

New Stark Final Rule: An Analysis and Its Impact on Physician Practices

June 3, 2004 Audio Conference

The newly released Phase II rule of the federal physician self-referral regulation, commonly referred to as the “Stark law,” presents new compliance and business operational considerations for physician group practices. This audio conference will review the rule in detail and its potential ramifications for practices.

You will be able to identify new requirements/clarifications concerning the ownership, investment and compensation exceptions contained in the self-referral law and how they might impact the operation of your practice. Members will also learn how new clarifications regarding the reporting requirements and sanctions provided by the self-referral law affect their compliance efforts. The presentation will also cover the exception to the referral prohibition related to both ownership/investment and compensation for services furnished in an ambulatory surgical center.

with Robert J. Saner II Esquire, Washington Counsel MGMA and
Bruce Johnson, Esquire, MGMA Health Care Consulting Group

2 – 3:30 p.m., ET ♦ 1 – 2:30 p.m., CT ♦ 12 – 1:30 p.m., MT
11 a.m. – 12:30 p.m., PT ♦ 10 – 11:30 a.m., Alaska ♦ 8 –9:30 a.m., Hawaii

Learning Objectives: Following this Audio Conference, you will be able to:

- Identify new exceptions and clarifications to the Stark prohibition, including the temporary non-compliance provision, a new building definition under the in-office ancillary exception and expansion of productivity-based payment rules for physicians
- Refine your compliance program to reflect the new Stark requirements
- Incorporate the Stark developments into your business operations Utilize potentially new “flexibility” in the rule to your business advantage

PROGRAM OUTLINE

- I. Introduction and Background -- Where are we and how did we get here?
- II. Stark II, Phase II Effective Date and Exception for Temporary Non-Compliance
- III. Ownership Exceptions, Specialty Hospital & Rural Providers and other publicly owned exceptions
- IV. In-office Ancillary Services Exception
- V. Group Practice Definition
- VI. Special Rules on Compensation and Fair Market Value Hourly Rate Arrangements
- VII. Direct and Indirect Financial Arrangements
- VIII. Exceptions for Compensation Arrangements, Lease Arrangements
- IX. Employment Arrangements
- X. Personal Service Arrangements
- XI. Isolated Transactions
- XII. Recruitment Exception
- XIII. Sanctions, False Claims Act and Enforcement Environment

TARGET AUDIENCE

Medical practice executives, administrators, billing managers, physicians, nursing professionals, and business accounting professionals will benefit from attending this session. There are no prerequisites for attending this audio conference.

REGISTERING ORGANIZATIONS WILL RECEIVE

- useful outlines and program materials – a permanent reference for your team
- permission to duplicate materials for all participants from your organization
- technical information on a toll-free number to join the conference
- opportunity to participate in Q & A dialogue with the expert faculty and hear from your staff
- opportunity to receive ACMPE, CME, CPE, and nursing credit

CREDIT (for live participation only)

ACMPE Credit: This program is approved to receive a maximum of 1.5 credit hours as assigned by the American College of Medical Practice Executives (ACMPE).

CME Credit: MGMA is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to sponsor continuing medical education (CME) for physicians. MGMA takes responsibility for the content, quality, and scientific integrity of this CME activity. MGMA designates this CME activity for a maximum of 1.5 credit hours in Category 1 of the Physician's Recognition Award of the American Medical Association.

CPE Credit: MGMA designates this continuing professional education (CPE) activity for a maximum of 1 contact hour of credit in the Specialized Knowledge and Applications Field of Study. MGMA is registered with the National Association of State Boards of Accountancy as a sponsor of continuing professional education in the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses. Complaints regarding sponsors may be addressed to NASBA, 150 Fourth Avenue North, Nashville, TN 37219, (615) 880-4200.

Nursing Credit: This activity for 1.8 contact hours is provided by MGMA, which is accredited as a provider of continuing education in nursing by the American Nurses Credentialing Center's Commission on Accreditation.

About the Expert Faculty Presenters:



Robert J. Saner II, Esquire
Washington Counsel MGMA
Powers Pyles Sutter & Verville PC

Robert Saner (Bob) is the managing partner of Powers, Pyles, Sutter & Verville, P.C., in Washington, D.C. He specializes in health care law, legislation and regulation. He has served as the Medical Group Management Association's Washington Counsel for 25 years, and represents clinics, academic practice plans, corporations, hospitals, and health systems throughout the country.

Mr. Saner did his undergraduate work at Princeton's Woodrow Wilson School of Public and International Affairs (AB 1969 *cum laude*) and received his law degree from Harvard University (JD 1972). From 1972 to 1974, Mr. Saner served in the Federal government, first in the Department of Health, Education and Welfare, and subsequently in the President's Cost of Living Council, Office of Health.



Bruce A. Johnson, JD, MPA
MGMA Health Care Consulting Group

Bruce A. Johnson, JD, MPA, brings both legal and management perspectives to health care management issues. As a consultant and health care attorney, Bruce has gained varied experiences with business and regulatory compliance matters involving physicians and group practices, hospitals, managed care organizations and other health care enterprises. He has extensive experience in the application of Medicare and Medicaid fraud and abuse, Stark self-referral prohibitions, antitrust law and other legal issues relevant to health care business transactions.

Bruce is an expert in the planning, development and implementation of physician compensation strategies involving medical groups and integrated systems. He also provides expertise on physician transition planning, benchmarking and corporate compliance activities. He has authored and contributed to numerous books and articles, serves as site manager for a MGMA's StarkCompliance Solutions product, and serves as a regular faculty member of many national education programs.

Here's What Some of Your Colleagues Are Saying About MGMA's Audio Conferences:

- "Reduces time and expense, offers opportunity for current trends and learning."
- "Excellent – no travel!"
- "This is a very convenient way to obtain information."
- "Very good use of 1.5 hours – prefer this to attending (a) meeting."
- "Well organized, great content!"
- "Excellent – I enjoy these teleconferences because they are economical, (have) great content, and help keep us up-to-date in issues facing our practices."
- "This is a great opportunity to have so many people participating in one conference at a much lower cost."

MEDICAL GROUP MANAGEMENT ASSOCIATION

Audio Conference Registration Form



New Stark Final Rule: An Analysis and Its Impact on Physician Practices

(au04w) – ACC Member Registration

Name _____
 Title _____ Company _____
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*E-mail address is required in order to provide you with course materials.

Live participation


Program Code	Program Date	Program Title	Registration Deadline	ACC Member	Nonmember	Total Price
au04w	June 3, 2004	New Stark Final Rule: An Analysis and Its Impact on Physician Practices	June 1, 2004	\$189	\$239	

Audiocassette and Materials Package

Item Number	Program Title	Approx. Date of Shipment	ACC Member	Nonmember	Total Price
6123	New Stark Final Rule: An Analysis and Its Impact on Physician Practices	June 17, 2004	\$189	\$239	

CD and Materials Package

Item Number	Program Title	Approx. Date of Shipment	ACC Member	Nonmember	Total Price
6124	New Stark Final Rule: An Analysis and Its Impact on Physician Practices	June 17, 2004	\$199	\$249	



FAX
 Fax this form and credit card information to:
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For live participation, all orders must be received by June 1, 2004. Payment must accompany this registration form.

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PHONE
 For credit card orders: Call toll-free
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If you do not receive your course materials for the live presentation by June 2, 2004, please call toll-free 877.ASK.MGMA (275.6462), ext. 888.

Cancellation of pre-registration must be postmarked no later than five days prior to the program and is subject to a \$35 processing fee. No partial or full refund or credit will be made after this date for failure to participate. Cancellations **must** be received in writing.



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