

Workshop Regarding Accountable Care Organizations, and Implications Regarding Antitrust, Physician Self-Referral, Anti-Kickback, and Civil Monetary Penalty (CMP) Laws

October 5, 2010

Agenda

9:00-9:30: Opening Comments

CMS Administrator, Donald M. Berwick, M.D., M.P.P.
FTC Chairman, Jon Leibowitz
HHS Inspector General, Daniel R. Levinson

9:30-10:50: FTC Panel on Clinical Integration and ACOs.

Participants will address circumstances under which collaboration among independent health care providers in an ACO permits ACO providers to engage in joint price negotiations with private payers without running the risk of engaging in illegal price fixing under the antitrust laws.

10:50 - 11:00: Break

11:00 – 12:30: FTC Panel on Encouraging Competition among ACOs.

Participants will discuss ways to encourage formation of multiple ACOs among otherwise independent providers so that competition among ACOs in any given geographic market will improve the quality and affordability of health care.

12:30 – 1:30: Lunch

1:30 – 2:50: HHS Panel

Participants will explore the different ways in which the Secretary may exercise waiver authority or create new exceptions and safe-harbors related to the physician self-referral law, the Anti-kickback statute and the CMP law in order to encourage the creation and development of ACOs.

2:50 – 3:00: Break

3:00 – 4:30: HHS Listening Session

Attendees of the workshop both in the auditorium and on the teleconference line will provide comments to HHS regarding the interaction between ACOs and the physician self-referral law, the Anti-kickback statute and the CMP laws.

Panelists:

FTC Panelists:

Gloria Austin	Brown & Toland
Terry Carroll	Fairview Health Services (Topic 1 Only)
Dr. Lawrence Casalino	Weill Cornell Medical College
Mary Jo Condon	St. Louis Area Business Health Coalition
John Friend, Esq.	TMC HealthCare
Dr. Robert Galvin	Equity Healthcare
Elizabeth Gilbertson	HEREIU Welfare Fund
Douglas Hastings, Esq.	Epstein, Becker Green
Harold Miller	Center for Health Care Quality and Payment Reform
Dr. Lee Sacks	Advocate Physician Partners & Advocate Health Care
Dr. Dana Safran	BC/BS Massachusetts
Trudi Trysla	Fairview Health Services (Topic 2 Only)
Joseph Turgeon	CIGNA
Dr. Cecil B. Wilson	American Medical Association
Dr. William C. Williams	Covenant Health Partners/Covenant Health Care
Dr. Janet S. Wright	American College of Cardiology

HHS Panelists:

Jeffrey Micklos, Esq.	Federation of American Hospitals
Jonathan Dieneshaus, Esq.	American Hospital Association
Tom Wilder, Esq.	Association of Health Insurance Plans
Marcie Zakheim, Esq.	National Association of Community Health Centers
Robert Saner, Esq.	Medical Group Management Association
Ivy Baer, Esq.	American Association of Medical Colleges
Chester Speed, Esq., LL.M.,	American Medical Group Association
Jan Towers, PhD, NP-C, CRNP,	American Academy of Nurse Practitioners
FAANP, FAAN	
Nora Super	AARP

Web Cast and Teleconference Information:

MORNING SESSIONS may be accessed via web cast only at http://us.meeting-stream.com/CSM_100510

AFTERNOON SESSIONS may be accessed via web cast at http://us.meeting-stream.com/CSM_100510 or teleconference at (800) 837-1935; Conference ID # 10359376.

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