

**NORTH CAROLINA  
BAR ASSOCIATION**

seeking liberty + justice

**Navigating Health Care  
Challenges for 2019:  
Alternative Payment Models  
and Behavioral Health Issues**



**LIVE and WEBCAST**

Friday, March 8, 2019  
North Carolina Bar Center  
8000 Weston Parkway  
Cary

**Register Today!**

Save 10% if registration is  
received by February 15, 2019.  
[www.tinyurl.com/CLE806HLM](http://www.tinyurl.com/CLE806HLM)

**This program includes the  
2019 Health Law Section  
Annual Meeting.**

**6.0**  
HOURS

**TOTAL CLE CREDIT**

**1.0**  
HOUR

**Substance Abuse/  
Mental Health**

## AVAILABLE FORMATS



## PROGRAM SUMMARY

This year's program provides a "deep dive" into two areas where the law and medicine intersect, with more complexity than ever before such as payments for medical services rendered and the challenges posed by behavioral health and substance abuse issues.

The morning session is devoted to a discussion of alternative payment models and related tax, insurance, and antitrust issues, as well as the legal issues created by, among other things, paying providers not to take care of patients. The afternoon session centers around the current status of 45 C.F.R. part 2, the intersection of mental health and substance use disorders, and the related challenges faced by hospital counsel, including involuntary commitment.

An executive roundtable ties the two sessions together while highlighting other challenges facing the health care industry. Substance abuse credit is included. Plan to arrive early to join your colleagues for a full networking breakfast before the program begins.

## WHAT PEOPLE ARE SAYING...



Excellent topics that had broad appeal to both transaction and litigation based attorneys. Also, the government officials' participation was very informative (and impressive!).



One of best CLEs I have ever attended.



Awesome speakers!

—Attendees, 2018 Health Law Section Annual Meeting

# AGENDA

FRIDAY, MARCH 8, 2019 | 7:45 a.m. – 4:30 p.m.

- 7:45 **Registration and Networking Breakfast**
- 8:55 **Welcome and Introductions**
- 9:00 **Alternative Payment Model Symposium**  
Cherian, Herrin, Kyger and Yarborough  
Significant dialogue in the health care industry relates to “value-based” payments, but the definition of “value” changes with the perspective of the participant. Patients, providers, employers, the government and insurers are all proponents of different “values” as the basis for health care payments. Through individual presentations and an interactive panel conversation, explore recent changes in Medicare Shared Savings Program regulations, their impact on provider collaboration in the commercial market, NC insurance statutes and regulations governing provider collaborations, tax issues affecting joint ventures between tax-exempt and taxable providers, and how federal antitrust guidance might regulate collaborations on price and reimbursement.
- 11:15 **Break**
- 11:30 **Alternative Payment Model Symposium (continued)**
- 12:15 **Health Law Section Annual Meeting**  
Kimberly Kirk, Moore & Van Allen PLLC, Charlotte, 2018-2019 Section Chair, presiding
- 12:30 **Networking Lunch Sponsored by PYA**
- 1:15 **Treating Behavioral Health Issues and Substance Use Disorders: The Intersection of Federal and State Laws, Law Enforcement and the Involuntary Commitment Process<sup>†</sup>**  
Bertolini, Broughton, Brown, George and Szajnberg  
Behavioral health and substance use disorder treatment needs have become increasingly urgent in the midst of a state and national mental health crisis. Learn about the current status of 45 C.F.R. part 2 and the practical implications and challenges of state and federal confidentiality laws. Also learn about the challenges hospital counsel face related to treating patients’ mental health and substance abuse issues, including challenges in navigating the involuntary commitment process. Learn from hospital lawyers who advise on these issues, as well as a sergeant from the Wake County Sheriff’s Office. Finally, explore the challenges in the treatment of impaired professionals within the changing substance abuse and mental health regulatory framework from a volunteer with NCLAP.
- 3:15 **Break**
- 3:30 **Executive Roundtable**  
Gray, Lawler, Lotchin and Seligson  
Top executives representing different industry perspectives discuss the effects of alternative payment models and changes to the behavioral health landscape on their organizations and members and other challenges facing the health care industry.
- 4:30 **Adjourn**

<sup>†</sup> Indicates portion providing Substance Abuse/Mental Health credit

# PROGRAM DETAILS

## SPEAKERS

- **Gina L. Bertolini**, K&L Gates LLP, Morrisville
- **Robert T. Broughton**, North Carolina Department of Justice, Raleigh
- **Benjamin G. Brown Jr.**, Law Office of Benjamin Brown, Raleigh
- **Limo T. Cherian**, K&L Gates LLP, Chicago, IL
- **B. Glenn George**, UNC Health Care System, Chapel Hill
- **Danielle C. Gray**, Blue Cross and Blue Shield of North Carolina, Durham
- **Barry S. Herrin**, Herrin Health Law PC, Atlanta, GA
- **David L. Kyger**, Fox Rothschild LLP, Greensboro
- **Stephen J. “Steve” Lawler**, North Carolina Healthcare Association, Cary
- **Ted Lotchin**, WakeMed Health & Hospitals, Raleigh
- **Robert W. Seligson**, North Carolina Medical Society, Raleigh
- **Sgt. Mark Szajnberg**, Wake County Sheriff’s Office, Raleigh
- **Jan E. Yarborough**, Wall Babcock LLP, Chapel Hill

## CLE AND PUBLICATION SCHOLARSHIPS

Full and partial scholarships are available for attorneys experiencing a financial hardship of any kind.

Apply at [www.ncbar.org/cle/scholarship](http://www.ncbar.org/cle/scholarship).

## SPECIAL ACCOMMODATIONS

NCBA makes every effort to ensure a quality learning experience. If you have dietary restrictions or need special accommodations, please contact us at least one (1) week prior to the program start date.

## HOTEL INFORMATION

Contact hotels directly for reservations at the special NCBA room rate. Rates are based on availability and rooms may sell out.

### TownePlace Suites by Marriott

120 Sage Commons Way, Cary

- **Nightly Rate:** \$114 studio queen with sleeper sofa (Sunday–Thursday)
- **Reservations:** 919.678.0005
- **Ask for the NCBA corporate rate.**

### Embassy Suites (limited availability)

201 Harrison Oaks Boulevard, Cary

- **Nightly Rate:** \$169 single/double
- **Reservations:** 919.677.1840 or [www.tinyurl.com/NCBA-Embassy](http://www.tinyurl.com/NCBA-Embassy)
- **Corporate Account Code:** 2691626

## PLANNERS

- **Gina L. Bertolini**, K&L Gates LLP, Morrisville
- **Sarah B. Crotts**, Wall Babcock LLP, Winston-Salem
- **Barry S. Herrin**, Herrin Health Law PC, Atlanta, GA
- **Ted Lotchin**, WakeMed Health & Hospitals, Raleigh

## PLANNING COMMITTEE

- **Meggan M. Bushee**, Elite Surgical Affiliates, Houston, TX
- **John B. Garver III**, Robinson Bradshaw & Hinson PA, Charlotte
- **Michael Murchison**, Murchison Taylor & Gibson PLLC, Wilmington

We extend our sincere gratitude to the NCBA Health Law Section as well as the planners and speakers who volunteer their time and expertise toward the goal of presenting an educational program of the highest quality.

# REGISTER TODAY!

**Online:** [www.tinyurl.com/CLE806HLM](http://www.tinyurl.com/CLE806HLM) | **By phone:** 800.228.3402

**By mail:** Attn: Accounting–NCBA, 8000 Weston Parkway, Cary, NC 27513

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**STEP 2: Select your tuition rate.** (Register early and save 10%. Payment must be received three (3) weeks prior to program date to qualify for the early rate.)

**Standard Rate:**  \$325 /  \$295 *Early*

**NCBA Member:**  \$270 /  \$245 *Early*

**Health Law Section Member:**  \$250 /  \$225 *Early*

**CLE Premier Pass:**  \$0

## STEP 3: Select your learning format.

Live (806HLM)    Webcast (806LWC)    Video Replay (See below.)

Video Replay registration (if selected).

Video Replays are scheduled for this program. The agenda may not include certain breakouts/tracks shown at the original program. For a list of dates and locations visit [www.tinyurl.com/CLE806HLM](http://www.tinyurl.com/CLE806HLM) and indicate your choice below.

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Discounts may be available for NCBA members who are students, law professors, judges or legal services/public interest attorneys. Call CLE at 800.228.3402 for details.

# NCBA

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## Navigating Health Care Challenges for 2019: Alternative Payment Models and Behavioral Health Issues

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[www.tinyurl.com/PremierPass](http://www.tinyurl.com/PremierPass)

**REGISTRATION:** All registrations are processed after payment is received. To qualify for the early tuition rate, payment must be received prior to the deadline indicated. Stated early discount rate percentage is approximate. Registrations may be capped based on venue size and may include an overflow room with additional seating. **CHANGES TO EXISTING REGISTRATIONS:** Should an attendee need to cancel his or her registration to a Live, Webcast or Video Replay program, the cancellation request must be received by 9:00a ET one (1) week prior to the start of the program to receive a full refund. Any attendee requesting cancellation less than one week prior to the program will receive a refund, less a \$75 administrative fee. An attendee may choose to transfer his or her registration at a program to the Live, Webcast or Video Replay format of the same program only. Transfer requests must be received by 9:00a ET one (1) business day prior to the program start date. An attendee may further choose to substitute his or her registration to a Live or Video Replay program only. Substitution means sending another person to attend the Live or Video Replay program when the original registrant is unable to attend. Substitution requests must be received by 9:00a ET one (1) week prior to the program start date. The substituted person may be assessed a different fee based on their NCBA membership classification. Cancellation, transfer and substitution requests must be provided in writing by email at [askcle@ncbar.org](mailto:askcle@ncbar.org) or by calling 800.228.3402. If an attendee misses any portion of a program, that portion is not subject to substitution, refund or transfer. Except as provided herein, registrations, including On Demand registrations, cannot be cancelled, substituted or transferred once purchased. **NO-SHOWS:** Anyone who is registered for a program, including CLE Premier Pass holders, but does not check in is considered a no-show. No-shows are not issued a refund, and Premier Pass holders will be assessed a \$75 administrative fee. These registrants will receive the digital materials, available in their online accounts, in full consideration of tuition paid. **MISCELLANEOUS:** The NCBA reserves the right to cancel or reschedule programs at any time. Should the NCBA cancel or reschedule a program, registrants may elect to receive a full refund or attend the newly scheduled program. Notifications regarding program changes will be sent to the email address on file. The NCBA is not responsible for any additional expenses incurred as a result of such cancellation or rescheduling. Each attorney must maintain a record of his or her attendance for the NC State Bar Annual Report. MCLE credit is reported by the NCBA only if a NC State Bar number is provided. Registration and attendance at NCBA CLE programs constitutes an agreement by the registrant with the NCBA for use and distribution of the attendee's image or voice in photographs, videotapes, electronic reproductions and audiotapes of such programs and activities. Unless specified, spouses or guests are not eligible to attend NCBA CLE programs and activities without registering to attend. These terms are subject to change.