

February 28-March 2, 2018 Event / CLE

Topics

Senior Living & Long Term Care

Related People

Gabriela Sanchez
sanchezg@lanepowell.com

Joseph M. Greenman
greenmanj@lanepowell.com

Related Practices & Industries

Senior Living & Long Term Care

Long Term Care and the Law Conference

American Health Lawyers Association | New Orleans, Louisiana

Joe Greenman and Gabi Sanchez will serve as presenters at the American Health Lawyers Association (AHLA) Long Term Care and the Law Conference in New Orleans from February 28 – March 2. Barb Duffy is on the Planning Committee for the conference.

Greenman will co-present “The Rug That Doesn’t Really Tie the Room Together – CMS Announces Major Changes to the SNF Prospective Payment System” on March 1 from 4:15-5:15 pm and March 2 from 10:50-11:50 am. The presentation will cover:

- Background of the SNF PPS payment methodology and the current Resource Utilization Groups, Version 4 (RUG-IV) for paying SNFs per diem rates for resident services;
- New proposed Resident Classification System (RCS-1);
- In-depth analysis of proposed new RCS-1 case-mix components, underlying assessment criteria for each that will affect individual resident reimbursement level determinations, and additional resident data sources used by CMS to produce resident reimbursement;
- How RCS-1 will impact health care fraud and abuse laws such as the False Claims Act;
- Side-by-side comparison of RUGs with RCS-1 in an effort to impart understanding of how SNF Medicare payments will change when providing care to residents with varying care needs; and
- Analysis of anticipated impact of reimbursement changes on SNF models of operation, including SNF services provided by vendors under contract with providers.

Sanchez will co-present “Canary in the Coal Mine: Use of Consumer Protection Statutes against Senior Housing and Care Operators (AL)” on

March 1 from 1:45-2:45 p.m. and March 2 from 9:40-10:40 a.m. The presentation will cover:

- Unlawful trade practice laws and enforcement mechanisms throughout various jurisdictions, including a discussion of a resident's private cause of action, recent cases brought by plaintiff's counsel, state attorney generals, and state laws expanding the consumer protections laws to CCRCs;
- Best practices for handling an unlawful trade practice investigation, challenging civil investigative demands, and managing regulatory implications of such actions;
- Best practices for handling an unlawful trade practice action initiated by plaintiff counsel, including a discussion of current litigation in California and other states;
- Consider whether a preemption law defense is effective against unlawful trade practice actions for those facilities and communities regulated by other state and federal agencies; and
- Best practices to reduce the risk of unlawful trade practice lawsuits and complaints from residents.

The conference will be an exciting and informative meeting with in-house and outside lawyers presenting on legal, compliance and operational issues faced by providers. All sessions focus on cutting edge issues, and the conference will also include an individual educational track for nursing facility, assisted living and home health attorneys and providers.