INTERMEDIATE

JUDY RINGHOLZ, VP of Compliance and Ethics & Chief Compliance Officer, Jackson Health System SCCE & HCCA Board Member

BRIAN BEWLEY, Partner, Manatt Health

- We will discuss what medical necessity means and how it is established
- We will discuss how medical necessity cases are enforced and the primary factors for distinguishing a civil medical necessity case from a criminal case
- Do robust compliance measures prevent medical necessity cases, and how to respond when a medical necessity matter arises within your organization

## **502** Enforcement and Compliance in Clinical Research

#### LEVEL: INTERMEDIATE

CLINT NARVER, Assistant Director, Consumer Protection Branch, U.S. Department of Justice

RYAN MEADE, Fellow, University of Oxford

## **503** Attorney-Client Privilege and Internal Investigations

#### LEVEL: INTERMEDIATE

NICHOLAS MERKIN, Chief Executive Officer, Compliagent

ANNA M. GRIZZLE, Member, Bass Berry Sims

- Corporate compliance programs may produce data that, in some instances, could be used as evidence of regulatory violations against healthcare organizations and their officers and directors.
- At the same time, CCOs are bound to obtain and communicate much of that data to relevant stakeholders both inside and outside healthcare organizations as part of effective compliance efforts.
- Often, evidentiary privileges may protect this information from disclosure. The scope and use of these privileges, however, is often misunderstood. This presentation will explore the application of different privileges within the compliance framework

11:45 AM – 12:45 PM EST

#### **Mid-Conference Break**

#### 12:45-1:45 PM EST

#### CONCURRENT BREAKOUT SESSIONS

## **601** Fraud and Compliance Issues Relating to Genetic Testing

#### LEVEL: INTERMEDIATE

KRISTEN R. TAYLOR, Associate Partner, Pinnacle Enterprise Risk Consulting Services

EDGAR D. BUENO, Partner, Nelson Mullins

- Avoid red flags in billing and coding for genetic testing
- Learn the differences between routine audits and fraud investigations and how to respond
- Implement compliant marketing and education outreach

#### 602 Managed Care Enforcement and Compliance

#### LEVEL: INTERMEDIATE

SARAH KESSLER, Senior Counsel, Office of Inspector General, HHS

EDWARD BAKER, Edward A. Baker, Counsel, Constantine Cannon LLP

JEFF J. WURZBURG, Senior Counsel, Locke Lord LLP

- Managed care fraud and enforcement actions
- Managing compliance risks in managed care
- Education and training and managed care compliance

## **603** Laboratory Enforcement and Compliance

#### LEVEL: INTERMEDIATE

ANDREA TREESE BERLIN, Senior Counsel, Office of Inspector General, HHS

BEN WEI, Senior Trial Counsel, U.S. Department of Justice

MICHAEL MORSE, Esquire, Pietragallo Gordon Alfano Bosick & Raspanti, LLP

DARRELL CONTRERAS, Chief Compliance Officer, Millennium Health

- 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

#### 1:45-2:15 PM EST

#### **Networking Break**

#### 2:15-3:15 PM EST

#### CONCURRENT BREAKOUT SESSIONS

## **701** Handling a Criminal Healthcare Fraud Case

#### LEVEL: INTERMEDIATE

ADRIENNE FRAZIOR, Assistant US Attorney, U.S. Attorney's Office

RALPH CACCIA, Partner, Wiley Rein LLP

- The role of data in criminal cases
- Emerging criminal enforcement trends
- Responding to criminal investigations and prosecutions

#### **702** Hospital Physician Compensation Arrangements, Enforcement, and Compliance

#### LEVEL: BASIC

RAUL G. ORDONEZ III, Associate Vice President, zCompliance, Office of Compliance and Ethics, Jackson Memorial Hospital

ANNA GRIZZLE, Partner, Bass, Berry & Sims PLC

- Analyze case studies based upon recent cases and settlements highlighting potential compliance pitfalls associated with physician compensation arrangements
- Review regulatory framework for developing compliant physician compensation arrangements to avoid the common pitfalls leading to enforcement actions
- Gain practical tips for structuring and managing physician compensation arrangements to ensure ongoing compliance

## **703** Compliance Repayment and Self-Disclosure

#### LEVEL: INTERMEDIATE

GABRIEL IMPERATO, Managing Partner, Nelson Mullins Broad and Cassel; SCCE & HCCA Board Member

MATT TORMEY, Executive Vice President and Chief Compliance Officer, Ensemble Health Partners

- Applicable rules and provider obligations to return a known overpayment
- Review best practices in identifying, quantifying, and remedying an overpayment
- Options and considerations for repayments and self-disclosure

#### 3:15-3:30 PM EST

Break

#### 3:30-4:30 PM EST

#### CONCURRENT BREAKOUT SESSIONS

#### 801 Medicaid Fraud Enforcement

#### LEVEL: INTERMEDIATE

GEORGE CODDING, Sr. Assistant Attorney General, State of Colorado

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

JACK WENIK, Partner, Epstein Becker & Green PC

- Medicaid fraud control unit collaboration and coordination
- Medicaid fraud identification, investigation, and multi-state prosecution
- Government and defense perspectives on Medicaid fraud investigations

#### **802** Practical Steps to Prepare Your Hospital's Controlled Substance Diversion Program for Government Scrutiny

#### LEVEL: INTERMEDIATE

AMY BORING, Attorney, King & Spalding LLP

SHANNON COX, Counsel, King & Spalding LLP

- Why hospitals are at risk for controlled substance diversion and what triggers government scrutiny
- Key elements of a controlled substance diversion prevention program in a hospital setting
- The questions to ask now to prepare your program for government scrutiny later

## **803** Effective Compliance Due Diligence

#### LEVEL: ADVANCED

ZACH SIMPSON, Esq., EMBA, Attorney, Florida Healthcare Law Firm

SUSAN L. ST. JOHN, Attorney, Florida Healthcare Firm

KRISTEN LILLY-DAVIDSON, Senior Manager, PYA

- Explore the foundation of a comprehensive compliance-centered due diligence process
- Explore how transaction structures affect the scope and approach of due diligence, review the minimum compliance due diligence that should occur, and learn bestpractices for monitoring post-transaction compliance and mitigation of identified risks
- Examine case studies, lessons learned, practice tips, risks, and common pitfalls of conducting due diligence

### Healthcare Enforcement Compliance Conference



#### November 8–10, 2021 · Virtual

| SECTION 1 Attendee Information  |                |           |  |  |  |  |  |  |
|---------------------------------|----------------|-----------|--|--|--|--|--|--|
| OMr  OMrs  OMs  ODr  Other      |                |           |  |  |  |  |  |  |
| 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 Em                   | ail (required) |           |  |  |  |  |  |  |
|                                 |                |           |  |  |  |  |  |  |

#### SECTION 2 Registration

#### Virtual Options

|                                                                                                                  | Member                                |         |  |  |
|------------------------------------------------------------------------------------------------------------------|---------------------------------------|---------|--|--|
|                                                                                                                  | Non-Member                            |         |  |  |
|                                                                                                                  | Registration + First-Time Membership* |         |  |  |
| *Save by joining today (first-time members only). Dues renew at \$325. See "Acknowledgements" below for details. |                                       |         |  |  |
|                                                                                                                  | Group Discount for 3 or More**        | (\$50)  |  |  |
|                                                                                                                  | Group Discount for 10 or More**       | (\$100) |  |  |
| **See "Group Discount Policy" under "Acknowledgments" below for details.                                         |                                       |         |  |  |

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□ Online Member Directory: HCCA's member directory lists first and last name, organization, title, address, and phone number.

#### SECTION 3 Payment

Online registration at hcca-info.org/2021HECC

Mail to HCCA, 6462 City West Parkway, Eden Prairie, MN 55344 USA Fax to 952.988.0146

Email to helpteam@hcca-info.org — Due to PCI compliance, do not provide credit card information via email. Email this form without credit card information, then call HCCA at 952.988.0141 or 888.580.8373 with your payment.

- Invoice me
- Check enclosed (payable to HCCA)
- □ Wire transfer requested

□ I authorize HCCA to charge my credit card: ○ Visa ○ MasterCard ○ Discover ○ American Express

TOTAL \$\_\_\_\_

Credit Card Account Number \_

Cardholder Name \_

Cardholder Signature \_

#### SECTION 4 Acknowledgements

By registering for this event, you agree to the full event Terms and Conditions, viewable at hcca-info.org/conference/tandc, including the use of your information that may be shared with conference exhibitors, attendees, speakers, affiliates, and partners for promotional and/ or networking purposes. To see the full use of your information or if you wish to opt-out, visit hcca-info.org/privacy.

This virtual event registration form allows only the registered attendee to stream, participate, and earn CEUs for the event. If a second person would like to join, they must register themselves and have their own unique login to participate. No audio or video recording by attendees is allowed.

Group Discount Policy: Registration forms must be sent together to ensure that the discount is applied. The group discount is not available through online registration. 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.

Expiration Date \_

**Photo/Video Release:** By registering for this event, you grant HCCA, or anyone authorized by HCCA, the right to use or publish in print or electronic format, any photographs or video containing your image or likeness for educational, news, or promotional purposes, without compensation.

**New Members:** By selecting the Registration + First-Time Membership Offer, you agree to the full membership Terms and Conditions, including the use of your information, viewable at hcca-info.org/membership/tandc.

### Healthcare Enforcement Compliance Conference



November 8–10, 2021 · Virtual

### **Frequently Asked Questions**

#### How will I access this event the day it begins?

Before the event starts, you will receive an access email with links to the virtual platform and additional conference information such as the presentations. The email goes out 1–3 days prior to the event start date and is sent to the primary email address on your account. Please be sure to check your spam folder.

#### What is included in the cost of my attendance?

You will receive access to the sessions, supplemental conference materials, networking opportunities, and access to exhibitor pages.

#### What software is required to attend this event?

We use a variety of platforms based on the needs of each conference, but they are all web-based platforms and require a strong and stable internet connection. We highly recommend testing the platform once the access email is received to confirm you can access the platform, view the video player, and utilize the chat feature. Occasionally, those who access these digital platforms over a VPN can experience technical difficulties. Zoom will be utilized for small group discussions at applicable events, but downloading Zoom is not necessary, as they have a web-based version as well.

### Can my co-workers listen in with me using screensharing or sitting together in the same room?

No, each individual who would like to participate in the conference needs to complete and submit an individual registration form. We do offer group discounts; please see our group discount options below.

#### Will I receive a recording of this conference?

Yes, registered paid attendees will receive 60 days access to session recordings approximately two weeks after the conference. Beyond 60 days, session recordings will be available for purchase. No audio or video recording by attendees is allowed.

#### Is there a group discount-if so, what is it?

Yes, we offer discounts for groups of three or more from the same organization for all our live in-person and virtual events (excluding webinars). Please send all group registration forms together to helpteam@hcca-info.org for processing. A separate registration form is required for each registrant. The group discount is NOT available through online registration. 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. For groups of 10 or more, please call +1 952.988.0141 or 888.580.8373 or email helpteam@hcca-info.org

#### What do I get with "Registration + First Time Membership?"

If you've never been an HCCA member, you can register as a First-Time Member. This gives you HCCA membership at a discounted rate for your first year. You also receive the member rate for the conference. As a member you receive all HCCA member benefits (discounts, *Compliance Today*\* magazine, *Ethikos*\* digital quarterly newsletter, member-exclusive webinars, and more). A full list of benefits can be viewed at hcca-info.org/membership. Your membership will begin once payment is received.

#### How do I use the credit on my account for this event?

You can complete the registration online and select the "Invoice Me" payment option at checkout. Once you receive your confirmation, email helpteam@hcca-info.org or call 952.988.0141 or 888.580.8373 to request your credit be applied toward the registration fee.

### Can I get the member rate if I am an SCCE member instead of HCCA or vice versa?

Yes. As a member of SCCE or HCCA, you can receive the membership discount for both organizations' conferences; however, this cannot be done online. Please send your registration form via email to helpteam@hcca-info.org to complete your registration.

#### How can I cancel my registration?

If you need to cancel your participation (or send a substitute), your request must be submitted by email to helpteam@hcca-info.org. A conference credit will be issued for all registration fees paid (minus any cancellation fee) and will expire 12 months from the date of the original canceled event. Conference credits will not be issued if you do not attend the event and have not requested cancellation prior to the event start date. If sending a substitute, an additional fee may apply depending upon the membership status of the substitute.

#### Who can I notify of special needs or concerns prior to the conference?

Please call HCCA at +1 952.988.0141 or 888.580.8373 or email helpteam@hcca-info.org if you have a special need and/or require an accommodation to participate.

#### **Continuing Education**

### Can I earn continuing education units (CEUs) for attending this conference?

Yes. This conference offers live Compliance Certification Board (CCB)<sup>®</sup> continuing education units (CEUs) for participation as well as other external credit types. For those attendees seeking these external credit types, you must participate in the conference using the online virtual conference format (not just using the dial-in) for attendance monitoring purposes.

To see the most up-to-date CEU approval information go to HCCA's website, hcca-info.org/all-conferences, choose this conference, and then select the Continuing Education option on the left-hand menu.

#### How many CEUs will I earn from attending?

CEUs are assessed based on actual attendance and credit type requested. Should the overall number of education hours you attend or that the conference offers decrease or increase, the maximum number of CEUs available will be changed accordingly.

#### How do I request CEUs following this conference?

Following this conference, you will be provided the Application for Continuing Education Units (CEUs). To receive CEUs, you must submit this completed application following the conference to ccb@compliancecertification.org. Only registered attendees are eligible to request CEUs for participation.

#### When will I receive my CEU certificate for participation?

Once your completed Application for Continuing Education Units (CEUs) has been received by our staff, your CEU account will be updated within 2–4 weeks. To view your CCB CEUs and access your certificate, you can login to your online hcca-info.org account, go to your Account Dashboard, and scroll down to View My CEUs.

### I would like to sit for one of the Compliance Certification Board (CCB)<sup>\*</sup> exams following this conference; will I qualify?

While this conference, if attended in full, can provide you with all of the CEUs you need to meet the continuing education requirement, you will need to also review the applicable Candidate Handbook found at hcca-info.org/candidate-handbooks to ensure you meet the work experience requirement.

### I have reviewed the Candidate Handbook and want to apply for the exam as soon as the conference concludes; what's next?

Immediately following the conclusion of the conference, if you have reviewed your Candidate Handbook and submitted your Application for Continuing Education Units (CEUs), you can go ahead and apply online for your exam at hcca-info.org/apply-exam.

#### Can I take my exam remotely?

Yes, CCB offers the flexibility for candidates to take their exam remotely, at a local testing site, or following certain HCCA conferences. To learn more about our various testing options, visit HCCA's website, hcca-info.org/exam-information.

### I have more questions about exams and seeking certification; who can help me?

For more questions about CCB certifications, call to speak to a Certification Specialist at +1 952.988.0141 or 888.580.8373 or email ccb@compliancecertification.org.