

Annual Meeting Agenda
What's Changed and What's Next?
September 12, 2017 - The Detroit Athletic Club

10:30 am to 12:00 pm	Registration
11:00 am to 11:30 a.m.	Health Care Law Section Business Meeting Timothy C. Gutwald , Chair, Health Care Law Section Miller Johnson
11:30 pm to 12:30 pm	Lunch/Networking
12:30 pm to 1:15 pm	<u>Michigan Mental Health Code Changes and 42 CFR Part 2 Final Rule</u> Leslie Asman, J.D. , Manager, Legal Services Section, Bureau Legal Affairs, Michigan Department of Health and Human Services Paul Kurdunowicz , Analyst, Policy and Strategic Initiatives Section, Michigan Department of Health and Human Services This presentation will provide the impact of recent changes in privacy laws and regulations on the Michigan health care system. The speakers have worked on the development and ongoing maintenance of the Behavioral Health Consent Form over the last few years, and are involved in the statewide efforts on the implementation of the Michigan Mental Health Code changes and the final rule on 42 CFR Part 2.
1:15 pm to 1:25 pm	Break/Networking
1:25 pm to 2:10 pm	<u>Changes in Michigan Scope of Practice for Physician's Assistants and Advanced Practice Registered Nurses: Implications for Practice</u> Kathleen A. Reed , Senior Counsel, Health Care Practice Group, Dykema Gossett PLLC This presentation is for attorneys for institutional health care providers who deal with individual provider credentialing and scope of practice, as well as attorneys for individual practitioners. The presentation will cover the following: 1) Summary of 2017 amendments to the Michigan Public Health Code ("Code") that create a new paradigm for the practice of physician's assistant ("PA"). 2) Summary of 2017 amendments to the Code creating a new RN specialty certification for "Clinical Nurse Specialist". 3) Summary of 2017 amendments to the Code creating a new category of Advance Practice Registered Nurse ("APRN").
2:10 pm to 2:20 pm	Break/Networking
2:20 pm to 3:05 pm	<u>Specialty Commercial Payor Reimbursement in the Wake of <i>Covenant v. State Farm</i>: Protecting Healthcare Reimbursement Through Direct Action</u> Andrew D. Oostema , Member, Miller Johnson On May 25, 2017, the Michigan Supreme Court issued its decision in <i>Covenant v State Farm</i> , Mich (Docket No. 152758) (Decided May 25, 2017) and overruled decades of case law in the area of no fault reimbursement. This presentation will cover the following: 1) Explanation and analysis of the Court's ruling in <i>Covenant</i> . 2) Discussion of how <i>Covenant</i> may affect medical provider rights in terms of ordinary course claim processing and claim denials and underpayments. 3) Suggestions for protocol changes to best position healthcare providers to preserve payable no fault claims. 4) Survey of direct action remedies for healthcare providers which were untouched by <i>Covenant</i> , e.g. Workers Compensation, Medicare Secondary Payor Act Claims and designation of authorized representative under ERISA.
3:05 pm to 3:15 pm	Break/Networking
3:15 pm to 4:00 pm	<u>Mega Rule's Mega Impact on Nursing Facilities: The New Requirements of Participation</u> Alicia Blumenfeld Chandler , General Counsel, Continuing Care Division, Trinity Health Andrea Nicole Lee , Attorney, Health Care Practice Group, Honigman Miller Schwartz and Cohn Nursing facilities must comply with voluminous regulations. Late last year, CMS rewrote the most comprehensive of these, the nursing facility Requirements of Participation (RoPs). The rewrite marks the first comprehensive revisions to the RoPs since 1991. CMS published the new RoPs in a final rule, coined the "Mega Rule," which CMS is implementing in three phases. This presentation will primarily focus on Phase 2 of the new RoPs, which become effective November 28, 2017. This presentation will address "what's changed" with the RoPs and provide participants information on how to address "what's next."
4:00 pm to 5:00 pm	Networking Reception in the Reading Room
5:00 pm	Fellows Dinner – Kahn Room -7 th floor (Must be a Fellow to attend)