

Healthcare Law & Compliance Institute

Presented by the International Performance Management Institute (IPMI)

February 25–27, 2024

Three Katten attorneys will participate in the IPMI's Healthcare Law & Compliance Institute, of which the firm will also serve as a sponsor. At 1:00 p.m. on Sunday, February 25, Health Care Partner Laura Keidan Martin will speak on "Critical Insights, Updates and Considerations in the Healthcare Law Landscape." Panelists will discuss how health care leaders will need to stay abreast of critical developments within the industry with the large-scale changes to the health care industry over the past decade, as hospitals and health systems have had to evolve in an increasingly complex environment to sustain themselves, and will answer some of the key questions on the minds of hospital and health system general counsel and chief legal officers.

At 2:45 p.m., Laura and Health Care Partners Rachel Adams and Ramana Rameswaran will present an interactive think tank on "State Scrutiny of Healthcare Transactions and Non-Compete Provisions," discussing the different state requirements and also their experiences with, and strategies for, interacting with state regulators as many states have enacted or are considering legislation to give state regulators the authority to review and approve transactions (and state regulators are taking an expansive view of their authorities under these statutes) now that government review of health care transactions is no longer left to the federal government.

On Monday, February 26, they will present "Navigating the Self-Disclosure Quagmire" at 3:10 p.m. They will discuss how providers, as they conduct transaction due diligence and their own internal compliance reviews, especially now that the COVID-19 public health emergency flexibilities have expired, frequently identify Stark, AKS and billing issues that require self-disclosure and overpayment refunds, and at times, how the same lookback period may include multiple issues and require multiple disclosures. The session will provide insights for identifying, quantifying and reporting overpayment issues in a manner that minimizes institutional risk and drives favorable settlements, including:

- Where to look "under the hood" during transaction due diligence and internal compliance monitoring

- Impermissible physician compensation methodologies (group practice, employee and independent contractors)
- Uncredentialed providers
- Inappropriate use of modifiers
- Anti-mark-up rule
- Leasing practices
- Self-disclosure strategies to minimize liability — picking the right disclosure "channel" and steering toward a favorable settlement
- Minimizing data quagmires
- How to address multiple disclosures for the same lookback period
- Changes to the CMS Self-Referral Disclosure Protocol

[Learn more about the Healthcare Law & Compliance Institute.](#)

CONTACTS

For more information, contact your Katten attorney or any of the following attorneys.



Laura Keidan Martin

+1.312.902.5487

laura.martin@katten.com



M. Ramana Rameswaran

+1.214.765.3664

ramana.rameswaran@katten.com

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