



2022 Iowa Hospital Association **GOVERNANCE** WEBINAR SERIES



PROGRAM

Trustees play a strong leadership role in navigating through their organizations' challenges. This webinar series will provide participants with the tools to become more effective in their board service.

SESSION NO. 1

10-11 a.m. Tuesday, May 17

Fiduciary Obligations and Conflicts of Interests

Alissa Smith, Partner, and Rebecca Brommel, Partner, Dorsey and Whitney Law Firm, Des Moines

The first webinar in this series will address state and federal laws and guidance for hospital governance obligations, legal risks for those in hospital governance and protections from individual liability. The session will review hospital governance best practices, including a discussion of how to manage conflicts of interest. Participants will learn practical lessons they can apply in their governance activities, including governance best practices such as the process for establishing reasonable compensation for executives.

Learning objectives:

- Discuss state and federal laws that establish hospital trustee fiduciary obligations.
- Evaluate guidance from federal agencies, including conflicts of interest and procedures.
- Identify tips and best-practice recommendations for effective hospital governance activities.

SESSION NO. 2

10-11 a.m. Tuesday, July 12

Health Care Fraud and Abuse

Alissa Smith and Laura Morgan, Dorsey and Whitney

This session will introduce state and federal hospital enforcement agencies and address primary fraud and abuse laws – including the Stark Law, Antikickback statutes and the False Claims Act – with which hospital trustees must be familiar. The session also will review recent enforcement actions and sanctions that can be imposed against health care providers. Participants will be provided with an overview of the laws and guidance governing hospital compliance programs, and the session will address the importance of a corporate compliance program.

Learning objectives

- Describe scenarios that could lead to violations of fraud and abuse laws.
- Discuss the state and federal agencies involved in enforcement of health care fraud and abuse laws.
- Explain the primary health care fraud and abuse laws and recent cases.
- Understand the elements of an effective corporate compliance program.

SESSION NO. 3

10-11 a.m. Tuesday, Sept. 13

Data Privacy and Security: What Hospital Trustees Must Understand

Alisa Smith, Dorsey and Whitney

This session will introduce and outline changes to applicable state and federal data privacy and security laws, such as the Health Insurance Portability and Accountability Act. It also will address hospitals' primary regulatory obligations to remain in compliance with these federal and state laws. The session will review recent enforcement actions against hospitals and health care providers concerning data breaches, explore hospital cybersecurity strategies and detail the risks from ransomware attacks.

Learning objectives:

- Describe state and federal data privacy and security laws and obligations, including recent changes to the Health Insurance Portability and Accountability Act.
- Discuss the state and federal agencies involved in enforcement of data privacy and security laws.
- Explain the cybersecurity strategies of hospitals and the risks from ransomware attacks.

SESSION NO. 4

10-11 a.m. **Tuesday, Nov. 15**

Hospital Transactions and Strategic Development

Alissa Smith and Catherine Cownie, Partner, Dorsey and Whitney

This final session will provide an overview of primary hospital transactions including joint venture arrangements and physician contracts. The presenters will cover the primary legal and business issues and considerations of a hospital board in these transactions, as well as the basic anatomy of a transaction. Additional legal topics ancillary to most hospital transactions will be outlined, including certificate-of-need requirements, Stark and Antikickback restrictions, antitrust rules, state and federal regulatory filings, approvals for hospital transactions and payor contracting implications.

Learning objectives:

- Describe the main types of hospital transactions, including transactions with physicians and other strategic partners.
- Discuss the primary issues in which hospital boards are involved with health care transactions.
- Explain the primary legal issues that are ancillary to most hospital transactions.

SPEAKERS

Rebecca Brommel is a partner in Dorsey and Whitney's health litigation group and represents all types of health care providers with regulatory citations and professional licensing board matters. She also advises health care governing boards about fiduciary duties and ways to reduce litigation risk. Brommel handles proceedings with and in front of health care-related state and federal agencies as well as Iowa district court and appellate matters. She also helps providers with commercial and payment disputes and assesses Medicaid eligibility and coverage issues. In addition, her practice includes medical staff peer review and credentialing matters, including developing or improving hearing processes.

Catherine Cownie is a partner with Dorsey and Whitney where her work with health care providers often involves coordinating with state licensing boards, Centers for Medicare and Medicaid Services, and other governmental credentialing entities. Cownie has experience in representing clients before the Iowa State Health Department's Certificate of Need Council and negotiating with the Iowa boards of medicine, nursing and dentistry.

Carson Lamb is a senior associate in Dorsey and Whitney's health law group where he represents a variety of clients throughout the health care industry. Lamb's practice focuses on the transactional, regulatory and administrative matters on both the state and federal levels. He has broad health law experience with expertise in health care fraud and abuse, pharmacy law, managed care and Medicare and Medicaid rules.

Alissa Smith is a partner in Dorsey and Whitney's health group and represents health systems, hospitals, pharmacies, long-term care providers, home health agencies, medical practices, and nonprofit and municipal organizations. Smith's regulatory practice includes interpretation and application of state and federal fraud and abuse laws, Medicare and Medicaid rules, tax-exemption and privacy laws, EMTALA laws, licensing matters, employment laws, governmental audits and open meeting matters. She also helps with corporate and health system governance issues and hospital-provider relations.

REGISTRATION

Register online at www.ihaonline.org.

REGISTRATION FEES

- IHA/Associate member series rate – \$800
- Nonmember series rate – \$1,000

CONTINUING EDUCATION

Board members participating in IHA's Hospital Board Certification Program can earn up to 4.0 hours of continuing board education hours as each webinar will have 1.0 hour available.

REGISTRATION POLICY

- Each organization that registers is required to provide an email address.
- The email address listed will be sent log-on information and handouts at least 24 hours before the webinar.
- Multiple people from the same institution may participate for the same fee.
- No shows will be billed.

REGISTRATION/CANCELLATION/REFUND POLICY

- Cancellations and substitutions are welcome anytime. Email cancellations and substitution requests to iharegistration@ihaonline.org.
- IHA will give full refunds to cancellations received 10 or more business days before the conference.
- IHA will charge a \$50 administrative fee to cancellations received six to nine business days before the conference.
- IHA will not refund cancellations received five or fewer business days before the conference.
- IHA will calculate refunds by the date received and the IHA business days remaining before the conference.
- IHA reserves the right to cancel the conference because of low enrollment. If so, IHA will notify preregistered participants and provide full refunds.

ADA POLICY

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