Hyatt Regency Washington on Capitol Hill
Washington, D.C.

Preconference Symposia
Sunday, June 13, 1999

Conference
Monday – Tuesday
June 14 – 15, 1999
Stark Reality—Compliance with the Stark Law and Regulations

The nation’s system of health care finance and delivery continues to evolve in search of cost effectiveness and quality. Physicians and their IPA and medical group organizations remain the central engine driving America's health care system.

Physicians are attempting to build clinical teams and capitalize ancillary services and the infrastructure necessary to deliver care in the increasingly complex reimbursement environment. In this context, physicians and their organizations are often investing in or joint venturing with other health care professionals and institutions.

In 1989, Congress enacted the first Stark law. Known as Stark I, the legislation sought to regulate a physician’s opportunity to profit from referrals of clinical laboratory services. In 1993, Congress passed Stark II expanding physician self-referral prohibition to include 11 different “designated health services.” Stark II became effective on January 1, 1995. Final regulations under Stark I were promulgated in January of 1998. Proposed Stark II regulations were published in January of 1998, but have not been finalized.

Few health care regulatory initiatives have been as controversial as the Stark law. The seemingly clear policy initiative to prohibit payment for referrals has turned out to be exceedingly complex and confusing to implement. Yet the Stark law and regulations continue to fundamentally influence the structure of medical practice in the United States.

The Stark Reality Conference, through preconference symposia, 10 general sessions, 25 concurrent sessions and approximately 40 experts, convenes the nation’s leading health care policy makers and practitioners to discuss in detail the technical ambiguities and strategic implications of the Stark law and regulations.

Objectives of the Stark Reality Conference

- To provide an understandable overview of the Stark law and regulations to health care executives, compliance officers and physicians.
- To educate beginning health care attorneys about the Stark law and regulations.
- To provide a context for senior health care attorneys, consultants, compliance officers and executives to discuss technical and strategic issues in the construction of the Stark law and regulations.
- To identify in detail the basic requirements of the Stark law and the technical scope of the exceptions to Stark prohibitions.
- To describe the impact of the Stark law on the structure of various sectors of health care finance and delivery.
- To outline creative ways of structuring health care transactions that increase the likelihood of compliance with the Stark law and regulations.

Who Should Attend

- Compliance Officers
- IPA Executive Directors and Physicians
- Consultants
- Medical Directors, Medical Group
- Health Care Attorneys
- Administrators and Physicians
- Health Care Executives
- Physicians and Other Health Professionals
- Health Care Researchers
- Physician Practice Management
- Health System Board Members
- Executives and Physicians
- Financial Advisors
- Regulators
- In-House Counsel
- Risk Managers
- Investment Bankers
- Venture Capitalists

Discounts Available

Discounts are available for members of the American Health Lawyers Association, the Health Care Compliance Association, and the Healthcare Financial Management Association. Additional discounts are available for multiple registrants from single institutions.

SAVE THE DATES

JUNE 10 – 11, 1999
Health Care Compliance Association
Managed Care Compliance Conference
Marriott at Metro Center, Washington, D.C.
For information call 888-580-8373
Registrants for the Managed Care Compliance Conference will receive a $100 discount for The Stark Reality Conference.

OCTOBER 24 – 27, 1999
Health Care Compliance Association
Annual Compliance Institute
Chicago Marriott Downtown, Chicago, Illinois
For information call 888-580-8373

MARCH 29 – 31, 2000
Third Annual National Congress on Health Care Compliance
Marriott Wardman Park Hotel, Washington, D.C.
For information call 206-628-7405
PRECONFERENCE SYMPOSIA
SUNDAY, JUNE 13, 1999

11:00 a.m.- 5:00 p.m. Early Registration
1:00- 5:00 p.m. Preconference Symposia (optional; space is limited)

1. Stark/Fraud and Abuse Compliance Primer for Attorneys
   Carrie Valaient, Esq.
   Partner, Epstein Becker & Green
   and Author, Legal Issues in Health Care Fraud and Abuse: Navigating the Uncertainties (AH LA, 2nd Ed., 1998)
   Washington, D.C.

2. The Basics of Structuring Business Transactions with Physicians—A Primer for Healthcare Executives, Physicians and Compliance Officers
   Lawrence B. Garcia, Esq.
   Director
   BDC Advisors LLC and Former Legal Counsel
   Catholic Healthcare West
   San Francisco, CA

Cynthia Haines
   Principal
   BDC Advisors LLC and Former Manager, Director
   Shattuck Hammond Partners, Inc.
   San Francisco, CA

CONFERENCE
MONDAY, JUNE 14, 1999

7:00 a.m. Registration and Continental Breakfast
8:00 a.m. Introduction and Welcome
   Brent Saunders, Esq.
   Director, Healthcare Regulatory Group
   PricewaterhouseCoopers
   President, Health Care Compliance Association and Former Chief Compliance Officer, Thomas Jefferson University and Coventry Health Care
   Washington, D.C.

   John Steiner, Esq.
   Chief Compliance Officer
   The Cleveland Clinic Foundation and Former Senior Counsel
   American Hospital Association
   Cleveland, OH
   (Conference Co-Chairs)

8:00 a.m. An Overview of the Stark Law and Regulations—A Lawyer’s Perspective
   Sandy Teplitzky, Esq.
   Partner
   Ober Kaler Grimes & Shriver
   Baltimore, MD

8:30 a.m. Implementation of the Stark Law and Regulations—A Regulator’s Perspective
   Joanne E. Sinsheimer
   Coordinating Stark II Regulations
   Health Care Financing Administration
   Baltimore, MD

9:00 a.m. Prosecution of Stark Law Violations—An Assistant U.S. Attorney’s Perspective
   James Sheehan, Esq.
   Assistant U.S. Attorney
   Eastern District of Pennsylvania
   Philadelphia, PA

9:30 a.m. Implications of the Stark Law and Regulations—A Compliance Officer’s Perspective
   Alan Yuspeh, Esq.
   Senior Vice President
   Ethics, Compliance and Corporate Responsibility
   Columbia/HCA
   Nashville, TN

10:00 a.m. Structuring Physician Transactions Under the Stark Law—A Consultant’s Perspective
   Lou Pavia
   Executive Vice President
   Manis Associates, Inc.
   and Director, MMI
   Washington, D.C.

10:30 a.m. Break

11:00 a.m. CONCURRENT SESSION I

1A The Basics of Stark: What Are Designated Health Services
   Gadi Weinreich, Esq.
   Partner
   Shaw Pittman Potts & Trowbridge
   Washington, D.C.

1B Analysis of Stark Exceptions: Group Practice and In-Office Ancillary
   Brent V. Miller, M.S.P.A.
   Vice President
   Public Policy and Political Affairs
   American Medical Group Association
   Alexandria, VA

1C Application of Stark to Industry Sectors: Pharmaceutical Manufacturers
   Helen Trilling, Esq.
   Partner
   Hogan & Hartson LLP
   Washington, D.C.

1D Application of Stark to Industry Sectors: Integrated Delivery Systems
   F. Lisa Murtha
   Managing Director
   KPMG Peat Marwick
   New York, NY
Compliance: Integrating Stark Into Institutional Compliance Plans

Roy Snell
Senior Manager
Deloitte & Touche, LLP
Editor, Journal of Health Care Compliance and Past President, Health Care Compliance Association
New York, NY

12:00 noon Lunch
Panel Discussion: Practical Implications of the Stark Law and Regulations
Morning Plenary Session Faculty

1:45 p.m. Analysis of the Stark II Regulations
Charles B. Oppenheim, Esq.
Partner
Foley & Lardner and Author, Stark II Regulations: A Comprehensive Analysis (AHLA, 1998)
Los Angeles, CA

2:30 p.m. CONCURRENT SESSIONS II

2A The Basics of Stark: Definitions—Physician, Immediate Family Member, Referral and Financial Relationship
Kevin R. Barry, Esq.
Partner
Reed Smith Shaw & McClay
Washington, D.C.

2B Compliance: Incorporating Stark Analysis in Compliance Audits
John Steiner, Esq.
Chief Compliance Officer
The Cleveland Clinic Foundation
Cleveland, OH

2C Stark’s Interaction with Other Laws: Fraud and Abuse
Haryey A. Yampolsky, Esq.
Partner
Arent Fox Kintner Plotkin & Kahn, PLLC and Former Chief Counsel, Office of Inspector General, DHHS
Washington, D.C.

2D Doing the Deal/Stark Compliance: Managed Care Payment Arrangements
Bruce Merlin Fried, J.D.
Partner
Shaw Pittman Potts & Trowbridge and Former Director, Center for Health Plans and Providers, HCFA
Washington, D.C.

2E Doing the Deal/Stark Compliance: Gainsharing
Robert G. Homchick, Esq.
Partner
Davis Wright Tremaine LLP
Seattle, WA

3:30 p.m. Break

4:00 p.m. CONCURRENT SESSIONS III

3A The Basics of Stark: What Are the Penalties for Violation?
Gabriel L. Imperato, Esq.
Partner
Broad & Cassel
Fort Lauderdale, FL

3B Stark’s Interaction with Other Laws: Reimbursement
Jennifer A. Stiller, Esq.
Partner
Montgomery, McCracken, Walker & Rhoads, LLP
Philadelphia, PA

3C Application of Stark to Industry Sectors: Group Practices and Physician Independent Contractors
Bill Sarraille, Esq.
Partner
Arent Fox Kintner Plotkin & Kahn, PLLC
Washington, D.C.

3D Doing the Deal/Stark Compliance: Ambulatory Surgery Centers
Keith M. Korenchuk, J.D.
Partner
Davis Wright Tremaine LLP
Charlotte, NC

5:00 p.m. Adjournment

CONFERENCE
TUESDAY, JUNE 15, 1999

7:00 a.m. Continental Breakfast

8:00 a.m. Welcome

8:00 a.m. Incorporating Stark Concerns in Health Care Transactions
Douglas A. Hastings, Esq.
Partner
Epstein Becker & Green PC
Washington, D.C.

8:45 a.m. Interpreting Stark—Advanced Problems and Solutions, Including Use of the Stark Advisory Opinion Process
Guy Coller, Esq.
Partner
McDermott Will & Emery
Washington, D.C.

9:00 a.m. Doing the Deal/Stark Compliance: Gainsharing
Robert G. Homchick, Esq.
Partner
Davis Wright Tremaine LLP
Seattle, WA

10:15 a.m. Break
10:45 a.m.  CONCURRENT SESSIONS IV

4A  Stark’s Interaction with Other Laws: Tax Exempt Status
T. J. Sullivan, Esq.
Partner, Gardner Carton & Douglas and Former Special Assistant (Health Care) to the IRS Assistant Commissioner (Exempt Orgs.) Washington, D.C.

4B  Analysis of Stark Exceptions: Prepaid Plan, Fraud and Abuse Substantial Financial Risk, and Physician Incentive Plan Regulations
Mark S. Joffe, Esq.
Law Offices of Mark S. Joffe Washington, D.C.

4C  Stark’s Interaction with Other Laws: Qui Tam Actions
Greg Miller, Esq.
Partner, Miller Alfano & Raspanti and Former Assistant U.S. Attorney and Chief, Criminal Division, Eastern District of Pennsylvania Philadelphia, PA

4D  Application of Stark to Industry Sectors: Skilled Nursing Facilities and Long Term Care
Jody A. Noon, R.N., J.D.
Partner, Davis Wright Tremaine LLP Portland, OR

11:45 a.m.  Lunch

Panel Discussion: The Stark Law—Ten Years Later
Mary R. Grealy, Esq.
Chief Washington Counsel American Hospital Association Washington, D.C.
Richard P. Kusserow
President, Strategic Management Systems and Former Inspector General, DHHS Washington, D.C.
Brent V. Miller, M.S.P.A.
Vice President, Public Policy and Political Affairs American Medical Group Association Alexandria, VA
Thomas A. Scully, Esq.
President and CEO Federation of American Health Systems Washington, D.C.
Katie Tenoever, Esq.
Washington Counsel American Medical Association Washington, D.C.
Harvey A. Yampolsky, Esq.
Partner, Arent Fox Kintner Plotkin & Kahn, PLLC and Former Chief Counsel, Office of Inspector General, DHHS Washington, D.C.
John K. Iglehart (Moderator)
Founding Editor, Health Affairs Journal Project Hope Bethesda, MD

2:00 p.m.  CONCURRENT SESSIONS V

5A  Analysis of Stark Exceptions: Personal Services and Equipment and Office Leases
Howard Bruce Klein, Esq.
Law Offices of Howard Bruce Klein and Former Assistant U.S. Attorney Eastern District of Pennsylvania Philadelphia, PA

5B  Analysis of Stark Exceptions: Hospital, Rural Provider and Public Company Ownership
Stuart S. Kurlander, Esq.
Partner Latham & Watkins Washington, D.C.

5C  Application of Stark to Industry Sectors: Physician Practice Management
Kevin Outterson, Esq.
Partner Baker Donelson Bearman & Caldwell Nashville, TN

5D  Doing the Deal/Stark Compliance: Physician/Hospital Joint Ventures
Dennis M. Barry, Esq.
Partner Vinson & Elkins LLP Washington, D.C.

3:00 p.m.  Break

3:15 p.m.  CONCURRENT SESSIONS VI

6A  Analysis of Stark Exceptions: Physician Recruitment
Dan Mulholland, Esq.
Partner Horty Springer & Mattern Pittsburgh, PA

6B  Legal Opinions: What is the Appropriate Scope of a Stark Opinion?
Guy Collier, Esq.
Partner McDermott Will & Emery Washington, D.C.

6C  Application of Stark to Industry Sectors: Dialysis, Lithotripsy and Radiology
Paul E. Cooney, Esq.
Partner Foley & Lardner Washington, D.C.

6D  Doing the Deal/Stark Compliance: Medical Staff Relations, Medical Director Agreements and MOB Development
Gregory Luce, Esq.
Partner Jones Day Reavis & Pogue Washington, D.C.

4:15 p.m.  Adjournment
STARK REALITY
Sunday-Tuesday, June 13-15, 1999

Registration Form

1 COMPLETE THE FOLLOWING

NAME
TITLE
ORGANIZATION
DEPARTMENT
ADDRESS
CITY/STATE/ZIP
TELEPHONE
FAX
E-MAIL

➔ Please advise us if you will need interpretive services or other reasonable accommodations.

2 PRICING

Pre-Conference ................................................. $295

Conference

• Before June 1
  First organization registrant .................... $1,095
  Each additional organization registrant .... $995
• After June 1
  First organization registrant .................... $1,195
  Each additional organization registrant .... $1,095

HCCA Managed Care Conf. Discount ............... $100

Association Membership Discount* ............... $100
(noncumulative)

Total .............................................................. $

*Association discounts available to members of American Health Lawyers Association, Health Care Compliance Association and Health Care Financial Management Association Association:

Association Membership Number: __________________

3 PAYMENT OPTIONS

Please enclose payment with your registration and return it to the conference registrar at the above address, or fax your credit card payment to 215-545-8107.

☐ Check/money order enclosed (checks payable to): The Stark Reality Conference

☐ Payment to be made by check/money order. Credit card must be given to hold registration. If payment not received by date of conference, credit card payment will be processed.

☐ American Express ☐ Visa ☐ Mastercard

*TAX ID NO. 91-1892021

TOTAL $

ACCOUNT #

EXPIRATION DATE

NAME OF CARDHOLDER

SIGNATURE OF CARDHOLDER

All registrations require faxed or original signature on this form.