



CORPORATE COMPLIANCE SYMPOSIUM

Thursday, October 17, 2019

Hilton Albany

40 Lodge St

Albany, NY 12207

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“If you think compliance is expensive – try non-compliance,” former U.S. Deputy Attorney General Paul McNulty once wisely observed.

The toll is not just financial: as in government fines or penalties, civil liabilities, legal or recovery costs, or loss of licensure/operational privileges, which are bad enough. Non-compliance costs can also be counted in the form of grave reputational risks to your organization, straining or ruining relationships with referral sources or contractors at a time when state policies are imposing even greater restrictions and obligations on network contracts. Most at stake is your hard-won trust with patients in the community.

HCA's flagship Corporate Compliance Symposium provides your compliance officers and executive teams with the tools, resources, information and guidelines to overcome these risks. This includes procedural best-practices for self-auditing – so that your own internal investigations can detect pitfalls instead of government or law enforcement doing so on your behalf, and at great expense to your organization.



AGENDA

8:00AM – 8:30AM

Registration Opens with Light Breakfast

8:30AM – 8:45AM

HCA Compliance Update

HCA Policy Team

HCA policy experts will review some prominent compliance issues observed in the field, including: recent OMIG or OIG audit activities, work plan focus areas and audit protocols; state Department of Health surveillance activities addressing state regulations and federal Conditions of Participation; and a checklist of important reporting or licensing-and-registration requirements that your compliance teams need to be aware of.

8:45AM – 10:00AM

Auditing Trends on Wage & Hour Compliance by Key Regulatory Agencies

Emina Poricanin, Partner, Home Care Practice Leader and Peter Godfrey, Partner, Wage & Hour and Worker Classification & Employment Tax Practices Leader, Hodgson Russ, LLP

Wage-and-hour laws remain a bramble of costly exposure, with legal or regulatory edicts creating ever-increasing complexities for providers seeking to follow each letter of the rules while attempting to substantiate that they are doing so, in the form of rigorous documentation. This session will cover the ins-and-outs of state Department of Labor and Wage Parity audits that have been plaguing the home care industry, along with recommendations on how to ensure that your Wage Parity programs – and overall wage-and-hour systems – are in compliance. Hodgson Russ legal experts will also outline what's happened with 24-hour/live-in cases (in litigation and audits) in the aftermath of the *Andryeyeva* decision and what's potentially in store for continued legal or compliance risk.

10:00AM – 11:15AM

Healthcare Data Breaches – Is there a Cure?

*Dennis O'Connell, Director of Healthcare Solutions, Custom Computer Specialists
Dennis Ast, Senior Account Representative, OneGroup*

From unauthorized access to ransomware and improper disposal of records, data breaches continue to rise as does the value of patient records which are what prompt these breaches in the first place. In its May 2019 Data Breach Report, HIPPA Journal found that a monthly average of 29.5 data breaches were reported to the federal Office of Civil Rights (OCR) in 2018, jumping to an average of 37.2 cases per month reported so far in 2019. These breaches compromise health care systems, result in high-levy fines and they put patients at risk, harming an organization's reputation and exposure to possible class-action or civil litigation. Yet, many organizations struggle to understand where they're exposed and what defenses are needed to make it harder for hackers to succeed. This interactive session will look at the creative ways hackers are stealing data. It will also offer both short- and long-term tactics to mitigate your risk of a data breach and strategies to protect your organization in the event that a breach does occur.

11:15AM – 11:30AM – Break

11:30AM – 12:30PM

Update on MLTC Compliance Requirements and Implications for Home Care and Hospice

*Nancy Sever, Esq., Partner, Hinman Straub
Stephanie Piel, Esq., Partner, Hinman Straub*

The NYS Department of Health recently released a Revised Model Contract that has been approved by the Centers for Medicare and Medicaid Services (CMS) for a Managed Long Term Care (MLTC) Partial Capitation plan. The Model Contract covers the period of January 1, 2017 to December 31, 2021. Subject matter experts Nancy Sever and Stephanie Piel from Hinman Straub will review new compliance requirements for plans under the contract and highlight existing plan mandates imposed by state enforcement agencies impacting home care and hospice providers.

12:30PM – 1:15PM – LUNCH

1:15PM – 2:30PM

Compliance-Related Audit Issues and Defense Strategies

Robert Hussar, Esq., CHC, Partner, Barclay Damon

This session will focus on the current landscape of home health compliance related risks and typical audit findings. Bob Hussar will draw upon his years of experience and multifaceted perspective gained as a former Compliance Officer, former First Deputy at OMIG, and current Partner in the Health Care Controversies Group at Barclay Damon, to discuss hot topic issues faced by all home health providers including: enforcement trends at the state and federal levels; common risks and areas of noncompliance; and strategies and practical tips for auditing and monitoring, self-disclosures, and audit defense.

2:30PM – 2:45PM – Break

2:45PM – 3:45PM

Establishing & Maintaining Effective Internal Controls

Randi Seigel, Partner, Manatt Health

Internal auditing and monitoring processes help health care organizations stay compliant with federal and state rules and regulations. These internal checks and reviews of compliance program operations help ensure quality control and verify that all procedures are functioning as they should be within the compliance program. This session will outline the essential elements that every agency should have in place to ensure ongoing compliance with state and federal regulations. You'll learn the specific review processes to ensure that necessary procedures, policies, and safeguards are in place to avoid high compliance risks and to run an effective compliance program. You'll also learn tips for verifying that your workforce is also aware of – and properly trained on – required federal and state laws as well as internal procedures and conduct.

3:45PM

Closing Remarks & Adjourn

Speakers



Dennis Ast, CPCU, CCIC is a Senior Account Executive at OneGroup. Dennis has over 30 years of experience in the insurance and risk management industry. Prior to joining OneGroup, Dennis spent significant time working for a national insurance carrier. He served in various claims positions including adjuster, senior adjuster and

supervisor before progressing to service manager. There, he was responsible for account service management on national accounts. Dennis was promoted to account executive and again to account manager with complete responsibility for national accounts, including retention, relationship development, service, risk management and helping clients succeed.



Peter Godfrey is a Partner and Leader of the Wage & Hour and Worker Classification and Employment Tax Practices at Hodgson Russ, LLP. Peter concentrates his practice on management-side labor and employment law and employment tax issues. He

represents employers in matters such as wage and hour litigation, including class actions, labor negotiations and arbitrations, employment taxation and worker classification matters, executive compensation and non-compete matters, discrimination and other employment-related litigation and employment-related contracts. He also has substantial experience in advising employers on labor and employment law issues that arise in mergers and acquisitions and reductions in force.



Bob Hussar is a Partner at Barclay Damon where he represents clients in their Healthcare and Healthcare Controversies Practice Groups. The entirety of Bob's 20-year professional career has been dedicated to working with or for non-profit healthcare providers on compliance and audit

matters and initiatives. He has had the unique perspective of running or overseeing payer and provider compliance programs as a compliance officer, consultant, healthcare attorney, and regulator including as the First Deputy Medicaid Inspector General, where he was directly responsible for the implementation of mandatory provider compliance plans and corporate integrity agreements, and where he chaired provider advisory committees focused on compliance guidance, self-disclosures and OMIG's audit processes. Bob is certified in healthcare compliance, is the Chair of the Health Care Compliance Association's (HCCA) New York Regional Meeting, and is the Immediate Past Chair of the New York State Bar Association's Health Law Section. He previously served as a co-chair of the NYS Department of Health's Value Based Payment workgroup on Program Integrity. Bob is also the founder and Managing Partner of Healthcare Compliance Connections, a boutique executive search firm.



Dennis O'Connell is Director of Healthcare Solutions at Custom Computer Specialists. Focusing on cybersecurity solutions, Dennis has developed a proprietary security assessment that assists clients in identifying security gaps and creating an overall cyber security strategy.



Stephanie Piel, Esq., is a partner at Hinman Straub P.C. and member of the Firm's Health Law department. Ms. Piel's practice is concentrated on regulatory compliance, health care fraud, waste and abuse, overpayment self-disclosures, Medicare, Medicaid, Child Health Plus, and HIPAA privacy. Her practice is particularly focused on Medicaid Managed Care and compliance with existing programmatic

requirements and implementation of new initiatives pursuant to the enactment of the federal Affordable Care Act and State Medicaid Redesign Team recommendations. Ms. Piel is the past President of the Board of St. Catherine's Center for Children, a not-for-profit serving children and families, and a former North Greenbush Town Councilmember, and is currently a North Greenbush Town Justice.



Emina Poricanin is a Partner at Hodgson Russ, LLP, where she leads the firm's home care practice and provides counsel for public and private employers in all aspects of labor and employment law at both the state and federal levels. She represents employers in proceedings before the State Division of Human Rights, Equal

Employment Opportunity Commission, the National Labor Relations Board, the Public Employment Relations Board, federal and state Departments of Labor, and in federal and state courts. Emina also counsels employers regarding compliance with the Family and Medical Leave Act, the New York Paid Family Leave Law, Americans with Disabilities Act, federal and state wage and hour laws, worker misclassification, discrimination laws, workplace policies and handbooks, discipline and discharge, union avoidance, and unemployment insurance.

Speakers continued on next page...



Speakers



Randi Seigel is a Partner at Manatt Health, where her practice focuses on advising health systems, long-term and post-acute care providers, physician practices, national and regional Medicare and Medicaid Advantage (MA) plans, healthcare startups and other healthcare stakeholders. She provides legal and strategic guidance across a variety of critical areas, including the Health Insurance Portability and Accountability Act (HIPAA) and state privacy laws, corporate practice of medicine, Medicare and Medicaid conditions of participation and billing, fraud and abuse, compliance program requirements, and other regulatory and enforcement matters. Randi came to Manatt from the Visiting Nurse Service of New York (VNSNY), where she was head compliance officer and privacy officer for VNSNY's family of corporations, including certified and licensed home care service agencies, hospice, behavioral health providers, a captive professional corporation, New York State Medicaid managed long-term care plan, MA Plan and a health home. In that role, she created and implemented an enterprisewide compliance program that improved oversight, engagement and reporting.



Nancy Sever is a member of the Firm's Health Law Department. Her practice focuses primarily on representation of a broad range of health care clients including health maintenance organizations, insurers, third party administrators, independent practice associations (IPAs), physicians and facilities. Prior to joining the firm, Ms. Sever was Assistant General Counsel at a Medicaid/Medicare managed care plan based in Pittsburgh, Pennsylvania and, most recently, was the Chief Legal Officer for a large, multi-specialty, physician practice group in New York's Hudson Valley. Ms. Sever is a member of the New York State Bar Association and the American Health Lawyers Association. Ms. Sever has been a board member of the Greater Hudson Valley YMCA and was a charter Member of the United Way of Pittsburgh Women's Committee. Ms. Sever received her Bachelor's degree at SUNY Oneonta, her Master of Public Administration degree at the Rockefeller College of Public Affairs and Policy and earned her Juris Doctor degree at the University of Buffalo School of Law.





Hotel Information

Hilton Albany
40 Lodge Street
Albany, NY 12207

HCA has reserved a limited block of rooms at the Hilton Albany for the night of Wednesday, October 16 at a discounted rate of \$185 per night. To receive this special rate, please call 1-866-691-1183 prior to September 25 and ask for the HCA room block.



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REGISTRATION

Cancellation Policy

HCA registration cancellations received by October 3 are refundable less a 25% administrative fee. No refunds will be issued after this date. Cancellations must be received in writing via e-mail to: info@hcanys.org. Substitutions are permitted.

REGISTRANT INFORMATION

Registration Deadline is October 4th

Name: _____

Title: _____

Agency: _____

Address: _____

City/State/Zip: _____

Phone: _____ Ext. _____ Fax: _____

Email: _____
(Required)

REGISTRATION FEE

- | | |
|---------------------------|--------------------------------|
| ____ Provider Members | <input type="checkbox"/> \$219 |
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| ____ Non-Member Vendors | <input type="checkbox"/> \$399 |

SPECIAL NEEDS

In accordance with the Americans with Disabilities Act, or special dietary needs, please let us know how we can accommodate you:

PAYMENT

Please check method of payment:

Check* MasterCard VISA Am Exp

*Make checks payable to/mail to:
HCA Education and Research
388 Broadway, 4th Floor, Albany, NY 12207.

Checks must be received by October 9th.

Card Number

Expiration Date

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Mailing Address of Card Holder

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FAX THIS FORM TO: 518-426-8788