AMERICAN BAR ASSOCIATION HEALTH LAW SECTION

18TH ANNUAL CONFERENCE ON

EMERGING ISSUES IN HEALTHCARE LAW

MARCH 8–11, 2017

PROGRAM CO-SPONSORS:
Section of Science & Technology Law  The Young Lawyers Division

ROOSEVELT NEW ORLEANS
WALDORF ASTORIA HOTEL
NEW ORLEANS, LOUISIANA
The ABA Health Law Section’s Conference on Emerging Issues in Healthcare Law covers the most emergent topics facing the healthcare bar. As our industry undergoes changes and continues to develop with healthcare reform and enforcement, this conference presents an incredible opportunity to stay ahead of the trends.

Here’s what past attendees have to say about the Emerging Issues in Healthcare Law Conference:

“The networking is amazing. The programs are strong and informative. The administrative staff is awesome and incredibly helpful. Very smoothly run.”

“The sessions were specific and delved deep on the topics rather than skimming the surface.”

REGISTER TODAY

http://ambar.org/EMI2017

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Thank you to our sponsors for their generous support of the Emerging Issues In Healthcare Law Conference:

**Premier**

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   - VMG HEALTH
# Schedule at a Glance

## Wednesday, March 8, 2017

<table>
<thead>
<tr>
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<tbody>
<tr>
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<tr>
<td>9:00 am–12:00 pm</td>
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<td>8:30–8:45 am</td>
<td>Welcome to EMI— Opening Remarks</td>
</tr>
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<td>State of the Section Address</td>
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<td>9:00–10:15 am</td>
<td>Providers and Payers Wheeling and Dealing: A View from the Antitrust Enforcers</td>
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<td>Standards of Proof</td>
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<td>11:15–11:30 am</td>
<td>Break</td>
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**Concurrent Sessions**

<table>
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<td>2. From “Do No Harm” to “Don’t Shoot!”: How Hospitals Struggle</td>
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<td>with Gun Violence</td>
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<td></td>
<td>3. Laissez les Bons Temps Rouler: Hope for Potential Stark Law Changes</td>
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<tr>
<td>12:30–12:45 pm</td>
<td>Break</td>
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<tr>
<td>12:45–1:45 pm</td>
<td>Interest Groups &amp; Task Force Lunches</td>
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<td>1:45–2:45 pm</td>
<td>Death with Dignity: Legal, Ethical, Clinical and Pharmaceutical Perspectives</td>
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<tr>
<td>2:45–3:45 pm</td>
<td>Litigation Finance: New “Wonder Drug” to Battle Injustice or Suspicious Growth on the Legal System?</td>
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**SCHEDULE AT A GLANCE**

### SATURDAY, MARCH 11, 2017

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<tr>
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<tr>
<td>8:00–10:30 am</td>
<td>Open Council Meeting</td>
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<tr>
<td>10:30 am–6:00 pm</td>
<td>18th Annual Margarita Cup Golf Tournament</td>
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<td>TPC Louisiana Pines Golf Course</td>
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<td>11:30 am–4:30 pm</td>
<td>Down-Home Airboat Adventure</td>
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<td>6:30–8:00 pm</td>
<td>Saturday Night Mixer Hosted by Section Chair</td>
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### SUNDAY, MARCH 12, 2017

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<tr>
<th>Time</th>
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<tbody>
<tr>
<td>8:00–11:00 am</td>
<td>Council Meeting</td>
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## PROGRAM AGENDA

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<td>Cancer Legal Advocacy Workshop&lt;br/&gt;Sponsored by: Health Law Section Breast Cancer Initiatives and Substance Use Disorders and Mental Health Interest Groups&lt;br/&gt;Cancer patients face a variety of legal challenges, such as issues with insurance coverage and payment, treatment, employment, family, and mental health and end-of-life arrangements. There are support organizations that use volunteer attorneys to help them face these challenges. The panel will review relevant laws and practices to enable attorneys to provide legal assistance to cancer patients going through diagnosis and treatment and to support, their family members or friends.&lt;br/&gt;Jennifer Englander, Ogletree Deakins, New Orleans, LA&lt;br/&gt;Jason P. Lacey, Foulston Siefkin LLP, Wichita, KS&lt;br/&gt;“Weegie” Levet Petrie, RN, Nurse Administrator, Home Instead Senior Care, Metairie, LA&lt;br/&gt;Kashi Rai, MD, Owner, For Better Health, LLC, Internal Medicine/Integrative Medicine, Metairie, LA&lt;br/&gt;Ralph M. Schapira, MD, Chief of Staff, New Orleans Veterans Affairs Medical Center, Clinical Professor of Medicine and Associate Dean, LSU and Tulane Schools of Medicine, New Orleans, LA&lt;br/&gt;Melanie Sheen, MD, Hematology/Oncology—Breast Cancer Specialist, Metairie, LA</td>
</tr>
<tr>
<td>1:00–3:00 pm</td>
<td>Hit the Ground Running: How to be a Healthcare Lawyer&lt;br/&gt;This program will focus on issues that healthcare attorneys commonly face, whether in-house, in private practice or in government, including:&lt;br/&gt;- Potential conflicts between a company and its officers&lt;br/&gt;- Potential whistleblowers within the company&lt;br/&gt;- Parallel civil and criminal investigations&lt;br/&gt;- Key compliance issues under the Anti-Kickback Statute, the Stark Law, the False Claims Act, the Dodd-Frank Act and the Foreign Corrupt Practices Act.&lt;br/&gt;Sarah Frazier, Berg &amp; Androphy, Houston, TX&lt;br/&gt;Sean McKenna, Greenberg Traurig, LLP, Houston, TX&lt;br/&gt;Jessica L. Parker-Battle, Director, Compliance, Biogen, Weston, MA</td>
</tr>
<tr>
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<td>Break</td>
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<tr>
<td>3:30–5:00 pm</td>
<td>Ethics Challenges for In-House Counsel and Lawyers Who Advise Them&lt;br/&gt;The complex relationships in the healthcare system, such as joint ventures, management arrangements and outsourced functions, may create legal ethics challenges for attorneys. A panel of counsel with extensive in-house and law firm experience will discuss the practical application of the rules of professional conduct to challenges often faced by inside and outside counsel for healthcare organizations, including:&lt;br/&gt;- Identifying who your client is&lt;br/&gt;- Best practices in communications&lt;br/&gt;- Characteristics of top performing outside counsel: how to get hired and how to avoid getting fired (avoiding conflict of interest)&lt;br/&gt;- Alternative fee arrangements, how to add value and avoid ethical pitfalls&lt;br/&gt;- Ethical and practical considerations that in-house counsel should take into account in internal investigations, including the use of Upjohn warnings to protect the attorney-client privilege.&lt;br/&gt;Beth Connor Guest, Associate Chief Counsel, US Business Law, Cigna, Nashville, TN&lt;br/&gt;Joshua B. Simon, Kirkland &amp; Ellis LLP, New York, NY&lt;br/&gt;Howard T. Wall III, Executive Vice President and Chief Administrative Officer, RegionalCare Hospital Partners, Franklin, TN&lt;br/&gt;Moderator: Muthuramanan Rameswaran, Fox Rothschild LLP, Exton, PA</td>
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<tr>
<td>5:00–6:00 pm</td>
<td>How Will the Election Affect Access to Healthcare for Diverse Communities?&lt;br/&gt;Proposed changes to health care law and policy following the election may have profound effects on access to health care. This program will examine efforts proposed or undertaken by the new administration and the potential impact of those efforts, especially within diverse communities. This program will also evaluate congressional initiatives, executive orders, and trends at the state and local levels.&lt;br/&gt;Jane Perkins, Legal Director, National Health Law Program, Carrboro, NC</td>
</tr>
<tr>
<td>6:00–7:00 pm</td>
<td>Diversity &amp; Networking Reception—Celebrating Diversity, Young Lawyers and Law Students&lt;br/&gt;All conference attendees are invited to attend this event to catch up with old friends and make new ones. Complimentary cocktails and appetizers will be served.</td>
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### ProgRAM AGENDA

#### THURSDAY, MARCH 9, 2017

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| 6:30–8:00 am  | Annual EMI Breast Cancer Fun Run/Walk  
Sponsored by: Holland & Knight LLP  
(Ticketed $25) Join attendees for the Annual EMI Breast Cancer Fun Run/Walk. Participants will run or walk a 1-mile course. Net proceeds will be donated to the Health Law Section Breast Cancer Task Force Initiative 501(c)(3) fund. |
| 7:00 am–5:30 pm | Registration and Information Desk Open                               |
| 7:30–8:30 am  | Continental Breakfast                                                |
| 8:30–8:45 am  | Welcome to EMI—Opening Remarks; C. Joyce Hall, Watkins & Eager PLLC, Jackson, MS  
EMI Co-Chairs:  
Diane T. Carter, Husch Blackwell LLP, Austin, TX  
John H. McEniry, IV, President, Consors Consulting Group, Fairhope, AL |
| 8:45–9:00 am  | State of the Section Address  
2016–2017 American Bar Association Health Law Section Chair  
C. Joyce Hall, Watkins & Eager PLLC, Jackson, MS |
| 9:00–10:15 am | Providers and Payers Wheeling and Dealing: A View from the Antitrust Enforcers  
There has been a renewed focus on antitrust enforcement in the healthcare industry, a trend that is likely to increase. This program will review the latest antitrust developments involving hospitals, physicians, other providers, payers, and licensing boards.  
Deborah L. Feinstein, Director, Bureau of Competition, Federal Trade Commission, Washington, DC  
Barbara Neal Reeves, JAMS, Los Angeles, CA  
TBD, Antitrust Division, U.S. Department of Justice, Washington, DC |
| 10:15–10:30 am | Break                                                                |
| 10:30–11:30 am | How Will We Get Paid? Assessing the Impact of MACRA & MIPS  
The alternative physician payment methodologies included within MACRA will have significant impacts on physician groups, and on hospital operations and strategy as well. This session will assess the effects of new value-based payment reforms on physicians and their implications for hospitals and other healthcare organizations.  
James M. Daniel, Jr., Hancock, Daniel, Johnson & Nagle, P.C., Glen Allen, VA  
Melinda Hancock, Chief Financial Officer, VCU Health, Richmond, VA  
Mark C. Herbers, AlixPartners, Chicago, IL |

#### THURSDAY, MARCH 9 CONTINUED

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| 11:30 am–12:30 pm | Concurrent Sessions  
Online Counseling Hits Prime Time, but Legal Pitfalls Await: The New World of TeleMental Health  
Telehealth can now bring behavioral health treatment to patients who have had limited access to it before. “TeleMental” health has seen explosive growth with improved technology and the implementation of the ACA and mental health parity laws. This session addresses key issues for lawyers guiding providers in this new service area, including:  
- The basics of navigating patient agreements and payer requirements  
- Privacy and liability  
- National trends and developments in telemental health  
Jonathan M. Joseph, Christian & Barton, LLP, Richmond, VA  
Kristin Schleiter, American Medical Association, Chicago, IL  
Anna Whites, Anna Whites Law Office, Frankfort, KY |
| 11:30 am–12:30 pm | Concurrent Sessions  
A Balancing Act: Alternative Payment Models and Physician Compensation  
This program will present real-world examples of how healthcare systems are handling the transition from fee-for-service to value-based purchasing. The current need to structure new arrangements with multiple parties in order to maximize reimbursement with new payer models raises new challenges with today’s increased regulatory scrutiny on physician compensation. This session will address topics like:  
- An overview of new physician compensation models in a value-based world  
- Addressing fair market value and commercial reasonableness concerns in innovative payment arrangements  
- Compliance tips and practical advice for healthcare systems and physicians on new compensation structures  
Jen Johnson, VMG Health, Dallas, TX  
Kenya Woodruff, Haynes and Boone, LLP, Dallas, TX |
| 11:30 am–12:30 pm | Concurrent Sessions  
Take Data by the Horns: Turn Analytics to Your Advantage  
The government has aggressively committed greater resources and attention to investigating nearly all aspects of healthcare provider operations. As a result, criminal prosecutions as well as False Claims Act judgments and settlements have become ever more prevalent. Federal authorities often use standardized data reports (e.g., PEPPER reports) and sophisticated predictive analytic models to identify and pursue “outlier” providers in order to establish liability, expand damages, and assess penalties. This session will provide a valuable overview of these trends, including:  
- Use of data analytics in healthcare fraud litigation  
- Effective responses to data analytics-driven investigations  
- Future enforcement trends using data analytics  
Katie Pawlitz, Reed Smith LLP, Washington, DC  
Greg Russo, Berkeley Research Group, Washington, DC |
THURSDAY, MARCH 9 CONTINUED

12:30–1:30 pm
Lunch
Interest Group & Task Force Lunchees

1:30–2:45 pm
Up in Smoke: Lighting up the Debate over Marijuana & Public Health
As cannabis legalization efforts spread across the country, debates are raging over legal and public health questions related to cannabis use. Cannabis advocates stress its power to transform communities and assist individuals through recreational and medicinal use. Opponents point to the mounting public health risks to the nation at large, particularly for vulnerable populations.

Krishna Andavolu, Host, Weediquette VICE Media, New York, NY
Robert L. DuPont, MD, President, Institute for Behavior and Health, Inc., Rockville, MD
Bertha Madras, Professor, Harvard Medical School and McLean Hospital, Belmont, MA
Abdullah Saeed, Host, Bong Appetit, VICE Media, New York, NY
Moderator: Philip Brewster, Brewster Law Firm LLC, Winnetka, IL

2:45–3:00 pm
Break

3:00–4:00 pm
Healthcare on Aisle Five: Promises and Risks in Retail Clinics
The program will provide an update on the retail clinic industry and its rapid growth in recent years and provide a brief summary of the medical community’s reaction to this delivery model and how it has been impacted by the Affordable Care Act. Panelists will present the latest developments in:
- State regulation of retail clinics: Corporate practice, CON and more
- Telemedicine in the retail clinic space
- Recent state actions restricting retail clinics and administrative and case law developments

Catherine Dower, Director, National Nursing Research and Policy, Kaiser Permanente, Oakland, CA
Paul W. Pitts, Reed Smith LLP, San Francisco, CA

4:00–5:00 pm
Concurrent Sessions

You’re Fired? Bracing for Trump Inspired Healthcare Reform Uncertainty
This program will focus on the current and future state of health reform for payers, including some of the challenges and successes of the ACA, as well as the possibility of market disruption following the 2016 elections. It will include a look at:
- Ongoing litigation over risk corridors, risk adjustment, and cost-sharing reductions in reimbursements
- Individual eligibility standards for special enrollment periods and transient individuals
- The impact on premiums of benefit mandates and consumer protection efforts

Jonathan Prokup, General Business Counsel, U.S. Individual Segment, Cigna, Philadelphia, PA
Christian Puff, Chief Operating Officer, CHRISTUS Health Plan, Irving, TX

Divergent Paths: Management, Counsel and Living in a Post-Yates Memo World
This program will focus on how to navigate tensions between management and counsel and build a successful relationship with the DoJ and OIG. Panelists will also discuss how to assure balance and fairness in reporting facts and seeking resolution. The Department of Justice’s adoption of the Yates Memo, promising new enforcement initiatives against individuals implicated in alleged corporate wrongdoing, creates new potential conflicts between management and counsel charged with investigating alleged violations and negotiating settlements. This session will focus on these new dynamics, including:
- Navigating tensions between management and counsel
- Ensuring balance and fairness in internal investigations
- New standards for cooperation with government investigators
- Successful resolution of government investigations

Ashlee McFarlane, Assistant Chief, Fraud Section (Criminal Division), U.S. Department of Justice, Houston, TX
Kirk Ogrosky, Arnold & Porter LLP, Washington, DC
Spencer Turnbull, Senior Counsel, UCLA Health System, Los Angeles, CA

THURSDAY, MARCH 9 CONTINUED

4:00–5:00 pm
Concurrent Sessions

Letting the Genie out of the Bottle: Can Digitally Driven Biomedical Innovation Maintain Privacy?
Biomedical and digital health advancements offer tremendous promise, but can also offer new legal challenges. The development and deployment of these tools depend on the use and disclosure of large amounts of patient data. This panel will explore the interplay of data-driven innovation, such as the Cancer Moonshot, with patient privacy concerns, as well as strategies for balancing both important public policy objectives.

Kirk Nahra, Wiley Rein LLP, Washington, DC
Colbey B. Reagan, Waller Law, Nashville, TN
Scott Thiel, Director, Navigant Consulting, Indianapolis, IN
Moderator: Diane Carter, Husch Blackwell LLP, Austin, TX

5:00–5:45 pm
Law Student Meet & Greet

6:00–7:30 pm
Welcome Reception
Honoring faculty and planning committee members
All conference attendees are invited to attend the best networking reception in the industry! This event receives rave reviews every year, so it’s one you don’t want to miss. Cocktails and appetizers will be provided.
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| 8:30–9:45 am     | This program will provide up-to-the-minute insights regarding the status of the ACA, as well as the healthcare priorities and policy positions of the Trump Administration and new Congress that will likely drive replacement legislation. The panel also will address implications for coverage in the non-group health insurance marketplace and under the Medicare and Medicaid programs; the future of value-based purchasing; and Medicare and Medicaid program integrity. Denise E. Hanna, Locke Lord LLP, Washington, DC
| 8:30–9:45 am     | Colin Roskey, Alston & Bird LLP, Washington, DC                                               |
| 9:45–10:00 am    | Break                                                                                          |
| 10:00–11:15 am   | Is a Liability Tidal Wave Coming? Post-Escobar Fraud and Abuse Standards of Proof            |
| 10:00–11:15 am   | The program will discuss the impact of the Supreme Court’s Escobar decision regarding the “implied certification” theory on the standards of proof in Anti-Kickback Statute and False Claims Act cases and where the law may be headed, including:  
| 10:00–11:15 am   | - Whether and how regulatory violations may be used as a predicate for an FCA violation  
| 10:00–11:15 am   | - The rise in parallel civil and criminal proceedings  
| 10:00–11:15 am   | - Lessons from recent cases  
| 10:00–11:15 am   | Michael E. Clark, Duane Morris LLP, Houston, TX  
| 10:00–11:15 am   | Jack Fernandez, Zuckerman Spaeder LLP, Tampa, FL  
| 10:00–11:15 am   | Ashlee McFarlane, Assistant Chief, Fraud Section (Criminal Division), U.S. Department of Justice, Houston, TX |
| 11:15–11:30 am   | Break                                                                                          |

FRIDAY, MARCH 10, 2017

7:00 am–5:30 pm  Registration and Information Desk Open

7:30–9:00 am  Continental Breakfast

8:30–9:45 am  Replacing the ACA—An Update from Washington, DC

This program will provide up-to-the-minute insights regarding the status of the ACA, as well as the healthcare priorities and policy positions of the Trump Administration and new Congress that will likely drive replacement legislation. The panel also will address implications for coverage in the non-group health insurance marketplace and under the Medicare and Medicaid programs; the future of value-based purchasing; and Medicare and Medicaid program integrity.

Denise E. Hanna, Locke Lord LLP, Washington, DC

Colin Roskey, Alston & Bird LLP, Washington, DC

9:45–10:00 am  Break

10:00–11:15 am  Concurrent Sessions

I Can’t Sleep! Five Hot Topics for Long Term Care Providers

This program will provide an overview of the current legal and regulatory issues of most concern to long-term care providers, including:

- The application of fair housing rules to assisted and independent living communities
- Balancing privacy, security and safety for cognitively impaired residents
- Medicaid Managed Long Term Care Services and payment
- Common fraud and abuse enforcement and compliance issues

Catherine Greaves, King & Spalding, Austin, TX

Cassie Kinney, Litigation Manager, Life Care Services, LLC, Des Moines, IA

Moderator: Gabriel Imperato, Broad and Cassel, Ft. Lauderdale, FL

From “Do No Harm” to “Don’t Shoot!”: How Hospitals Struggle with Gun Violence

Guns in the hands of hospital patients, guests, and staff pose special challenges where state laws limit exclusion of concealed weapons. Additionally, while the use of armed security may be necessary in some areas, the potential for misuse of weapons in managing behavioral emergencies is significant. This program will explore this important public policy area and provide guidance on crafting hospital policies on the carrying of guns.

Kathleen DeBruhl, DeBruhl Haynes, The Health Law Group, New Orleans, LA

John S. Rozel, MD, Medical Director, resolve Crisis Network, University of Pittsburgh Medical Center, Pittsburgh, PA

Max C. Weber, Associate Vice President and Deputy Chief Compliance Officer, University of Texas M.D. Anderson Cancer Center, Houston, TX

Laissez les bons temps rouler: Hope for Potential Stark Law Changes

The Senate Finance Committee has recommended significant changes to the Stark Law in response to industry complaints and to better harmonize the law to recent reforms. These changes would have a dramatic effect on arrangements used in physician compensation and other financial relationships between physicians and institutional providers. The expert panel will provide an in-depth discussion of the suggested Stark Law changes by the Senate Finance Committee, as well as other developments affecting hospital-physician alignment in a rapidly changing environment.

Violet Anderson, Regional General Counsel, CHRISTUS Health, Irving, TX

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

“Chip” Hutzler, Healthcare Appraisers, Delray Beach, FL
FRIDAY, MARCH 10 CONTINUED

12:30–12:45 pm  Break

12:45–1:45 pm  Interest Groups & Task Force Lunches

1:45–2:45 pm  Death with Dignity: Legal, Ethical, Clinical and Pharmaceutical Perspectives

“Death with Dignity” laws exist in six states, with legislation pending in other states. This program will provide an overview of the regulations across the nation and provide analysis and recommendations for situations in which patients request death-with-dignity assistance from clinicians, where the practice is legal and where it is not. Topics covered will also include the special pharmaceutical issues that arise in this context, as well as ethics statements by professional societies and exemptions from participation.

Timothy Quill, MD, Professor of Palliative Care & Psychiatry, University of Rochester School of Medicine, Rochester, NY

James Ruble, Associate Clinical Professor of Pharmacotherapy, University of Utah College of Pharmacy, Salt Lake City, UT

W. Thomas Smith, Assistant Dean & Associate Professor, Manchester University, Fort Wayne, IN

2:45–3:45 pm  Litigation Finance: New “Wonder Drug” to Battle Injustice or Suspicious Growth on the Legal System?

Until recently, litigation investment has been concentrated in small personal injury litigation and large commercial litigation and arbitration, but today its growth extends into healthcare litigation, including healthcare fraud litigation, as the costs of e-discovery continue to skyrocket.

Proponents of commercial litigation finance claim it provides innovative solutions enabling risk reduction as well as growth in client base and profits. Detractors say it encourages weak lawsuits and gives too much power to third parties who are less interested in justice than profit. This program will examine the ethical, legal, and policy issues raised by such arrangements and their impact on providers, insurers, pharmaceutical companies, other healthcare businesses, and whistleblowers.

Allison Chock, Senior Investment Manager, Bentham IMF, Los Angeles, CA

Andrew J. Demetriou, Partner, Lamb & Kawakami, LLP Managing Director, Berkeley Research Group, LLC, Los Angeles, CA

Anthony Sebok, Professor, Cardozo School of Law, New York, NY

CLE Adjourns

SATURDAY, MARCH 11, 2017

8:00–10:30 am  Open Council Meeting

10:30 am–6:00 pm  18th Annual Margarita Cup Golf Tournament

Ticketed Event—$290 includes 18 Holes, Transportation, Lunch and Golf Cart

Located just 15 miles outside of downtown New Orleans, TPC Louisiana offers an award-winning championship golf course that is open to the public to enjoy. TPC Louisiana serves as the home of the PGA Tour’s Zurich Classic of New Orleans and hosts many other events throughout the year. TPC Louisiana was named “the #4 best upscale public golf course” by Golf Digest magazine when it opened to the public in 2004 and is consistently included in Golf Week’s “Best Courses You Can Play.”

Allison Chock, Senior Investment Manager, Bentham IMF, Los Angeles, CA

Andrew J. Demetriou, Partner, Lamb & Kawakami, LLP Managing Director, Berkeley Research Group, LLC, Los Angeles, CA

Anthony Sebok, Professor, Cardozo School of Law, New York, NY

CLE ETHICS CREDIT

11:30 am–4:30 pm  Down-Home Airboat Adventure

Ticketed Event—$155 includes swamp tour, transportation and lunch at Restaurant des Familles

Each guest is welcomed with a smile and a handshake at family-owned New Orleans Airboat Tours in Lafitte. The privately-owned property ensures an authentic and intimate swamp experience. Expert outdoorsmen will show you the bountiful wetlands that surround the city, while sharing swamp stories. Airboats zip through narrow canals lined with moss-covered cypress trees to wide-open grassy marshes crawling with wildlife. From bullfrogs and alligators to nutria and bald eagles, there is no telling what will get up close and personal on any given day in the Louisiana swamp. Relax with a down-home Cajun lunch on the picturesque bayou, Cajun-Creole lunch at Restaurant des Familles, on the picturesque bayou (http://desfamilles.com/).

Time: 5 hours  Price: $155 per person  Minimum: 25 guests

6:30–8:00 pm  Saturday Night Mixer Hosted by Section Chair

All attendees and their guests are welcome! Enjoy cocktails and hors d’oeuvres during this final celebration hosted by the ABA Health Law Section Chair, C. Joyce Hall. We will recap the highlights of the conference and award the Margarita Cup trophy to this year’s winning golf team.

SUNDAY, MARCH 12, 2017

8:00–11:00 am  Council Meeting
<table>
<thead>
<tr>
<th>Name</th>
<th>Affiliation</th>
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<tbody>
<tr>
<td>Krishna Andavolu</td>
<td>Host, Weediquette, VICE Media</td>
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<tr>
<td>Violet Anderson</td>
<td>Regional General Counsel, CHRISTUS Health</td>
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<td>Phillip Brewster</td>
<td>Brewster Law Firm</td>
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<td>Diane Carter</td>
<td>Husch Blackwell LLP</td>
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<td>Allison Chock</td>
<td>Bentonham IMF</td>
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<td>Michael E. Clark</td>
<td>Duane Morris, LLP</td>
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<td>Clay J. Countryman</td>
<td>Breazeale, Sachse &amp; Wilson, LLP</td>
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<tr>
<td>James M. Daniel, Jr.</td>
<td>Hancock, Daniel, Johnson &amp; Nagle, P.C., Glen Allen, VA</td>
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<tr>
<td>Kathleen DeBruhl</td>
<td>DeBruhl, Haynes, The Health Law Group</td>
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<tr>
<td>Andrew J. Demetriou</td>
<td>Partner, Lamb &amp; Kawakami</td>
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<tr>
<td>Catherine Dower</td>
<td>Director, National Nursing Research and Policy, Kaiser Permanente, Oakland, CA</td>
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<tr>
<td>Robert L. DuPont, MD</td>
<td>President, Institute for Behavior and Health, Inc., Rockville, MD</td>
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<tr>
<td>Jennifer Englander</td>
<td>Ogletree Deakins, New Orleans, LA</td>
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<tr>
<td>Deborah L. Feinstein</td>
<td>Director, Bureau of Competition, Federal Trade Commission, Washington, DC</td>
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<td>Jack Fernandez</td>
<td>Zuckerman Spadaer LLP</td>
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<td>Sarah M. Frazier</td>
<td>Berg &amp; Androphy, Houston, TX</td>
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<tr>
<td>Catherine Greaves</td>
<td>King &amp; Spalding, Austin, TX</td>
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<tr>
<td>Beth Connor Guest</td>
<td>Associate Chief Counsel, Cigna</td>
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<tr>
<td>Melinda Hancock</td>
<td>Immediate Past Chair of the Board of Directors of the Association, Virginia Commonwealth University (VCU Health), Richmond, VA</td>
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<tr>
<td>Denise E. Hanna</td>
<td>Locke Lord LLP, Washington, DC</td>
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<tr>
<td>Mark C. Herbers</td>
<td>Aria Partners, Chicago, IL</td>
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<td>Albert “Chip” Hutzler</td>
<td>Healthcare Appraisers, Delray Beach, FL</td>
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<tr>
<td>Gabriel L. Imperato</td>
<td>Broad and Cassel, FL. Louderdale, FL</td>
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<tr>
<td>Jen Johnson</td>
<td>Managing Director, VMG Health, Dallas, TX</td>
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<tr>
<td>Jonathan M. Joseph</td>
<td>Christian &amp; Barton, LLP</td>
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<tr>
<td>Cassie Kinney</td>
<td>Litigation Manager, Life Care Services, LLC</td>
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<td>Jason P. Lacey</td>
<td>Foulston Sieffin LLP, Wichita, KS</td>
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<tr>
<td>Bertha Madras</td>
<td>Professor, Harvard Medical School and McLean Hospital, Belmont, MA</td>
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<td>Ashlee McFarlane</td>
<td>Asst. Chief, Fraud Section, Department of Justice, Houston, TX</td>
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<td>Sean McKenna</td>
<td>Greenberg Traurig, LLP</td>
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<td>Kirk Nahra</td>
<td>Wiley Rein LLP, Washington, DC</td>
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<td>Kirk Ogrosky</td>
<td>Arnold &amp; Porter LLP, Washington, DC</td>
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<td>Jessica L. Parker-Battle</td>
<td>Director, Compliance, Biogen, Weston, MA</td>
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<td>Katie Pawlitz</td>
<td>Reed Smith LLP, Washington, DC</td>
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<td>“Weegie” Levet Petrie, RN</td>
<td>Nurse Administrator, Home Instead Senior Care, Metairie, LA</td>
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<td>Paul W. Pitts</td>
<td>Reed Smith LLP, San Francisco, CA</td>
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<td>Jonathan Prokup</td>
<td>Cigna</td>
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<tr>
<td>Christian Puff</td>
<td>Chief Operating Officer, CHRISTUS Health, Irving, TX</td>
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<tr>
<td>Timothy Quill, MD</td>
<td>Professor of Palliative Care &amp; Psychiatry at University of Rochester School of Medicine, Rochester, NY</td>
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<tr>
<td>Kashi Rai, MD</td>
<td>Owner, For Better Health, LLC, Internal Medicine/Integrative Medicine, Metairie, LA</td>
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<td>Muthuramanan Rameswaran</td>
<td>Fox Rothschild LLP, Exton, PA</td>
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<td>Barbara Neal Reeves</td>
<td>JAMS, Los Angeles, CA</td>
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<td>Colbey B. Reagan</td>
<td>Waller Law, Nashville, TN</td>
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<td>Colin Roskey</td>
<td>Alston &amp; Bird LLP, Washington, DC</td>
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<tr>
<td>John S. Rozel, MD</td>
<td>Medical Director, resolve Crisis Network of UPMC, University of Pittsburgh Medical Center, Pittsburgh, PA</td>
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<tr>
<td>James Ruble</td>
<td>Associate Clinical Professor of Pharmacotherapy, University of Utah College of Pharmacy, Salt Lake City, UT</td>
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<tr>
<td>Greg Russo</td>
<td>Berkeley Research Group</td>
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<tr>
<td>Abdullah Saeed</td>
<td>Host, Bong Appetit, VICE</td>
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<tr>
<td>Ralph M. Schapira, MD</td>
<td>Chief of Staff, New Orleans Veterans Affairs Medical Center, Clinical Professor of Medicine and Associate Dean, LSU and Tulane Schools of Medicine, New Orleans, LA</td>
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<tr>
<td>Kristen Schleiter</td>
<td>American Medical Association, Chicago, IL</td>
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<tr>
<td>Anthony Sebok</td>
<td>Professor, Cardozo School of Law, New York, NY</td>
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<tr>
<td>Melanie Sheen, MD</td>
<td>Hematology/Oncology—Breast Cancer Specialist, Metairie, LA</td>
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<tr>
<td>Joshua B. Simon</td>
<td>Kirkland and Ellis, LLP</td>
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<tr>
<td>W. Thomas Smith</td>
<td>Assistant Dean &amp; Associate Professor, Manchester University, Fort Wayne, IN</td>
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<tr>
<td>Howard T. Wall III</td>
<td>Executive Vice President &amp; Chief Administrative Officer, RegionalCare Hospital Partners, Franklin, TN</td>
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<tr>
<td>Max C. Weber</td>
<td>Associate Vice President and Deputy Chief Compliance Officer, The University of Texas M.D., Anderson Cancer Center, Houston, TX</td>
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<tr>
<td>Anna Whites</td>
<td>Anna Whites Law Office</td>
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<tr>
<td>Kenya Woodruff</td>
<td>Haynes and Boone, LLP</td>
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18th Annual Emerging Issues in Healthcare Law

18th Annual

Emerging Issues in Healthcare Law

Register: http://ambar.org/emi2017

Faculty
CONFERENCE INFORMATION

REGISTRATION
Register by FEBRUARY 13, 2017, for the early bird registration savings and by FEBRUARY 17, to be included in the advance registration list. Registration will be accepted only when accompanied by payment.

ONLINE:  http://ambar.org/EMI2017

U.S. MAIL:  American Bar Association
Health Law Section
ATTN:  Service Center/Meeting/Event Registrations Department
321 N. Clark Street
Floor 16
Chicago, IL 60654

ON SITE REGISTRATION
Please call (312) 988-5176 by MARCH 1, 2017 to ensure space availability. On-site registration will be accepted only when accompanied by check, money order, American Express, MasterCard, or Visa information.

CANCELLATION POLICY
CANCELLATION POLICY: Tuition, less a $125 handling charge for each registration, will be refunded, upon written cancellation received no later than FEBRUARY 16, 2017. Cancellations received after this date cannot be refunded but substitutions are encouraged. The ABA reserves the right to cancel any program and assumes no responsibility for personal expenses.

REGISTRATION FEE
Your payment will cover admission to the program, continental breakfasts, coffee breaks, ticket to Interest Group & Task Force Lunches each day, receptions, and the program course materials.

INTEREST GROUP AND TASK FORCE LUNCHES
Registrants are encouraged to attend the Interest Group and Task Force lunch of their choice on both Thursday and Friday. There is no additional charge for these lunches, but registrants must reserve a spot when registering.

HOTEL INFORMATION
The conference will be held at the Roosevelt New Orleans, Waldorf Astoria Hotel, 123 Baronne Street, New Orleans, LA 70112

Make reservations by phone or online:

VIA PHONE CALLS
Call the hotel at 1-800-WALDORF and mention ABA Emerging Issues or give the group code for the group block which is EME to secure the group rate of $279 single/double. This special rate expires Monday, February 13, 2017. A limited number of government rate rooms have been reserved on a first available basis. Please note—the GSA may change the government rate at any time; please confirm the rate with the hotel when booking.

OR

ONLINE
By visiting the below link. Input the dates of the conference
https://resweb.passkey.com/go/EMI2017

AIRLINE INFORMATION
With ABA Egencia*, you can automatically obtain ABA-negotiated airfare discounts for travel to the ABA Meetings. ABA Egencia enables you to purchase the best airfare at the time of booking, by providing you with the ability to search for and compare fares from virtually every airline serving the destination.

Reservations with ABA Egencia can be made online or offline. For offline reservations, call (877) 833-6285. ABA Egencia is available online via ABA Travel Services*. ABA airfare discounts on some carriers may also be obtained by purchasing your tickets under the ABA Discount Codes directly from the airline or through your travel agent.

American Airlines
ABA Discount only available at ABA Egencia

United Airlines
800-426-1122 Agreement Code: 621691 / Z Code: ZXDR
Discount available at www.united.com

Delta Airlines
800-328-1111aba File Meeting Code Domestic: NMP56
Discount available at [www.delta.com](http://www.delta.com)

Egencia * A travel profile is required when booking airline reservations with ABA Egencia.
GROUND TRANSPORTATION
All major airlines have service to Louis Armstrong New Orleans International Airport with many direct flights arriving daily. The Roosevelt New Orleans is 15 miles from the airport, a short 20-minute drive from the airport, with car, cab and shuttle service is readily available.

NEW ORLEANS TAXI
The most popular transportation is by taxi a $36 flat fee for 1 to 2 persons. The transport time is approximately 30 minutes. There are taxi stands at the airport outside of baggage claim and at the hotel on Roosevelt Way for your convenience.

UBER
At this time Uber, is not allowed to pick-up at the airport; however, Uber is able to drop off. Please check with the Concierge Desk at the Roosevelt Hotel at 504-335-3117 if Uber has been approved to pick-up at the airport.

Uber car services are available to make your traveling throughout New Orleans easier. It’s simple, by downloading the Uber app, you can have a car service for you in minutes. Estimated costs range between $30-$40 from the Roosevelt Hotel to Louis Armstrong New Orleans International Airport.

SHUTTLE SERVICE
For a shared-ride service, the airport operates a shuttle service that services all area hotels. The cost is $44 per person round trip or $24 one way. The transfer time can be anywhere between 45 minutes to 60 minutes depending on the volume and sequence of the hotels serviced. Reservations are available by contacting Go Airport Shuttle directly at 504-522-3500 or you may stop at the shuttle desk directly upon your arrival at the baggage claim area.

PARKING RATES
Registered hotel guests, $49 plus tax overnight
Non-registered guests, $21 for up to 8 hours
Non-registered special event, $25
*Please note: The hotel has two entrances, one on Baronne Street and one on Roosevelt Way. Valet parking is available only from the Roosevelt Way entrance.

CLE CREDIT

These states sometimes do not approve a program for credit before the program occurs. This transitional program is approved for both newly-admitted and experienced attorneys in New York. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit this website http://www.americanbar.org/cle/mandatory_cle.html, or contact Danielle Daly at danielle.daly@americanbar.org or 312.988.5176.

HEALTH LAW SECTION MEMBERSHIP
As an added bonus to new members, the member’s tuition rate will be available to registrants who become members of the ABA Health Law Section. Membership dues are not deductible as charitable contributions for federal income tax purposes, but such dues may be deductible as a business expense.

TAX DEDUCTION FOR EDUCATIONAL EXPENSES
An income tax deduction may be allowed for educational expenses undertaken to maintain or improve professional skills. This includes registration fees, travel, meals, and lodging expenses. (see Treas. Reg. 1.162-5) (Coughlin vs. Commissioners, 203 F 2d 307)

SERVICES FOR PERSONS WITH DISABILITIES
If special arrangements are required for an individual with a disability to attend this program, please contact the ABA Health Law Section at (312) 988-5176.

DRESS CODE
Resort casual attire is appropriate for all meetings, CLE programs and social events during the program. However, the meeting rooms tend to be cool so be sure to carry a sweater or light jacket.

SPECIAL TUITION ASSISTANCE
Financial Assistance to defray tuition expense for ABA Health Law Section programs is available upon application on a program-by-program, case-by-case basis. Preference will be given to public interest lawyers, solo or small firm practitioners of limited means, and unemployed attorneys. Scholarship applications must be received at least two weeks before the program start date. You will be notified prior to the program if your application is approved. A minimal fee may be charged on all approved scholarship applications to defray expenses. For programs with tuition costs of $500 or more, qualifying attorneys will receive at least a 50% reduction in the course fee(s) only. To apply, send a letter outlining the basis for your request of a fee reduction to Nancy Voegtle, Senior Meeting Planner, ABA Health Law Section, 321 N. Clark St., Chicago, IL 60654. Deadline for receipt: February 2, 2017. No requests will be considered after the deadline, and all standard registration fee rates will apply after February 2, 2017.
REGISTRATION FORM

NAME

FIRST NAME FOR NAME BADGE

COMPANY/FIRM NAME

ADDRESS

CITY, STATE, ZIP

PHONE    FAX

Please e-mail me regarding hotel room share

I am a first time attendee

INTEREST GROUP LUNCHEONS

Interest Group Luncheons are included in your registration fee. Please indicate your attendance to guarantee a boxed lunch.

☐ I will attend the Thursday Interest Groups and Task Forces Luncheon

☐ I will attend the Friday Interest Groups and Task Forces Luncheon

Please share any dietary restrictions:

☐ Vegetarian ☐ Kosher ☐ Lactose Intolerant

Food Allergies_____________________________________

REGISTRATION FEES

Registration fees are all inclusive and include all 3 days of educational programming, CLE, 2 luncheons, 3 receptions and an electronic written course materials.

On or before 2/13/17 After 2/13/17

ABA Health Law Member/Sponsoring Section Member Rate $995 $1095

First Time Attendee $595 $695

In-House Counsel $895 $995

Solo Practitioner $895 $995

Government/Academic (Must be full time) $325 $425

Law Student $150 $250

General Attendees (non-ABA Members) $1295 $1395

ABA Member $1095 $1195

CONFERENCE ACTIVITIES

Thursday, March 9

☐ $25: Breast Cancer Fun Run/Walk (Net proceeds go to the Breast Cancer 501c 3 Fund)

Saturday, March 11

☐ $290: 18th Annual Margarita Cup Golf Tournament TPC Louisiana Pines Golf Course

☐ $155: Down-Home Airboat Adventure

HEALTH LAW SECTION MEMBERSHIP

☐ YES, please enroll me in the Section of Health Law. I am a member of the ABA.

I understand that by joining, I am entitled to the Section Member registration fee, a $100 savings!

Dues: $50. ID #

TOTALS:

REGISTRATION & ACTIVITIES FEES: $

DONATION TO BREAST CANCER InitiATIVES 501C 3 FUND: $

SECTION MEMBERSHIP: $

TOTAL: $

METHOD OF PAYMENT

☐ Check Enclosed (payable to the American Bar Association)

Credit Card: ☐ VISA ☐ MasterCard ☐ American Express

CARD #     EXP  . DATE

CARDHOLDER SIGNATURE

Follow us on Twitter for additional EMI news and updates #EMI17
Here’s what past attendees have to say about the Emerging Issues in Healthcare Law Conference:

“Attendees were social, friendly and welcoming. Excellent networking opportunity.”

“EMI provides a thorough slate of topics covering a large width of legal issues and audiences.”
ABA HEALTH LAW SECTION UPCOMING EVENTS

June 8-9, 2017
Physicians Legal Issues Conference
The InterContinental, Chicago, IL

December 4-5, 2017
Washington Health Law Summit
The Ritz-Carlton, Washington, DC

February 21-24, 2018
19th Annual Conference on Emerging Issues in Healthcare Law
Westin Kierland, Scottsdale, AZ

CALL THE HEALTH LAW SECTION AT (312) 988-5146 FOR INFORMATION OR VISIT HTTP://AMBAR.ORG/EMI2017