29th Annual National Institute on Health Care Fraud

May 8–10, 2019
Hilton New Orleans Riverside
New Orleans, LA

visit www.ambar.org/hcf2019 to register
Description of Proceedings
The 29th Annual National Institute on Health Care Fraud provides a rewarding educational experience for health care attorneys, regulators, compliance professionals, state and federal prosecutors, criminal defense attorneys, and qui tam relators’ counsel. This national institute draws panelists, facilitators, and participants from each of these significant groups and offers unique opportunities to meet and share experiences and concerns in a non-adversarial setting.

The program planning committee is committed to creating a program that advances education, communication, professionalism, and discussion of current legal and ethical issues that arise in the health care fraud practice. These issues are addressed in panel discussions and small workshop formats designed to maximize audience participation.

Who Should Attend?
- Health Care Attorneys
- Regulators
- Prosecutors
- Criminal Defense Attorneys
- Qui Tam Relators’ Counsel
- Compliance Professionals

Register Today!
For the best value, join an ABA Section

<table>
<thead>
<tr>
<th></th>
<th>Best Value Early Bird Rate</th>
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The ABA reserves the right to correct all typographical errors. Fees do not include travel or lodging.

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www.ambar.org/hcf2019

Presented by
ABACLE
ABA Criminal Justice Section
Louisiana State Bar Association

Sponsored by:
Watkins & Eager, PLLC

15 hours of CLE general credit in 60-minute states, and 18 hours of CLE general credit for this program in 50-minute states, including 2 hours of CLE ethics credit in 60-minute states and 2.40 hours of CLE specialty credit in 50-minute states.
Faculty

Alec G Alexander  
Deputy Administrator  
Centers For Medicare & Medicaid Services  
Washington, DC

Meredith S. Auten  
Morgan, Lewis & Bockius LLP  
Philadelphia, PA

Carrie L. Bashaw  
Senior Counsel  
Washington State MFCU  
Office of the Attorney General  
Olympia, WA

Joseph Beemsterboer  
US Department of Justice  
Washington DC

Thomas Beimers  
Hogan Lovells  
Minneapolis MN

Brian Benczkowski  
US Department of Justice  
Washington DC

John Bentivoglio  
Skadden  
Washington DC

John Boese  
Fried Frank  
Washington DC

Michelle Bradford  
Murphy & McGonigle  
Washington DC

Pamela C. Brecht  
Pietragallo Gordon Alfano Bosick & Raspanti, LLP  
Philadelphia, PA

Philip S. Brewster  
Brewster Law Firm LLC  
Winnetka, IL

Raymond Joseph Burby IV  
Bryan Cave Leighton Paisner LLP  
Atlanta, GA

Matt Chester  
Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.  
New Orleans, LA

David Chizewer  
Golberg Kahn  
Chicago IL

Thomas Corcoran  
Deputy Civil Chief  
U.S. Attorney’s Office  
Baltimore, MD

Candice M. Deisher  
Lead Attorney/Assistant Attorney General  
Virginia MFCU  
Office of the Attorney General  
Richmond, VA

Gregory Demske  
US Department of HHS  
Washington DC

Nick Dingeldein  
Assistant US Attorney  
Department of Justice, Criminal Division  
Washington DC

David Douglas  
Sheppard Mullin  
Washington, DC

Amy L. Easton  
Phillips and Cohen  
Washington, DC

David Ellenbogan  
Scott and White Health Plan  
Temple, TX

Eden Ezell  
Lafayette LA

Owen Foster  
US Attorney’s Office for the District of Vermont  
Burlington, VT

David Fuchs  
United States Department of Health and Human Services  
Washington DC

Susan Gillin  
United States Department of Health and Human Services  
Washington DC

Michael Granston  
US Department of Justice  
Washington DC

Sarah M. Hall  
Thompson Hine LLP  
Washington, D.C.

S. Craig Holden  
Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.  
Baltimore, MD

Murad Hussain  
Arnold & Porter Kaye Scholer LLP  
Washington DC

Gabriel Imperato  
Nelson Mullins Broad and Cassel  
Fort Lauderdale FL

Julie Kass  
Baker Donelson  
Baltimore MD

Gary Keilty  
FTI Consulting  
Washington DC

John Kelly  
Bass Berry  
Washington DC

Laura Laemmle-Weidenfeld  
Jones Day  
Washington DC

Katherine Lauer  
Latham and Watkins  
San Diego CA

Latour Lafferty  
Holland & Knight LLP  
Tampa FL

Bo Martin  
PricewaterhouseCoopers  
Chicago, IL

Sally Molloy  
US Department of Justice  
Washington DC
### Wednesday, May 8, 2019

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
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<tbody>
<tr>
<td>1:00 p.m.</td>
<td>Registration Opens</td>
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<tr>
<td>2:00 p.m.</td>
<td><strong>Government Enforcement And Compliance Matters: A Road Map For General Counsel And Compliance Professionals</strong>&lt;br&gt;<strong>Moderator:</strong> John Kelly&lt;br&gt;<strong>Panelists:</strong> David Pivnick, Amy Kossack, Winifred Weitsen, Matthew Stafford&lt;br&gt;This session will examine issues and aspects of government investigations and best practices for in-house counsel, compliance professionals and outside counsel for responding to enforcement matters, and also ethical issues and principals of professional responsibility common to these matters.</td>
</tr>
<tr>
<td>4:00 p.m.</td>
<td>Break</td>
</tr>
<tr>
<td>4:15 p.m.</td>
<td>Enforcement And Compliance Developments In Louisiana and Beyond&lt;br&gt;<strong>Panelists:</strong> Matt Jester, Richard Westling, Ellison Travis, Patrice Sullivan&lt;br&gt;This session will examine recent enforcement and compliance trends and developments in Louisiana.</td>
</tr>
<tr>
<td>5:30 p.m.</td>
<td>Adjourn</td>
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### Thursday, May 9, 2019

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<tr>
<th>Time</th>
<th>Event</th>
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<tr>
<td>8:45 a.m.</td>
<td>General Registration And Welcoming Remarks&lt;br&gt;Gabriel L. Imperato, Program Chairman</td>
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<tr>
<td>9:00 a.m.</td>
<td>Keynote Speaker&lt;br&gt;Assistant Attorney General-Criminal, Brian Benczkowski</td>
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<tr>
<td>9:45 a.m.</td>
<td><strong>Government Enforcement Panel</strong>&lt;br&gt;<strong>Moderator:</strong> Kirk Ogrosky&lt;br&gt;<strong>Panelists:</strong> Joseph Beemsterboer, Michael Granston, Susan Gillin, Alec Alexander, David Tanay&lt;br&gt;This panel will discuss the roles investigation roles and coordination between enforcement and regulatory agencies in health care fraud enforcement matters.</td>
</tr>
<tr>
<td>10:45 a.m.</td>
<td>Break</td>
</tr>
<tr>
<td>11:00 a.m.</td>
<td><strong>False Claims Act Developments</strong>&lt;br&gt;<strong>Moderator:</strong> Jonathan Diesenhaus&lt;br&gt;<strong>Panelists:</strong> Jack Boese, Claire Sylvia, Michael Granston, Jay Speers&lt;br&gt;This panel will discuss important legal developments and current litigation and settlements in False Claims Act cases.</td>
</tr>
<tr>
<td>12:30 p.m.</td>
<td>LUNCH&lt;br&gt;<strong>Keynote Speaker:</strong> Vicki L. Robinson, Senior Counsel for Policy, Office of the Inspector General</td>
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<tr>
<td>1:30 p.m.</td>
<td><strong>Criminal, Civil And Administrative Enforcement In Kickback Cases</strong>&lt;br&gt;<strong>Moderator:</strong> Kathy Lauer&lt;br&gt;<strong>Panelists:</strong> Amy Easton, David Fuchs, Sally Molloy&lt;br&gt;This panel will review recent developments in the prosecution of violations of the Anti-Kickback statute in criminal, civil and administrative proceedings.</td>
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<td>2:45 p.m.</td>
<td>Break</td>
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<td>Time</td>
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<td>3:00 p.m.</td>
<td><strong>Health Care Fraud Workshops</strong>&lt;br&gt;Workshops have been planned to cover a variety of interesting and current topics. Facilitators experienced in the subject matter of each workshop will lead the discussions with the goal of eliciting the views and knowledge of the participants, many of whom have a vast amount of practical experience. The number and subject matter of the workshops may be determined by registration and thus are subject to change.</td>
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<td></td>
<td><strong>A. Electronic Medical Records And The False Claims Act</strong>&lt;br&gt;Owen Foster, Adam Schwartz&lt;br&gt;<strong>B. Overpayment Liability And Self-Disclosure</strong>&lt;br&gt;Julie Kass, Tamar Terzian</td>
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<td>This session will review the most up to date information regarding reporting Stark, Kick-Back and Overpayment issues to the government - should you disclose and if so to what government entity. This session will also discuss the most recent cases regarding the 60-day repayment rule and the practical implications.</td>
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<td><strong>C. Damages And Settlement</strong>&lt;br&gt;Laura Laemmle-Weidenfeld, Tim Rejilian</td>
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<tr>
<td>4:00 p.m.</td>
<td><strong>Break</strong></td>
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<tr>
<td>4:15 p.m.</td>
<td><strong>A. Enforcement And Compliance: Quality Of Care And Medical Necessity</strong>&lt;br&gt;Mark Polston, Tom Corcoran, Eden Ezell&lt;br&gt;<strong>B. Pre-Trial Pleadings And Discovery In False Claims Act Cases</strong>&lt;br&gt;Michelle Bradford, Ryan Stumphauzer&lt;br&gt;<strong>C. Negotiating False Claims Act Settlements And Mediation</strong>&lt;br&gt;Sarah Hall, Hon. Janice Symchych, Mark Vezina, Candice Deisher</td>
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<td>This session will focus on the use of negotiation and mediation for resolving healthcare False Claims Act cases. The panel will discuss how best to prepare for negotiation and mediation, considering the distinct needs of clients, counsel, and the mediator. The involvement of relator and relator’s counsel in settlement discussions at various stages will also be addressed. Finally, the panel will explore some of the issues and challenges in mediation, with a particular focus on key settlement considerations.</td>
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<tr>
<td>5:30 p.m.</td>
<td><strong>Adjourn</strong></td>
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<td>6:00 p.m.</td>
<td><strong>Welcome Reception</strong></td>
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<td>6:00 p.m.</td>
<td><strong>8:00 p.m.</strong></td>
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<td><strong>Friday, May 10, 2019</strong></td>
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<tr>
<td>8:30 a.m.</td>
<td><strong>Trial Practice Demonstration – United States of America v. Amir A. Bajoghli</strong>&lt;br&gt;Moderator: Joe Whitley&lt;br&gt;Panelists: Murad Hussain, Pete White, Nick Dingeldein&lt;br&gt;In 2015, a renowned Virginia dermatologist, surgeon, and professor at GWU Medical School was tried on 48 counts of health care fraud and aggravated identity theft. This panel presentation will examine the issues and evidence presented at trial involving allegations that the doctor (1) misdiagnosed patients with cancer so he could perform unnecessary surgery, (2) billed for unsupervised medical assistants performing post-op closures, (3) billed for unsupervised Nurse Practitioner services as if performed by the physician, and (4) billed for outside biopsy services performed by a third party lab and pathologist as if performed in-house.</td>
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<tr>
<td>10:00 a.m.</td>
<td><strong>Break</strong></td>
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<tr>
<td>10:15 a.m.</td>
<td><strong>Health Care Fraud Workshops</strong></td>
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<td></td>
<td>A. Managed Care Fraud And Enforcement</td>
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<td></td>
<td>Ben Singer, Carrie Bashaw</td>
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<td>B. Fraud And Abuse In Nursing Homes</td>
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<td></td>
<td>Thom O’Hanlon, Craig Holden</td>
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<td></td>
<td>C. Home Health And Hospice Enforcement And Compliance</td>
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<td>L.T. Lafferty, Sara Vann</td>
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<tr>
<td>11:15 a.m.</td>
<td>Break</td>
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<tr>
<td>11:30 a.m.</td>
<td><strong>HEALTH CARE FRAUD WORKSHOPS</strong></td>
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<td></td>
<td>A. Anatomy Of A Corporate Integrity Agreement and Compliance Program</td>
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<td></td>
<td>Michael Regier, Susan Gillin</td>
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<td></td>
<td>B. Federal Administrative Enforcement</td>
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<td>Thomas Beimers, Michael Torris</td>
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<td>C. Whistleblowers Case Study</td>
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<td></td>
<td>Matt Organ, David Chizewer</td>
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<tr>
<td>12:30 p.m.</td>
<td>Break</td>
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<tr>
<td>12:45 p.m.</td>
<td><strong>Specialty Workshops – Box Lunch</strong></td>
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<td>These workshops are designed to be confidential sessions where defense,</td>
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<td>government and relator’s counsel can discuss matters unique to their</td>
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<td>roles in criminal and civil health care fraud cases.</td>
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<td>A. Workshop For Defense And In-House Counsel</td>
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<td></td>
<td>Kathryn Sasser, John Bentivoglio</td>
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<td>The panelists will discuss hot topics for defense lawyers and in-house</td>
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<td>counsel in health care fraud investigations, including document</td>
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<td>collection and production in the age of mobile devices and social</td>
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<td>media, interacting with current and former employees (including the</td>
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<td>advancement of legal fees), handling internal whistleblowers, and the</td>
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<td>role of legal and compliance in government investigations.</td>
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<td></td>
<td>B. Workshop For Government Counsel</td>
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<td>C. Workshop For Qui Tam/Relators And Other Plaintiffs Counsel</td>
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<td></td>
<td>David Chizewer, Matt Organ</td>
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<tr>
<td>1:45 p.m.</td>
<td>Break</td>
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<tr>
<td>2:00 p.m.</td>
<td><strong>Federal And State Enforcement And The Opioid Crisis</strong></td>
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<td></td>
<td><strong>Moderator:</strong> Meridith Auten</td>
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<td><strong>Panelists:</strong> Jay Speers, Adam Schwartz, David Rybicki, Michael Cohen</td>
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<td>This presentation will examine the Federal and State investigative and</td>
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<td>enforcement efforts for combating the nationwide opioid crises.</td>
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<td>The participants will discuss the criminal and civil enforcement</td>
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<td>strategies and goals and the forecast for future progress.</td>
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<tr>
<td>3:15 p.m.</td>
<td><strong>Adjourn</strong></td>
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## Step 1: Registration Rates

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Save when you register one or more attorney for this National Institute.
3-5 attendees – save 5%
6-10 attendees – save 10%
10+ attendees – contact the ABA Center for Professional Development
To register your group of 3 to 10 and receive the discount, please call the ABA Service Center at 800-285-2221.

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## Step 2: Section Membership

If you are already a member of one or more sections below, you can enroll in the others, or move on to Step 4.
- ABA Criminal Justice Section Enrollment - $60 Enter your $60 fee on line 2B.

## Step 3: Course Materials

Electronic course materials will be provided via download at least 48 hours prior to the start of the Institute.

## Step 4: Your Total Due Amount

<table>
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<tr>
<th>Registration Rate (from Step 1)</th>
<th>2A $ _________________</th>
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<tr>
<td>ABA Criminal Justice Section Enrollment - $60 (from Step 2)</td>
<td>2B $ + _________________</td>
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<tr>
<td>Total</td>
<td>$ _________________</td>
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Agenda subject to change without notice.
Step 5: Your Information

Name

Law Firm/Organization

Address

City

State

Zip Code

Telephone

Email

ABA Member ID

Step 6: Payment Information

- ABA Credit Card from Bank of America
- Visa®/MasterCard
- Check Payable to American Bar Association
- American Express

Name as it appears on Card

Account Number

Expiration Date

Signature

Step 7: 4 Easy Ways to Register


Call (800) 285-2221

Fax this form to (312) 988-5850

Complete and mail this form:

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Event Registration Unit
321 N Clark St, Fl 16
Chicago, IL 60654-7598

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MCLE
The ABA will seek 15 hours of CLE general credit in 60-minute states, and 18 hours of CLE general credit for this program in 50-minute states, including 2 hours of CLE ethics credit in 60-minute states and 2.40 hours of CLE specialty credit in 50-minute states. Credit hours are estimated and are subject to each state’s approval and credit rounding rules. Please visit the program website at www.ambar.org/hcf2019 for program CLE details or visit www.americanbar.org/mcle for general information on CLE at the ABA.

Scholarships
Financial scholarship applications are available for this conference. To request an application or receive additional information, please go to this link: www.americanbar.org/groups/cle/scholarship.

Attire
Business casual attire is appropriate for all activities.

Cancellations
Cancellations received five business days or more before the program will receive a full refund, less a $50 cancellation fee. No refunds will be provided for cancellations after that date; however, substitute registrants are welcome at any time. To cancel your registration or substitute another individual, please call the ABA at (800) 285-2221 or fax your request to (312) 988-5850. Registrants who do not cancel within the allotted time period and who do not attend the program will receive a copy of the program course materials after program completion.

Attendees with Special Needs
Please specify your special needs at ambar.org/hcf2019 or contact staff designee Donna Williams, Meetings Manager, at donna.williams@americanbar.org; or (312) 988-6210. Every effort will be made to accommodate advance requests; onsite requests cannot be guaranteed.

I will need the following accommodations: Interpreters: ❑ ASL Transliterator ❑ Oral ❑ Tactile ❑ Trilingual ❑ Deaf ❑ Other (please specify): ❑ Communication Access Realtime Translation (CART) (realtime speech to text translation displayed on computer or large screen) ❑ Captioned videos ❑ Notetaker ❑ Reader Assistive Listening Devices: ❑ Hearing/Induction Loops ❑ FM Systems ❑ Infrared Systems ❑ Other (please specify): ❑ Headphones/Earbuds to Connect to Assistive Listening System Materials in Alternative Formats: ❑ Large Print (specify font size: ) ❑ Braille ❑ Audio ❑ Digital Files ❑ Flash Drive/CD ❑ Orientation by staff to the facility/meeting site Special Diet: ❑ Vegetarian ❑ Vegan ❑ Gluten-free ❑ Dairy-free ❑ Nut-free ❑ Pre-cut Meal ❑ Other (please specify): ❑ Accessible Transportation: Event Date(s) Time(s) Location(s) ADA Accessible Guestroom: ❑ Roll-in shower ❑ Shower/tub chair ❑ Visual alerts (fire and other emergency alarms, door knobs, phone calls) ❑ Audible alerts/alarms ❑ Scent free ❑ Wheelchair/Mobility Device Accessible ❑ Other (please specify): ❑ A personal care attendant will be accompanying me. ❑ A service animal will be accompanying me. ❑ I will be using a mobility device at the conference. ❑ Additional needs (please specify): 

In-Person Registration
If you plan to register in person, please call the ABA at least 24 hours in advance to confirm that the program is being held as scheduled and that space is available. Cash payments will not be accepted.

Program Confirmation
Written confirmation of your registration will be sent to you upon receipt of your payment. If you do not receive the confirmation notice prior to the program, please call the ABA at (800) 285-2221 at least 24 hours in advance to confirm that your registration was received and that the program is being held as scheduled.

Program Location
Hilton New Orleans Riverside
Two Poydras St
New Orleans, LA 70130
Group Rate: $239/night
Group Code: HCF

Hotel Deadline: April 16, 2019
Reservations can be made by calling the Hilton New Orleans Riverside directly at 504-556-3779 or 1-800-HILTONS, or online at https://book.passkey.com/go/45bdce0. Refer to the ABA Health Care Fraud Institute or use the Group Code HCF to obtain the group rate.

Hotel Information
Sleeping accommodations at a specific hotel have not been selected by the ABA. Feel free to visit www.americanbar.org/preferred to search the directory for recommended hotels/innns.

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• American Airlines ABA Discount only available at ABA Egencia
• Delta Airlines 800-328-1111 ABA File Global Meeting Code: NMR3V Discount available at www.delta.com Online Meeting Event Code: NMR3V

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Under the guidance of the Standing Committee on Continuing Legal Education, ABACLE administers and produces National Institutes, webinars, and other technology-based products and written course materials to assist lawyers with their professional development efforts.