The ABA Health Law Section Healthcare Litigation & Risk Management Interest Group is seeking volunteers to author articles for the June 2017 issue of the ABA Health eSource, the section’s renowned monthly online e-zine. Below are topics you may wish to consider, but please feel free to suggest other ones. Articles should focus on cutting edge issues that are relevant to the healthcare litigation and risk management practice of health law.

If you are interested in writing about any of the suggested topics, or any other topic related to healthcare litigation and risk management issues, please let us know the topic you would like to write on and a brief (4-5 sentences) description/outline of your approach. Please send your proposals by April 14, 2017, to Ardith Bronson at ardith.bronson@dlapiper.com and to Marla Durben Hirsch, Esq., Editor of the ABA Health eSource, at mdhirsch@comcast.net. All proposals will be reviewed by the Healthcare Litigation & Risk Management Interest Group and submitted to the eSource Editorial Board for approval.

To see past editions of the ABA Health eSource, please go to: http://www.americanbar.org/contentnewsletter/publications/aba_health_esource_home.html

FAQ

Why should I write an article? eSource is a wonderful opportunity to get published and communicate your ideas to over 9,500 healthcare attorneys. This is also ideal for young lawyers to try your hand at writing an informative, timely article that your colleagues in the Health Law Section will find helpful in their practice.

How long does the article have to be and in what format? eSource articles range from 600 to 2,000
words in length (4-7 pages), contain endnotes, and, if available, provide links to resources. For more information about eSource publication guidelines, please go to http://www.americanbar.org/publications/aba_health_esource.html

- When is the article due? The deadline for submission of article proposals is April 14, 2017. The deadline for submission of finished articles is May 18, 2017.

- How are articles submitted? Once a proposed article topic is approved, the written article is sent to Ardith Bronson as well as to Marla Hirsch. The article will be edited, reviewed by the eSource Editorial Board, and returned to the author for revision.

- Also note that in some states, attorneys can receive CLE credit for having an article published.

Possible Article Topics:

1) Litigation Skills and Procedures:
   - Privilege issues in healthcare litigation.
   - New methods for financing litigation: Practical, legal and ethical implications.

2) Alternative Dispute Resolution:
   - Primer on arbitration clauses in health care.

3) Commercial Disputes:
   - Multi-district litigation on personal injury arising out of drug/device, etc. & expert battles
   - Physician reimbursement under the Affordable Care Act.

4) Fraud and Abuse Litigation/False Claims:
   - After effects of Escobar Supreme Court case on implied certification under the False Claims Act – especially kickback claims.
   - Private fraud – manipulating business towards private payors and away from government plans.
   - Emerging issues continuing to arise around challenges to sampling/extrapolation for liability, including bellweather trials.
   - Pricing fraud – states’ abandonment of MAC.
   - Increased CMS enforcement effects.
   - Fraud in managed care, including recent risk adjustment litigation.

5) Medical Malpractice
   - Jurisdictional and venue issues for malpractice cases.
   - Liability risk management challenges for locum tenens and home health.

6) Criminal Liability:
   - Obstruction of justice and SEC prosecutions of health care fraud.
   - Mental health daycare & compounding prosecutions and other trends.
   - Crime-Fraud exception developments.
   - Death penalty and compounded drugs.
   - Rolling back Yates memo under Trump – changes in criminal and civil enforcement with the replacement of AUSAs.

NEW! Volunteers needed!

The members of the Healthcare Litigation and Risk Management IG collectively have a wealth of experience and knowledge in many different areas of practice. In an effort to highlight our members and to provide an additional opportunity for networking, the “Member Spotlight” section will highlight one or more members in a written interview-style format.

Each Member Spotlight will focus on a different practice area within our IG. The topic of our first Member Spotlight will be the False Claims Act. It will feature three members of our IG representing all sections of False Claims Act practice – Relator’s Counsel, the Government, and Defense. Stay tuned!!!

We are currently searching for members who are
interested in being interviewed and featured in the “Member Spotlight” as well as younger members who are interested in serving as interviewers. If you are interested in this opportunity, please contact Michael Morton at michael.morton@lcb.state.nv.us.

**Tip of the Month**


- Our “Tip of the Month” was submitted by Virginia B. Evans.

*Volunteers needed!* We are currently searching for members of the IG who are interested in writing for this section. Entries do not have to be long – 50 to 1500 words (not a limit, just a guide). This is a great way to share helpful information with your IG colleagues. If you are interested in writing for this section please contact Ardith Bronson at ardith.bronson@dlapiper.com

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**ABA HEALTHCARE LITIGATION AND RISK MANAGEMENT IG**

**2016-2017 LEADERSHIP**

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