

AHLA

# LONG TERM CARE AND THE LAW

February 23-25, 2015

Hilton New Orleans Riverside Hotel ❖ New Orleans, LA



In association with:



*Plante Moran and Principle Valuation LLC have provided sponsorship in support of this program.*

## Learning Objectives

- » Increase knowledge of the regulatory issues affecting the delivery of care by post-acute and long term care providers
- » Learn practical information to increase operational effectiveness of long term care facilities
- » Understand challenges and risks for post-acute and long term care providers

## Exhibitors

- » Compliatric
- » Housing & Healthcare Finance LLC
- » Ntracts LLC
- » Plante Moran
- » Polaris Group
- » Principle Valuation LLC

## Program Sponsors



## Practice Group Luncheon Sponsor



## Keynote Speakers:



**Majd Alwan, PhD**

**Senior Vice President of Technology, and Executive Director for the Leading Age Center for Aging Services Technologies (CAST)**

The LeadingAge Center for Aging Services Technologies (CAST) is focused on development, evaluation and adoption of emerging technologies that will transform the aging experience. Dr. Alwan's past experience includes working from 1988-1991 for the Higher Institute of Applied Sciences and Technology (HIAST), as a Design Engineer and a Research Assistant. In 1997, he returned to HIAST as a Lecturer and Researcher. In the beginning of 2002, he joined the Medical Automation Research Center (MARC) at the University of Virginia, Charlottesville, Virginia, as an Assistant Professor and Director of the Robotics and Eldercare Technologies Program. His research interests encompassed designing, validating and evaluating the outcome of monitoring systems and assistive devices that address the needs of seniors and their caregivers. While at MARC, Majd published several articles on monitoring technology. He co-founded Home Guardian LLC, a start-up company that specializes in In-Home Functional and Health Status Monitoring Systems and Services. Majd Alwan, Ph.D., received his B.S. in electrical engineering from Damascus University, Damascus, Syria in 1988, his M.S. in control engineering with distinction from Bradford University, Bradford, UK, in 1992, and his Ph.D. in electrical engineering (intelligent assistive robotics) in 1997 from Imperial College of Science, Technology and Medicine, University of London, London, UK.



**Gretchen E. Alkema, PhD**

**Vice President of Policy and Communications, The SCAN Foundation**

The mission of The SCAN Foundation is to advance a coordinated and easily navigated system of high-quality services for older adults that preserve dignity and independence. Prior to joining the Foundation, Dr. Alkema was the 2008-09 John Heinz/Health and Aging Policy Fellow and an American Political Science Association Congressional Fellow, serving in the office of Senator Blanche L. Lincoln (D-AR). Dr. Alkema advised Senator Lincoln on aging, health, mental health, and long-term care policy during the 2009 health care reform debate. Dr. Alkema holds a PhD from the University of Southern California's Davis

School of Gerontology and was awarded the John A. Hartford Doctoral Fellow in Geriatric Social Work and AARP Scholars Program Award.

## Program Agenda

Please Note: This year's program includes sessions for Nursing Facility, Assisted Living and Home Health audiences. This schedule indicates for which audience(s) a session is intended: Nursing Facility (NF) attendees; Assisted Living (AL) attendees; and/or Home Health (HH) attendees.

### Monday, February 23, 2015

7:45 am-12:45 pm

#### **Assisted Living In-House General Counsel Roundtable, sponsored by NCAL**

(Open only to in-house counsel; attendance is limited; pre-registration is required; see page 23)

This exclusive and unique forum will have an in-depth focus on compliance in assisted living. Participants will also have an opportunity to network with peers in small-group discussions on a variety of issues including effective operational interventions, safe harbors and data sharing related to ACOs and bundled payers, resident sex offenders and issues regarding monitoring cameras. Attendance to this complimentary event is limited to in-house counsels from assisted living and long term care companies.

NCAL will host a breakfast and luncheon for those in attendance. CLE credit for this event will be available to attendees registered for the AHLA Long Term Care and the Law program.

8:30 am-5:30 pm

#### **Registration and Information**

9:30-11:30 am

#### **Introduction to Long Term Care: The Continuum of Care (NF/AL/HH) (not repeated)**

*Errin E. Simpkins*

*Hudson L. Vanderhoff*

- » Medicare and Medicaid—how they are different and how they are alike
- » Introduction of the types of providers—long term care, senior housing (independent living and assisted living facilities)
- » In-home care, rehabilitation hospitals and hospice
- » Characteristics of the clients each would serve
- » Reimbursement sources for each type of provider
- » Regulatory and tort issues that may arise for each type of provider

- » Contracting with vendors and other health care entities
- » Fraud and abuse
- » Accountable Care Act provisions affecting each type of provider

9:30-11:30 am

#### **Interactive Discussion Groups**

Attendance for each discussion group below is limited to 30 people; there is an additional charge of \$40; and pre-registration is required, see page 23.

#### **Interactive 1: Government Enforcement Activities and Theories—From State Agency/CMS Overreaching to Criminal Prosecution (NF)**

*David R. Hoffman*

*Alan C. Horowitz*

- » Basis for recent administrative actions and possible defenses
- » Evolution of the worthless services theory
- » Recent cases prosecuted using the worthless services theory
- » Strategies for proactive compliance

#### **Interactive 2: Kick it up a Notch!: Fraud and Abuse Analyses in Long Term Care Transactions**

*Rachel Lerner*

*Lawrence W. Vernaglia*

- » Introduction to health care fraud and abuse laws (namely Anti-Kickback and Stark)
- » Application to transactions
- » The “single corporate entity” theory
- » Establishing an organized framework for fraud and abuse analysis
- » ACOs and risk arrangements
- » Other elements commonly found in transactions, e.g.
  - Bed reserve agreements
  - Medical directorships
  - Management agreements

## Program Agenda

### Interactive 3: Worthless Services False Claims Litigation

*Rebekah N. Plowman  
Alan E. Schabes*

- » Government activity in quality of care cases affecting LTC industry
- » FCA theories involving “worthless services” and conditions of participation
- » Recent “worthless services” cases including Villaspring, Absher and Hyperion as well as the Extencare Settlement
- » Interplay between survey regulatory process and false claims act litigation
- » Defense theories and best practices for long term care providers
- » Selection and use of experts

11:30 am-1:00 pm

**Lunch on your own**

### GENERAL SESSION

1:15-1:30 pm

#### Welcome and Introduction

*Lois D. Cornell, AHLA President-Elect  
Christopher C. Puri, Program Chair*

1:30-2:30 pm

#### Keynote Address: Emerging Aging Services Technologies and their Impact on Long-Term Care

*Dr. Majd Alwan*

- » The latest developments in safety, health and wellness, social connectedness and documentation technologies
- » How these new disruptive technologies are fitting together with changing consumer desires and expectation and evolving reimbursement landscape
- » The impact and implications that these technologies have on consumers, caregivers and providers

2:30-3:30 pm

#### Keynote Address: Current Landscape of Long Term Care

*Dr. Gretchen E. Alkema*

3:30-4:00 pm

**Coffee Break, sponsored by Plante Moran and Principle Valuation LLC**

### CONCURRENT SESSIONS

4:00-5:30 pm Extended Sessions

#### A. An Appellant’s Guide to Navigating the ALJ Appeals Process: Perspective From the Bench (NF/HH) (not repeated)

*Judge Nancy J. Griswold*

- » Workload update from the Office of Medicare Hearings and Appeals
- » Critical strategies for persuasively presenting your case to an Administrative Law Judge
- » A Judge’s perspective, including how the appeals process has changed and what you should (and should not) do to prepare

#### B. Legislative and Regulatory Update for Home Health and Hospice (HH)

*William A. Dombi*

- » The 2015 Medicare home health payment system changes
- » Updates on Medicare physician face-to-face encounter and therapy assessment rules
- » The newly proposed Medicare Conditions of Participation for home health agencies
- » Medicare hospice regulatory updates including hospice cap reporting, survey and certification standards, and billing for Part D drugs
- » Medicaid managed care developments affecting home care
- » Developments in the oversight of home care and hospice under Medicare and Medicaid
- » Legal updates on new regulatory actions under the Fair Labor Standards Act impacting public and private pay home care
- » Forecast for future legislative and regulatory changes in 2015

#### C. How the Sausage is Made: The Government’s Process for Evaluating FCA Whistleblower Allegations and Helping Relators Build Evidence (NF/AL/HH)

*Winston Y. Chan*

*William Harrington*

*Jeffrey Marcus*

- » *Qui tam* lawsuits have come to dominate the government’s False Claims Act recoveries against the health care industry. Indeed, the past few years have resulted in record FCA settlements, and the panelists will highlight some recent cases affecting the long term care industry

## Program Agenda

- » In each instance that a *qui tam* lawsuit is filed, the U.S. Attorney's Office for the relevant judicial district, together with DOJ, evaluates the strength of the claims. The government's decision to intervene is often viewed as a crucial turning point
- » Panelists will draw on their experience as federal prosecutors in some of the most active districts in the country to pull back the curtain on the interactions between whistleblowers, their counsel and the government, who often work together to build FCA cases, usually in real time
- » Best practices in handling potential whistleblowers, both from a compliance program perspective but also to minimize the risks presented by any active investigation being directed by the government behind the scenes

### D. Nursing Facility Legislative and Regulatory Update (NF)

*Barbara Gay*

- » The most pressing regulatory issues affecting nursing facility providers
- » CMS nursing home program letters and regulatory developments
- » Regulatory matters in other agencies that affect nursing home providers and operations
- » Legislative trends that define the 115th Congress
- » Legislative policies affecting post-acute care
- » The transformative health care policies important in the future

### E. Case Law Update (NF/AL)

*Jeannie A. Adams*

*Susan M. Fradenburg*

- » Survey and Certification cases as decided by the DAB, and appeals from same
- » Arbitration agreement enforcement
- » False claims litigation and other fraud and abuse updates
- » General litigation developments

5:30-6:30 pm

### **Networking Reception, sponsored by Plante Moran and Principle Valuation LLC**

(attendees, faculty, children, and registered spouses, and guests welcome)

6:30-7:30 pm

### **Celebrating Diversity+Inclusion Reception, sponsored by AHLA's Diversity+Inclusion Council**

(attendees and faculty welcome)

Celebrate, connect with one another, learn what AHLA is doing to integrate diversity throughout the Association, share, learn, network, and enjoy together.

## Tuesday, February 24, 2015

7:00 am-5:15 pm

### **Registration and Information**

7:00-8:00 am

### **Continental Breakfast, sponsored by Plante Moran and Principle Valuation LLC**

(attendees, faculty, children, and registered spouses and guests welcome)

7:00-7:50 am

### **Women's Networking Breakfast, sponsored by the Women's Leadership Council**

(attendees and faculty welcome; space is limited; RSVP on the registration form, on page 23)

Join us for breakfast and hear from a panel of experts share their tips, advice, and takeaways on leadership, executive presence, and more. Prior to and after the panel discussion, you will have the opportunity to speak with members of the Women's Leadership Council. There will be time to network with one another.

## Program Agenda

### CONCURRENT SESSIONS

8:00-9:30 am Extended Sessions

Attendance for the interactive group below is limited to 30 people; there is an additional charge of \$40; pre-registration is required, see page 23.

#### **Interactive 4: Nursing Facility General Counsel Roundtable (NF) (Open to In-House Counsel Only)** (not repeated)

*Annaliese Impink*

Join a group of nursing facility in-house counsels, to discuss various legal topics and trends important to skilled nursing facility (SNF) operations. This interactive session provides an invaluable opportunity for in-house counsels of all types to learn from and with their peers in an informal, collegial environment that supports and encourages wide ranging discussion and review of critical issues. This exclusive meeting is an excellent forum for attorneys to share experiences and best practices while developing and building new relationships.

#### **B. Legislative and Regulatory Update for Home Health and Hospice (HH)** (repeat)

#### **C. How the Sausage is Made: How the Government Evaluates FCA Whistleblower Allegations and Helps Relators Build Evidence (NF/AL/HH)** (repeat)

#### **D. Nursing Facility Legislative and Regulatory Update (NF)** (repeat)

#### **E. Case Law Update (NF/AL)** (repeat)

9:45-10:45 am

#### **F. Emergency Response in Senior Care Communities (AL)** (not repeated)

*Paul A. Gordon*

*Michael J. Stein*

- >> Options and requirements for providing emergency care in assisted and independent living settings
- >> Applicable regulations for AEDs, CPR, and honoring DNR orders

- >> Practical ways to minimize liability exposure, provide appropriate care, and meet regulatory, resident and public expectations

#### **G. Hospice Challenges: Regulatory Reviews to FCA Cases (HH)**

*Jason E. Bring*

*Shannon L. Drake*

- >> Hospice investigation environment
- >> Responding to and defending hospice ADRs and ZPICs
- >> Analysis of specific government target areas, including GIP, comfort care, care in ALFs and SNFs, failure to thrive, length of stay, revocations, and marketing incentives
- >> Emerging defenses to hospice false claims act cases—going on the offensive
- >> Recent hospice investigation settlements nationally

#### **H. Update on Medicaid Home and Community-Based Services Waivers (AL/HH)**

*Emily M. Park*

*Rikki J. Wright*

- >> Medicaid Home and Community-Based Services (HCBS) Waivers
- >> New federal regulations for HCBS Waivers
  - Effect on State Medicaid Agencies
  - Effect on providers
  - Effect on beneficiaries
- >> HCBS Waivers and *Olmstead*

#### **J. The Art of Legal Ethics in Compliance Advice and Activities (NF/AL/HH)**

*Kathleen A. Hessler*

- >> Ethical principles versus compliance with legal mandates
- >> American Bar Association Model Rules on the lawyer as counselor and advisor with a focus on health care compliance matters
- >> Tips for incorporating ethical principles and activities into a health care entity's compliance program
- >> Tips for advising your client on merging ethical principles with regulatory requirements

## Program Agenda

### K. Contracting Issues between SNFs and Ancillary Providers (NF/AL/HH)

*Janet K. Feldkamp*

*Lisa M. Luetkemeyer*

- » Ancillary services in SNFs commonly provided by subcontractors
- » Potential compliance concerns
  - Billing and compensation issues
  - Fraud and abuse
  - Resident privacy laws
- » Everyday contracting considerations, including
  - Required and recommended contract terms and conditions
  - Medicare contractual requirements

11:00 am-12:00 noon

### L. Assisted Living Legislative and Regulatory Trends (AL) (not repeated)

*David A. Kylo*

*Kristin B. Sumner*

- » Activities federal policymakers are undertaking that affect assisted living
  - Recent oversight activity and the health care priorities of the new Congress
  - Current efforts to curb Medicare expenditures and the impact on seniors residing in assisted living settings
  - Federal agency initiatives that impact assisted living operators
- » State and national industry, regulatory and legislative trends and developments
  - Key findings from the NCHS national survey of LTC settings
  - How CMS is defining home and community-based settings under Medicaid waivers and its potential impact on the entire assisted living sector
  - New state regulatory developments and trends
- » National initiatives related to assisted living quality and risk management
  - Litigation climate for assisted living and the common reasons assisted living providers are sued
  - Key federal initiatives to curb senior fraud and abuse
  - Risk reduction efforts and tools for assisted living providers

### M. Post-Acute Providers and Understanding the Focus on Quality from a Managed Care Plan Perspective and Legal Implications (NF/AL/HH)

*Lisa A. Hathaway*

*Mark E. Reagan*

- » Risk adjustment payments and implications for Medicare Advantage organizations and qualified health plans
- » Impact of medical loss ratios on post-acute providers and Medicare Advantage organizations and qualified health plans
- » Importance of HEDIS and STARS for managed care plans and the role of post-acute providers
- » Opportunities for quality initiatives, gain sharing and other incentive programs
- » Legal implications for these types of programs

### N. HIPAA Security Breaches: What Should We Be Doing to Keep Us Out of the Headlines? (NF/AL/HH)

*Diane E. Felix*

*Anthony J. Munns*

*Suzanne Sheldon-Krieger*

- » Security, privacy, information security, and cybersecurity
- » Recent breaches involving health care providers—causes, results, and factors affecting the cost of the breach
- » Steps to reduce the risk
- » Security frameworks
- » Questions attorneys should ask of executive and IT management to reduce the risk

### O. Home Health Care—Compliance Challenges and Solutions in the Post-Health Care Reform Law Era (HH)

*Joyce C. Marks*

*Anjana D. Patel*

- » Post-ACA compliance issues/challenges facing the home health care industry
- » Legal/compliance guidance for home health providers
- » The impact/perspective of managed care payors in the home health arena
- » Practical solutions/tips to address compliance challenges



## Program Agenda

### **P. Best Practices for Managing Acuity Creep in Assisted Living (AL)**

*Caroline J. Berdzik  
Julia McMillen*

- » Current state of assisted living regulations and where we are heading
- » Changing demographics of assisted living residents
- » Education of marketing staff, residents, and families about assisted living services
- » Assessment of residents at admission and throughout their stay and managing transitions to higher levels of care
- » A survey of assisted living litigation trends
- » Best practices for avoiding risks in assisted living setting

12:00-1:30 pm

### **Lunch on your own or attend the Post-Acute and Long Term Services Practice Group Luncheon, sponsored by Simone Healthcare Consultants LLC**

(additional fee; limited attendance; pre-registration required; see page 23)

Government Investigations, Settlements, and Resulting Compliance Obligations of Long Term Care Providers

*Fred A. Duhy, Jr., Director, Medicaid Fraud Control Unit of Louisiana*

*A.G. (Alec) Alexander III, Chief Compliance Officer, CHRISTUS Health Louisiana*

*Clay J. Countryman, Breazeale Sachse & Wilson LLP, Baton Rouge, LA*

### **CONCURRENT SESSIONS**

1:45-2:45 pm

### **Q. LGBT and Long Term Care: Providing High Quality and Compliant Services across Care Settings (NF/AL)**

(not repeated)

*Dylan Nicole de Kervor (invited)*

*Tracy C. Ivers*

*Sarah E. Swank*

- » The LGBT population in the long term care environment, including skilled nursing, home health, and other care settings
- » Federal and state regulations impacting the LGBT populations, including the legal rights of residents and participants

- » Compliance tips using real-life examples, including sample policies and procedures and staff training and awareness
- » Recent enforcement environment and actions related to the LGBT population
- » Current trends and hot topics in LGBT and LTC

### **R. Why Long Term Care Providers are Finding New Uses for ADR: Best Practices for an Evolving Landscape (NF/AL/HH) (not repeated)**

*Geoff Drucker*

*Kristen Pollock McDonald*

- » Growing prevalence of ADR in health care litigation
  - Commercial disputes involving LTC providers
  - Medicare overpayment appeals
  - False Claims Act cases
- » Making consumer arbitration work
  - AHLA special rules for consumer arbitration
  - Recent trends in case law
- » Scrutiny of ADR provisions and best practices-commercial disputes with LTC providers
  - Pitfalls in contracts
  - What to expect in ADR of commercial disputes
- » Settlement Conference Facilitation Pilot Program-Medicare overpayment appeals
  - Possibilities and limitations of this program
  - Trends in ADR and False Claims Act cases
  - General increase in use of ADR
  - Arbitration of relator retaliation claims under FCA

### **S. OIG on the Horizon: What Does Stepped Up Enforcement Mean for Assisted Living Providers? (AL)**

*April J. Boxeth*

- » Areas the OIG intends to “target” in 2015 and why the OIG has increased enforcement of these areas
- » What increased enforcement means for assisted living providers and proactive measures for assisted living providers to prevent fines and penalties associated with such stepped-up enforcement
- » OIG investigation, settlement, and enforcement trends of the past year

### **T. Home Health Care Fraud: Understanding and Avoidance (HH)**

*Mark J. Silberman*

- » The focus of government investigations in home health care



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- » Common fraud schemes taking place in home health care
- » How good health care providers are getting implicated and the consequences
- » Appreciating the wide latitude afforded to the government in framing its allegations
- » Steps to take if you suspect fraud is being committed

### U. Models for Providing Medical Services in a Long Term Care Facility: Issues in the Provision of Physician, Nurse Practitioner and Physician Assistant Services (NF/AL/HH)

*Howard L. Sollins*

- » Types of business and operational structures that are used, taking into account variations between arrangements with physicians versus non-physician practitioners such as nurse practitioners and physician assistants
- » How the federal Requirements of Participation for skilled nursing facilities affect operational structures, roles, and reimbursement for professional services
- » How state licensing, scope of practice, and related laws affect the role of professional staff
- » Key compliance issues
- » Scenarios in which affiliated health care professionals interact with facility staff, each other, and with physicians and other practitioners in the community who provide services to facility residents

3:00-4:00 pm

### V. Legal Ethics: Issues in Internal Investigations and Multiple Party Representations (NF/AL/HH) (not repeated)

*Michael H. Cook*

- » Hypothetical situation in which an outside firm undertakes an internal investigation for one of its large clients and other officers of the client, where it also had previously represented both the company and its corporate officers, and the situation quickly spirals out of control
- » Considerations in whether the firm should accept the engagement in the first place, conducting the investigation, itself, reporting to the client, terminating the representation, and joint defense agreements, and the ethical issues that arise
- » Representing multiple clients, loyalty to current clients, the duty of competence, personal interests, loyalty to past clients, waiver of conflicts,

questioning the client, including the Upjohn Warning, the attorney client privilege, and obstruction of an internal investigation

- » Real cases where these issues arose and guidance on avoiding these pitfalls

### W. Telehealth Moves Forward in 2015: Diagnosis and Treatment, and Chronic Care Management (NF/AL/HH) (not repeated)

*Deborah A. Randall*

- » 2014/2015 CMS and Third-party insurance support improves for Telehealth
- » Telepsychiatry in Alzheimer's care for nursing home patients
- » ACOs use of telehealth; implementation concerns
- » Sensors, environmental technology and home and community-based care
- » Licensure and interstate legal barriers to telehealth
- » Privacy confidentiality and fraud issues in remote health delivery

### X. Voluntary Disclosure (NF/AL/HH)

*Stephen H. Siegel*

- » Weighing the benefits and risks of voluntary disclosure
- » Which agency should disclosure be made to and why
- » What should be disclosed
- » Preparing the voluntary disclosure document
- » Negotiating the terms of a voluntary disclosure settlement agreement

### Y. End of the Home Health Conditions of Participation as We Know Them (HH)

*Todd J. Selby*

- » With over 200 pages of proposed regulations and commentary, the stage is set for major HHA industry reform
- » How will the home health industry adapt to the CMS goal of quality focus and outcome-driven measures?
- » Insight on how the home health industry will respond the new infection control and QAPI CoPs
- » New CoPs that actually reduce administrative burdens placed on HHAs
- » What impact will the new patient rights CoP have on how HHAs conduct investigations of patient rights violations?

## Program Agenda

### Z. Compliance Investigations – Privilege and Process (NF/HH)

*M. Daria Niewenhous*  
*Beth Rosenbaum*

- » Initiating the investigation
- » Preserving attorney-client privilege or other available privileges
- » Allocating necessary internal and external staffing and other resources
- » Techniques for effectively reviewing data, conducting interviews, documentation and information management
- » Findings: corrective actions and reporting issues

4:15-5:15 pm

### AA. Residency Agreements: An Analysis of Key Issues and Current Trends (AL) (not repeated)

*Daniel Z. Sternthal*  
*Betty J. Ulmer*

- » Disclosure and expectation setting: How to prevent service creep
- » Current trends with arbitration clauses and the new arbitration rules from AHILA
- » Weapons and medical marijuana
- » Financial responsibility/guarantors
- » Regulating family member, caregiver, visitor behavior

### BB. Cutting Edge Strategies for Limiting Exposure to Employment Claims (NF/AL/HH) (not repeated)

*Brian T. Ashe*  
*Michele Stone*

- » How to conduct an HR/payroll audit designed to issue spot and fix “gotcha” technical violations of employment law that routinely cost companies millions of dollars in noncompliance penalties
- » Using employment arbitration agreements to drive claims out of the court system and into arbitration, thereby limiting exposure and fracturing class action litigation before it begins
- » Techniques that limit large scale litigation, along with a detailed, step-by-step process on implementation

### CC. The Intersection of Regulatory and Personal Injury Litigation—Practical Considerations (NF)

*Joseph L. Bianculli*  
*T. Andrew Graham*

- » What sorts of cases raise (or should raise) red flags for both regulatory and defense counsel?
- » Trends regarding use of survey reports to support personal injury cases, including claims of “systemic” problems
- » The role of insurers—risk management and case management
- » Coordination of discovery, experts and defense theories
- » Structuring an administrative appeal not “not make things worse”
- » Effects of other collateral effects of bad surveys—Five Star, Special Focus, disqualification from demonstration projects, financing, etc
- » Realistic outcomes

### DD. Navigating Compliance Issues in an Era of Heightened Enforcement for Long Term Care Providers (NF/AL/HH)

*Mathew M. Curley*  
*Richard W. Westling*

- » Fraud and abuse laws particularly relevant to long term care providers
- » Government enforcement priorities concerning long term care providers
- » Best practices for navigating compliance and enforcement issues and dealing effectively with government regulators
- » Negotiating resolution of compliance and enforcement matters with government regulators
- » Dealing with the collateral consequences of compliance and enforcement matters

### G. Hospice Challenges: Regulatory Reviews to FCA Cases (HH) (repeat)

5:15-6:30 pm

**Networking Reception, sponsored by Plante Moran and Principle Valuation LLC**

(attendees, faculty, children, and registered spouses and guests welcome)

## Program Agenda

7:00 pm

**Post-Acute and Long Term Care Practice Group and Alternative Dispute Resolution Affinity Group Networking Dinner BonTon Café**  
Attention all PALS Practice Group and ADR Affinity Group Members! We are hosting a group dinner on Tuesday, February 24, at 7:00 pm. We can't pay for your dinner, but we can guarantee you priceless time with colleagues and AHLA leaders. Space is limited; attendees must RSVP in advance to confirm your spot. RSVP to PGs@health lawyers.org.

### Wednesday, February 25, 2015

7:30 am-3:10 pm

#### Registration and Information

7:30-8:30 am

**Continental Breakfast, sponsored by Plante Moran and Principle Valuation LLC**  
(attendees, faculty, children, and registered spouses and guests welcome)

#### CONCURRENT SESSIONS

8:30-9:30 am

#### EE. Management of Health Care Decision Making in Nursing Facilities: Who Gets to Decide?

(NF/AL/HH) (not repeated)

*Kelly A. McDonald*  
*Michael D. Seale*

- » The decision-making process for health care and personal decisions
- » Situations in which the obligation to honor a resident's right to refuse treatment or services conflicts with the obligation to protect and enhance resident health and safety
- » The regulations, CMS' guidance, DAB decisions and case law addressing resident rights and health/safety issues raised by resident choices
- » Resident capacity and consent issues relative to health care and personal decisions
- » The key components in alternative treatment consents and behavior agreements to reduce the risk of survey and litigation issues that arise when resident treatment decisions result in adverse outcomes.

#### FF. Buying and Selling Your HUD Financed Project: Navigating the TPA Process (NF/AL)

(not repeated)

*Andrea C. Barach*  
*Scott Blount*  
*Bam Gressett*

- » HUD TPA process—Full TPA vs. Modified TPA
- » Seller perspectives
- » Purchaser perspectives
- » Lender perspectives
- » HUD perspectives

#### GG. Recent Developments in Labor and Employment Law for Post-Acute Care Providers (NF/AL/HH)

*Brandon Mosley*  
*Robert R. Niccolini*

- » Important Supreme Court cases in labor and employment
- » EEOC developments, including the topics of background checks, sexual orientation discrimination, pregnancy accommodation, and religious garb
- » NLRB activity, including social media, internal investigations, and employee handbook concerns for non-unionized employers
- » Department of Labor initiatives and wage and hour litigation trends, including a discussion of emerging independent contractor and overtime issues in the industry

#### S. OIG on the Horizon: What Does Stepped up Enforcement Mean for Assisted Living Providers (AL) (repeat)

#### Y. End of the Home Health Conditions of Participation as We Know Them (HH) (repeat)

## Program Agenda

9:40-10:40 am

### **HH. PSO: Powerful Protection for LTC Safety/ Quality Work Product (NF)** (not repeated)

*Kathryn K. Wire*

- » Patient Safety Organizations and the Patient Safety and Quality Improvement Act, its final rule, and related case law
- » A comparison of legal protections for resident safety/quality of life/performance improvement work under state and other federal law
- » Quality Assurance and Performance Improvement (QAPI) expectations outlined in the Affordable Care Act and the related regulations, if they are published by the time of the program
- » Why QAPI work matters, even if a home is not Medicare/Medicaid certified
- » How a long term care Patient Safety Organization can promote QAPI and other safety and quality initiatives in a confidential environment, using examples from the CPS experience
- » The relationship of PSO participation to other safety initiatives
- » Implementing the components required for PSO participation, including a Patient Safety Evaluation System and security for Patient Safety Work Product
- » Challenges that become opportunities: bringing surveyors and regulators along, sharing with staff, educating residents and families

### **JJ. Post-Acute Providers Involvement in Integrated Care Models: ACOs, Bundled Payments, and Clinical Integration (NF/AL/HH)**

*Susan A. Edwards*

*Barry A. Lazarus*

- » New payment models involving post-acute providers
- » Operational and legal challenges associated with the proliferation of new payment models in Medicare, Medicaid, and commercial insurance programs in addition to clinically integrated networks formed by hospitals and health systems
- » Post-acute care providers' role in the Bundled Payments for Care Improvement (BPCI) Initiative, accountable care organizations (ACOs), and the ways in which post-acute providers are working with health systems and hospitals in clinically integrated networks
- » Likely future of these models, and in particular, bundled payments

### **P. Best Practices for Managing Acuity Creep in Assisted Living (AL)** (repeat)

### **T. Home Health Care Fraud: Understanding and Avoidance (HH)** (repeat)

### **U. Models for Providing Medical Services in a Long Term Care Facility: Issues in the Provision of Physician, Nurse Practitioner and Physician Assistant Services (NF/AL/HH)** (repeat)

10:50-11:50 am

### **KK. Medication Errors in Transitions of Care: The Problem and Practical Solutions (NF/AL/HH)** (not repeated)

*Alice Bonner*

*Rachel H. Park*

- » Identifying what the problem is. Specific examples where untimely administration of medications to newly admitted and readmitted residents led to survey deficiencies, adverse outcomes, and findings of noncompliance
- » Challenges that facilities face in obtaining and administering medications during transitions in care
- » Guidance that has been developed to date. Including guidance developed by the National Transitions of Care Coalition (NTOCC), American Medical Directors Association (AMDA), among other professional associations, and how such guidance is actually working in the long term setting. Have facilities adopted them and, if so, how have they worked to improve outcomes?
- » Ways to improve upon this guidance. What additional guidelines would assist facilities? How can and do facilities measure improvement?

### **K. Contracting Issues between SNFs and Ancillary Providers (NF/AL/HH)** (repeat)

### **M. Post-Acute Providers and Understanding the Focus on Quality from a Managed Care Plan Perspective and Legal Implications (NF/AL/HH)** (repeat)

**O. Home Health Care—Compliance Challenges and Solutions in the Post-Health Care Reform Law Era (HH) (repeat)**

2:10-3:10 pm

**H. Update on Medicaid Home and Community Based Services Waivers (AL/HH) (repeat)**

**CC. The Intersection of Regulatory and Personal Injury Litigation—Practical Considerations (NF) (repeat)**

**N. HIPAA Security Breaches: What Should We Be Doing to Keep Us Out of the Headlines? (NF/AL/HH) (repeat)**

11:50 am-1:00 pm

**Lunch on your own**

**X. Voluntary Disclosure (NF/AL/HH) (repeat)**

**CONCURRENT SESSIONS**

1:00-2:00 pm

**J. The Art of Legal Ethics in Compliance Advice and Activities (NF/AL/HH) (repeat)**

**DD. Navigating Compliance Issues in an Era of Heightened Enforcement for Long Term Care Providers (NF/AL/HH) (repeat)**

**Adjournment**

**Z. Compliance Investigations—Privilege and Process (NF/HH) (repeat)**

**GG. Recent Developments in Labor and Employment Law for Post-Acute Care Providers (NF/AL/HH) (repeat)**

**JJ. Post-Acute Providers Involvement in Integrated Care Models: ACOs, Bundled Payments, and Clinical Integration (NF/AL/HH) (repeat)**



**Live Tweet the Program Using #AHLA15**

Will you be in New Orleans for the Long Term Care program? We encourage you to live tweet and include hash tag **#AHLA15** so that attendees can learn from more than one session at once, and so that members unable to attend still feel plugged in. Would you like to live tweet one or more sessions of the program from a Practice Group Twitter handle? If so, please email [Brian Davis bdavis@healthlawyers.org](mailto:bdavis@healthlawyers.org).

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### GIVE BACK

If your schedule allows, please join AHLA staff and the Public Interest Committee on Sunday, February 22 from 1:00-5:00 pm as we give back to the local New Orleans community. We will travel offsite for the afternoon to volunteer at a local child development center. We can take a maximum of 50 volunteers. Please sign up on the registration form on page 23, if you are interested in participating—volunteers are taken on a first come first serve basis. Additional details and waivers will be provided in advance. The group will be split into small groups based on ability to assist with improvement projects for the center. All materials and transportation to the site will be provided.

#### About The Site

Royal Castle Child Development Center opened in 1996 to provide low-income residents with affordable, quality child care. The center was closed from 2005-2007 post-Katrina after taking on 6' of water. To date, the center has provided care for 2,000+

infants and toddlers, ages 6 weeks to 5 years old. By focusing on a holistic approach to education and care that encourages parental involvement and educates the entire family, Royal Castle helps children and families achieve long-term success. Consequently, they not only focus on the child's development, but also on assisting the development of parents to start them on a path of continued involvement in their children's education at home and in school.

#### Volunteers Will

- >> Organize the lending library
- >> Clean classrooms
- >> Stain outdoor decks
- >> Build and create an edible school yard
- >> Paint interior spaces

If you have any questions please contact  
Valerie Eshleman, [veshleman@healthlawyers.org](mailto:veshleman@healthlawyers.org).

Sign-up on the registration form on page 23.

## Program at a Glance

Please Note: This year's program includes sessions for Nursing Facility, Assisted Living and Home Health audiences. This schedule indicates for which audience(s) a session is intended: Nursing Facility (NF) attendees; Assisted Living (AL) and/or Home Health (HH) attendees.

### Monday, February 23, 2015

7:45 am– 12:45 pm	<b>Assisted Living In-House General Counsel Roundtable <i>sponsored by NCAL</i></b> (Open only to in-house counsel; attendance is limited; pre-registration is required; see page 23)				
8:30 am– 5:30 pm	<b>Registration and Information</b>				
9:30– 11:30 am	<b>Introduction to Long Term Care: The Continuum of Care (NF/AL/HH)</b> (not repeated)  <i>Simpkins Vanderhoff</i>	<b>Interactive Sessions: Attendance for each discussion group below is limited to 30 people; there is an additional charge of \$40; and pre-registration is required; see page 23</b>			
		<b>Interactive 1: Government Enforcement Activities and Theories—From State Agency/CMS Overreaching to Criminal Prosecution</b>  <i>Hoffman Horowitz</i>	<b>Interactive 2: Kick it Up a Notch!: Fraud and Abuse Analyses in Long Term Care Transactions</b>  <i>Lerner Vernaglia</i>	<b>Interactive 3: Worthless Services False Claims Litigation</b>  <i>Plowman Schabas</i>	
11:30 am– 1:00 pm	<b>Lunch on your own</b>				
1:15– 3:30 pm	<p style="text-align: center;"><b>General Session</b> 1:15-1:30 pm <b>Welcome and Introduction</b> <i>Cornell, Puri</i></p> <p style="text-align: center;">1:30-2:30 pm <b>Keynote Address: Emerging Aging Services Technologies and Their Impact on Long Term Care</b> <i>Alwan</i></p> <p style="text-align: center;">2:30-3:30 pm <b>Keynote Address: Current Landscape of Long Term Care</b> <i>Alkema</i></p>				
3:30– 4:00 pm	<b>Coffee Break, <i>sponsored by Plante Moran and Principle Valuation LLC</i></b>				
4:00– 5:30 pm  Extended Sessions	<b>A. An Appellant's Guide to Navigating the ALJ Appeals Process: Perspective From the Bench (NF/HH)</b> (not repeated)  <i>Griswold</i>	<b>B. Legislative and Regulatory Update for Home Health and Hospice (HH)</b>  <i>Dombi</i>	<b>C. How the Sausage is Made: The Government's Process for Evaluating FCA Whistleblower Allegations and Helping Relators Build Evidence (NF/AL/HH)</b>  <i>Chan Harrington Marcus</i>	<b>D. Nursing Facility Legislative and Regulatory Update (NF)</b>  <i>Gay</i>	<b>E. Case Law Update (NF/AL)</b>  <i>Adams Fradenburg</i>
5:30– 6:30 pm	<b>Networking Reception, <i>sponsored by Plante Moran and Principle Valuation LLC</i></b> (attendees, faculty, children, and registered spouses and guests welcome)				

## Program at a Glance

Monday, February 23, 2015 (continued)

6:30–7:30 pm	<b>Celebrating Diversity+Inclusion Reception, sponsored by AHLA's Diversity+Inclusion Council</b> (attendees and faculty welcome; RSVP on the registration form on page 23)
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Tuesday, February 24, 2015

7:00 am–5:15 pm	<b>Registration and Information</b>				
7:00–8:00 am	<b>Continental Breakfast, sponsored by Plante Moran and Principle Valuation LLC</b> (attendees, faculty, children, and registered spouses and guests welcome)  7:00-7:50 am <b>Women's Networking Breakfast, sponsored by the Women's Leadership Council</b> (attendees and faculty welcome; space is limited; RSVP on registration form on page 23).				
8:00–9:30 am  Extended Sessions	Attendance for the interactive group below is limited to 30 people; there is an additional charge of \$40; pre-registration required; see page 23. <b>For In-House Counsel Only</b>  <b>Interactive 4: Nursing Facility General Counsel Roundtable (NF)</b> (not repeated)  <i>Impink</i>	<b>B. Legislative and Regulatory Update for Home Health and Hospice (HH)</b> (repeat)  <i>Dombi</i>	<b>C. How the Sausage is Made: The Government's Process for Evaluating FCA Whistleblower Allegations and Helping Relators Build Evidence (NF/AL/HH)</b> (repeat)  <i>Chan Harrington Marcus</i>	<b>D. Nursing Facility Legislative and Regulatory Update (NF)</b> (repeat)  <i>Gay</i>	<b>E. Case Law Update (NF/AL)</b> (repeat)  <i>Adams Fradenburg</i>
9:45–10:45 am	<b>F. Emergency Response in Senior Care Communities (AL)</b> (not repeated)  <i>Gordon Stein</i>	<b>G. Hospice Challenges: Regulatory Reviews to FCA Cases (HH)</b>  <i>Bring Drake</i>	<b>H. Update on Medicaid Home and Community-Based Services Waivers (AL/HH)</b>  <i>E. Park Wright</i>	<b>J. The Art of Legal Ethics in Compliance Advice and Activities (NF/AL/HH)</b>  <i>Hessler</i>	<b>K. Contracting Issues between SNFs and Ancillary Providers (NF/AL/HH)</b>  <i>Feldkamp Luetkemeyer</i>
11:00 am–12:00 noon	<b>L. Assisted Living Legislative and Regulatory Trends (AL)</b> (not repeated)  <i>Kyllo Sumner</i>	<b>M. Post-Acute Providers and Understanding the Focus on Quality from a Managed Care Plan Perspective and Legal Implications (NF/AL/HH)</b>  <i>Hathaway Reagan</i>	<b>N. HIPAA Security Breaches: What Should We Be Doing to Keep Us Out of the Headlines? (NF/AL/HH)</b>  <i>Felix Munns Sheldon-Krieger</i>	<b>O. Home Health Care—Compliance Challenges and Solutions in the Post-Health Care Reform Law Era (HH)</b>  <i>Marks Patel</i>	<b>P. Best Practices for Managing Acuity Creep in Assisted Living (AL)</b>  <i>Berdzik McMillen</i>

Program at a Glance

Tuesday, February 24, 2015 (continued)

12:00–1:30 pm	<p><b>Lunch on your own or attend the Post-Acute and Long Term Services Practice Group Luncheon, sponsored by Simione Healthcare Consultants, LLC</b> (additional fee; limited attendance; pre-registration required; see page 23)</p>					
1:45–2:45 pm	<p><b>Q. LGBT and Long Term Care: Providing High Quality and Compliant Services across Care Settings (NF/AL)</b> (not repeated)</p> <p><i>de Kervor (invited)</i> <i>Ivers</i> <i>Swank</i></p>	<p><b>R. Why Long Term Care Providers are Finding New Uses for ADR: Best Practices for an Evolving Landscape (NF/AL/HH)</b> (not repeated)</p> <p><i>Drucker</i> <i>K. P. McDonald</i></p>	<p><b>S. OIG on the Horizon: What Does Stepped Up Enforcement Mean for Assisted Living Providers (AL)</b></p> <p><i>Boxeth</i></p>	<p><b>T. Home Health Care Fraud: Understanding and Avoidance (HH)</b></p> <p><i>Silberman</i></p>	<p><b>U. Models for Providing Medical Services in a Long Term Care Facility: Issues in the Provision of Physician, Nurse Practitioner and Physician Assistant Services (NF/AL/HH)</b></p> <p><i>Sollins</i></p>	
3:00–4:00 pm	<p><b>V. Legal Ethics: Issues in Internal Investigations and Multiple Party Representations (NF/AL/HH)</b> (not repeated)</p> <p><i>Cook</i></p>	<p><b>W. Telehealth Moves Forward in 2015: Diagnosis and Treatment, and Chronic Care Management (NF/AL/HH)</b> (not repeated)</p> <p><i>Randall</i></p>	<p><b>X. Voluntary Disclosure (NF/AL/HH)</b></p> <p><i>Siegel</i></p>	<p><b>Y. End of the Home Health Conditions of Participation as We Know Them (HH)</b></p> <p><i>Selby</i></p>	<p><b>Z. Compliance Investigations–Privilege and Process (NF/HH)</b></p> <p><i>Niewenhaus</i> <i>Rosenbaum</i></p>	
4:15–5:15 pm	<p><b>AA. Residency Agreements: An Analysis of Key Issues and Current Trends (AL)</b> (not repeated)</p> <p><i>Sternthal</i> <i>Ulmer</i></p>	<p><b>BB. Cutting Edge Strategies for Limiting Exposure to Employment Claims (NF/AL/HH)</b> (not repeated)</p> <p><i>Ashe</i> <i>Stone</i></p>	<p><b>CC. The Intersection of Regulatory and Personal Injury Litigation–Practical Considerations (NF)</b></p> <p><i>Bianculli</i> <i>Graham</i></p>	<p><b>DD. Navigating Compliance Issues in an Era of Heightened Enforcement for Long Term Care Providers (NF/AL/HH)</b></p> <p><i>Curley</i> <i>Westling</i></p>	<p><b>G. Hospice Challenges: Regulatory Reviews to FCA Cases (HH)</b> (repeat)</p> <p><i>Bring</i> <i>Drake</i></p>	
5:15–6:30 pm	<p><b>Networking Reception, sponsored by Plante Moran and Principle Valuation LLC</b> (attendees, faculty, children and registered spouses and guests welcome)</p>					
7:00 pm	<p><b>PALS Practice Group and ADR Affinity Group Networking Dinner at BonTon Café</b> (attendees and faculty welcome; RSVP on registration form on page 23)</p>					

Program at a Glance

Wednesday, February 25, 2015

7:30 am– 3:10 pm	Registration and Information					
7:30– 8:30 am	Continental Breakfast, <i>sponsored by Plante Moran and Principle Valuation LLC</i> (attendees, faculty, children and registered spouses and guests welcome)					
8:30– 9:30 am	<b>EE. Management of Health Care Decision Making in Nursing Facilities: Who Gets to Decide? (NF/AL/HH)</b>  (not repeated)  <i>K. A. McDonald Seale</i>	<b>FF. Buying and Selling Your HUD Financed Project: Navigating the TPA Process (NF/AL)</b>  (not repeated)  <i>Barach Blount Gressett</i>	<b>GG. Recent Developments in Labor and Employment Law for Post-Acute Care Providers (NF/AL/HH)</b>   <i>Mosley Niccolini</i>	<b>S. OIG on the Horizon: What Does Stepped Up Enforcement Mean for Assisted Living Providers (AL)</b>  (repeat)  <i>Boxeth</i>	<b>Y. End of the Home Health Conditions of Participation as We Know Them (HH)</b>  (repeat)  <i>Selby</i>	
9:40– 10:40 am	<b>HH. PSO: Powerful Protection for LTC Safety/ Quality Work Product (NF)</b>  (not repeated)  <i>Wire</i>	<b>JJ. Post-Acute Providers Involvement in Integrated Care Models: ACOs, Bundled Payments, and Clinical Integration (NF/AL/HH)</b>   <i>Edward Lazarus</i>	<b>P. Best Practices for Managing Acuity Creep in Assisted Living (AL)</b>  (repeat)  <i>Berdzik McMillen</i>	<b>T. Home Health Care Fraud: Understanding and Avoidance (HH)</b>  (repeat)  <i>Silberman</i>	<b>U. Models for Providing Medical Services in a Long Term Care Facility: Issues in the Provision of Physician, Nurse Practitioner and Physician Assistant Services (NF/AL/HH)</b>  (repeat)  <i>Sollins</i>	
10:50– 11:50 am	<b>KK. Medication Errors in Transitions of Care: The Problem and Practical Solutions (NF/AL/HH)</b>  (not repeated)  <i>Bonner R. Park</i>	<b>K. Contracting Issues between SNFs and Ancillary Providers (NF/AL/HH)</b>  (repeat)  <i>Feldkamp Luetkemeyer</i>	<b>M. Post-Acute Providers and Understanding the Focus on Quality from a Managed Care Plan Perspective and Legal Implications (NF/AL/HH)</b>  (repeat)  <i>Hathaway Reagan</i>	<b>O. Home Health Care– Compliance Challenges and Solutions in the Post-Health Care Reform Law Era (HH)</b>  (repeat)  <i>Marks Patel</i>	<b>CC. The Intersection of Regulatory and Personal Injury Litigation– Practical Considerations (NF)</b>  (repeat)  <i>Bianculli Graham</i>	
11:50 am– 1:00 pm	Lunch on your own					

## Program at a Glance

**Wednesday, February 25, 2015** (continued)

1:00– 2:00 pm	<b>J. The Art of Legal Ethics in Compliance Advice and Activities (NF/AL/HH)</b> (repeat)  <i>Hessler</i>	<b>Z. Compliance Investigations– Privilege and Process (NF/HH)</b> (repeat)  <i>Niewenhaus Rosenbaum</i>	<b>GG. Recent Developments in Labor and Employment Law for Post-Acute Care Providers (NF/AL/HH)</b> (repeat)  <i>Mosley Niccolini</i>	<b>JJ. Post-Acute Providers Involvement in Integrated Care Models: ACOs, Bundled Payments, and Clinical Integration (NF/AL/HH)</b> (repeat)  <i>Edwards Lazarus</i>
2:10– 3:10 pm	<b>H. Update on Medicaid Home and Community Based Services Waivers (AL/HH)</b> (repeat)  <i>E. Park Wright</i>	<b>N. HIPAA Security Breaches: What Should We Be Doing to Keep Us Out of the Headlines? (NF/AL/HH)</b> (repeat)  <i>Felix Munns Sheldon-Krieger</i>	<b>X. Voluntary Disclosure (NF/AL/HH)</b> (repeat)  <i>Siegel</i>	<b>DD. Navigating Compliance Issues in an Era of Heightened Enforcement for Long Term Care Providers (NF/AL/HH)</b> (repeat)  <i>Curley Westling</i>

## Program Information

**Dates:** February 23-25, 2015  
**Place:** The Hilton New Orleans Riverside  
Two Poydras Street  
New Orleans, LA 70130  
**Phone:** (504) 561-0500

### Registration Fees:

**All members of AHLA, LeadingAge, AHCA, ALFA, ASHA, NAHC, NCAL, and NASL are entitled to member rates.**

### Postmarked and paid by February 2, 2015

\$810 For the first Member  
\$735 For each additional Member  
\$710 For In-House Counsel Members  
\$610 Non-Attorney Providers  
\$1035 Non-Members

### Postmarked and paid between February 3-15, 2015\*

\$935 For the first Member  
\$860 For each additional Member  
\$710 For In-House Counsel Members  
\$610 Non-Attorney Providers  
\$1160 Non-Members

Printed Course Materials: \$75

\* Registration fees increase \$100 after this date.

If you have indicated an incorrect amount due to errors in addition or not being eligible for a specific rate, AHLA will charge the correct amount to the credit card you have supplied.

**Discounted Registration Fees:** Government employees, academicians, solo practitioners and students; please call (202) 833-1100, prompt #2 for special discounted registration fees. Additionally, discounted registration fees are available to any individual who expresses the need for such a discount and certifies financial hardship. If you require financial assistance in order to attend the program, please contact Anne H. Hoover, Vice President of Programs at (202) 833-0780 or ahoover@healthlawyers.org to request assistance.

**Spouse/Guest Fee:** For an additional \$50 spouses and adult guests can register to attend the receptions on Wednesday and Thursday evenings and the breakfasts on Thursday and Friday mornings. Please sign up on the registration form on page 23. (Children are welcome to attend at no additional charge.)

**Continuing Education:** Participants will be given continuing education forms at the program. Forms must be completed and returned to AHLA staff to receive credit. AHLA is an approved sponsor of continuing legal education credits in most states and will be applying for 20 continuing education credits (including 2.0 ethics credit) based on a 60-minute hour and 24.0 credits (including 2.4 ethics credits) based on a 50-minute hour. This seminar will be worth approximately 24 nursing home administrator credits.

AHLA 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. State boards of accountancy have final authority on the acceptance of individual

courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN 37219-2417. Web site: [www.nasba.org](http://www.nasba.org). This seminar will be worth approximately 24.0 CPE credits. AHLA will be applying for Compliance Certification Board (CCB) and Nursing Home Administrator (NHA) credits.

There are no prerequisites or advanced preparations required to register for this group live program. Sessions are intermediate or advanced unless otherwise noted. Those seeking accounting credits should be familiar with the concepts of law and terminology associated with the area of long term care in order to obtain the full educational benefit of this program.

**Hotel Reservations:** Hotel accommodations are not included in the registration fee. To make a reservation call the Hilton New Orleans Riverside at (504) 561-0500. **When calling, please indicate that you are attending the AHLA program to reserve a room in the AHLA block at a rate of \$189 single/\$199 double for city rooms—single or double occupancy. The Group code is HLA. Rooms at the group rate are limited and may sell out before February 2.**

**Membership:** Dues are \$200 for those admitted to the Bar/ graduated from college within the last four years; \$330 for those admitted/ graduated between four and eight years ago; and \$365 for those admitted/graduated eight or more years ago. Dues are \$110 for government employees and full-time academicians; \$90 for paralegals, \$160 for public interest professionals and \$35 for full-time law school students. Include the applicable membership fee with your registration form and take advantage of the program registration fee for members.

**Cancellations/Substitutions:** Cancellations must be received in writing **no later than February 11, 2015**. Refunds will not be issued for cancellations received after this date. Registration fees, less a \$125 administrative fee, will be refunded approximately 3-4 weeks following the program. If you wish to send a substitute or need more information regarding refund, complaint and program cancellation policies, please call the Member Service Center at (202) 833-1100, prompt #5. Please note that registration fees are based on the membership status of the individual who actually attends the program.

**Special Needs:** If you have needs requiring special assistance or accommodations, including special dietary needs, or have questions about accessibility issues at the program, contact our special needs coordinator, Valerie Eshleman at (202) 833-0784 or veshleman@healthlawyers.org.

**Travel:** Association Travel Concepts (ATC) has negotiated discounts with United Airlines, Delta, Enterprise, Hertz and Dollar Rental Car to bring you special fares and car rental rates lower than those available to the public. Some restrictions may apply and a service fee may apply. ATC will search for the lowest available fare on any airline.

### ASSOCIATION TRAVEL CONCEPTS

1-800-458-9383

email: [reservations@atcmeetings.com](mailto:reservations@atcmeetings.com)

Online: <http://www.atc.meetings.com/ahla>

ATC is available for reservations from 8:30 am until 8:00 pm Eastern, Monday through Friday.



# Program Registration Form—Long Term Care

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**To register:** Remit payment and completed registration form by mail to the American Health Lawyers Association • P.O. Box 79340 • Baltimore, MD 21279-0340 or fax with credit card information to (202) 775-2482. To register by phone call (202) 833-1100, prompt #2. To register online go to [www.healthlawyers.org/programs](http://www.healthlawyers.org/programs).

Name: \_\_\_\_\_ Member ID #: \_\_\_\_\_  
First Name for Badge (if different than above): \_\_\_\_\_ Spouse/Guest Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP+ 4: \_\_\_\_\_  
Telephone: (\_\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_\_) \_\_\_\_\_  
E-Mail: \_\_\_\_\_

**All members of AHLA, LeadingAge, AHCA, ALFA, ASHA, NAHC, NCAL, and NASL are entitled to member rates**

**Early Registration Fees (faxed/postmarked and paid on or before February 2, 2015):**

Members:  \$810    In-House Counsel Members:  \$710    Non-Members:  \$1035  
Non-Attorney Provider:  \$610    Group Members:  \$735 each additional member registering from same organization at same time on the same check or credit card payment

**Registration Fees (faxed/postmarked and paid between February 3-15, 2015):**

Members:  \$935    In-House Counsel Members:  \$710    Non-Members:  \$1160  
Non-Attorney Provider:  \$610    Group Members:  \$860 each additional member registering from same organization at same time on the same check or credit card payment

I will require:  audio     visual     mobility     I have special dietary needs     other assistance \_\_\_\_\_

I am a Member of:  AHLA     AHCA     ALFA     NASL  
 ASHA     NAHC     NCAL     LeadingAge





**I would like to attend:**

- Public Interest Community Service Project (Sunday, February 22, 1:00-5:00 pm)
- NCAL Sponsored Session: Assisted Living In-House General Counsel Roundtable (Monday, February 23)
- Celebrating Diversity+Inclusion Reception (Monday, February 23, 6:30-7:30 pm)
- Women's Networking Breakfast (Tuesday, February 24, 7:00-7:50 am)
- PALS PG/ADR AG Networking Dinner (Tuesday, February 24, 7:00pm)

**PAYMENT INFORMATION**

**Please fill in applicable amount: (Sorry! Registrations cannot be processed unless accompanied by payment.)**

\$ \_\_\_\_\_ Registration Fee  
\$ \_\_\_\_\_ Interactive Discussion Groups (\$40); Monday, February 23, 9:30–11:30 am; (please indicate group you plan to attend)  
 1. Government Enforcement Activities     2. Transactions     3. Worthless Services  
\$ \_\_\_\_\_ Interactive Discussion Group 4: Nursing Facility Roundtable (\$40) Tuesday, February 24, 8:00-9:30 am; (In-House Counsel only)  
\$ \_\_\_\_\_ Post-Acute and Long Term Services Practice Group Luncheon (\$35 for members of the PALS PG/\$45 for non-members of the PALS PG; Tuesday, February 24)  
\$ \_\_\_\_\_ Printed Course Materials (\$75) (all attendees will receive an electronic version of the course materials. Attendees may purchase the binder for an additional fee)  
\$ \_\_\_\_\_ Spouse/Guest Fee (\$50)  
\$ \_\_\_\_\_ Membership Dues (Date admitted to the bar/graduated:   /   /   )  
\$ \_\_\_\_\_ Total Enclosed     Check enclosed (Make checks payable to American Health Lawyers Association)

Bill my credit card:                      Diners Club  
Number: \_\_\_\_\_ Exp. Date:   /     
Name of Cardholder: \_\_\_\_\_  
Signature of Cardholder: \_\_\_\_\_  
ZIP Code of Cardholder's Billing Address: \_\_\_\_\_

**Discounted Registration Fees:** Government employees, academicians, solo practitioners and students: please call for special discounted fees.  
Please Note: Should your credit card total be miscalculated, AHLA will charge your credit card for the correct amount. To receive a refund of the registration fee paid minus \$125, cancellation notice must be received in writing by February 11, 2015.

Fed ID No. 23-7333380

**AHLA**

1620 Eye Street, NW  
6th Floor  
Washington, DC 20006-4010

# Long Term Care and The Law New Orleans

February 23–25, 2015  
Hilton New Orleans Riverside Hotel  
New Orleans, LA

Register by February 2, 2015 and save!  
Register online today at  
[www.healthlawyers.org/programs](http://www.healthlawyers.org/programs)

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