

Hospital-Physician Contracts and Compliance Clinic

Dan Mulholland

Henry Casale

HORTY  SPRINGER

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What's New in Contracts and Compliance? Not much except...

- The FTC's new rule banning non-competes just got struck down by the court in Texas. What's next for that rule and have you checked your state laws recently?
- The Supreme Court did away with the so-called "Chevron doctrine" so courts no longer have to give deference to administrative agency interpretations of laws. A couple other recent Supreme Court decisions ruled that private parties can challenge longstanding regulations and have a right to a jury trial before civil monetary penalties are imposed. What will this mean for regulatory uncertainty and enforcement?
- Private equity firms are buying up more physician groups. How should you deal with this in contracts?
- A number of states are now reviewing physician practice acquisitions. Which ones and what do they require?
- 75% of all physicians are now employed by health systems or other corporate entities. When questions arise with regard to the competence, behavior or health of an employed physician, should you follow the physician's contract or the medical staff bylaws?
- Even more APPs are becoming employed. What are the rules for paying them and the physicians who supervise or collaborate with them?

Join faculty Dan Mulholland and Henry Casale to learn about these and other challenges that will affect your physician contracts and compliance efforts in today's Brave New World.

The following topics will be discussed:

- Physician compensation including productivity incentives – fair market value and commercial reasonableness reimagined
- Compensation for AHPs and physicians who supervise them
- Is it okay to track or require referrals?
- The latest on Employment Contracts and Personal Service Arrangements
- Making sure compensation tracks reimbursement rules and modifiers
- Making sense of the "incident to" and "split share" rules
- How often should you review physician contracts and compensation?
- Using artificial intelligence for contract management
- Using employed physicians as your exclusive provider
- And much, much more!

FACULTY/ACCREDITATION



Dan Mulholland

Mr. Mulholland is a senior partner in the law firm of Horty, Springer & Mattern, P.C. in Pittsburgh, Pennsylvania. He is also an editor of the *Health Law Express*, a weekly e-newsletter on health law developments, and a speaker at HortySpringer seminars, podcasts and audio conferences.

Dan has spoken and written extensively concerning a wide variety of health law topics. He regularly advises clients on hospital medical staff, corporate, tax, fraud and abuse, and compliance matters, and reviews, prepares and negotiates all manner of contracts between hospitals, physicians, managed care organizations and vendors. He also serves as trial and appellate counsel in False Claims Act, antitrust, tax exemption, contract, medical staff and peer review litigation. In addition, Dan regularly provides strategic counseling to hospital and health system boards and management, as well as transactional services regarding mergers, acquisitions, joint ventures and affiliations.

Dan was named by *National Law Journal* as one of 40 health care attorneys who have made their mark and is listed in *The Best Lawyers in America*. He is the former Chair of the Credentialing and Peer Review Practice Group of the American Health Lawyers Association.



Henry Casale

Mr. Casale is a partner with the law firm of Horty, Springer & Mattern, P.C. in Pittsburgh, Pennsylvania and was a licensed pharmacist. He is a frequent editor of the *Health Law Express*, a weekly e-newsletter on health law developments and, with Hala Mouzaffar, presents *The Kickback Chronicles* on the firm's *Health Law Expressions* podcast. He is an adjunct professor in the Carnegie Mellon University Master of Medical Management for Physicians Program, and has also served on the faculty of seminars sponsored by the firm, as well as meetings and seminars sponsored by numerous hospital, managed care, legal and physician organizations, including the Pennsylvania Bar Institute and the American Health Lawyers Association.

Mr. Casale has been listed in *The Best Lawyers in America* and *Pennsylvania Super Lawyers*. He also co-authored, with Eric W. Springer, *Hospitals and the Disruptive Health Care Practitioner: Is the Inability to Work With Others Enough to Warrant Exclusion?*, 24 Duq. L.R.377 (1985). He has served as a member of the Board of Directors and as the President and Vice-President of the Society of Healthcare Attorneys of Western Pennsylvania. He has also served as a member of the Health Law Section of the Allegheny County Bar Association.

Prior to joining Horty, Springer & Mattern, Henry obtained his undergraduate degree from the University of Pittsburgh School of Pharmacy. He then obtained his Juris Doctor degree from the University of Pittsburgh School of Law.

ACCREDITATION STATEMENT

(Continuing Education Credit)

In support of improving patient care, this activity has been planned and implemented by the University of Pittsburgh and Horty Springer Seminars. The University of Pittsburgh is jointly accredited by the Accreditation Council for Continuing Medical Education (ACCME), the Accreditation Council for Pharmacy Education (ACPE), and the American Nurses Credentialing Center (ANCC), to provide continuing education for the healthcare team.

This activity is approved for the following credit: *AMA PRA Category 1 Credit™*. Other health care professionals will receive a certificate of attendance confirming the number of contact hours commensurate with the extent of participation in this activity.

The University of Pittsburgh designates this live activity for a maximum of 11.25 *AMA PRA Category 1 Credits™* for the Three Half-Day format. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

EDUCATIONAL INTENT

This program is designed for hospital managers, physician practice managers, physicians who serve in medical staff and hospital leadership positions, and hospital and physician practice Board members. Upon completion of this program, participants will understand the fraud and abuse implications of hospital-physician contractual relationships. They will also understand how to structure financial relationships between hospitals and physicians so that they comply with federal statutes prohibiting payment for referrals.

WHO SHOULD ATTEND?

- Hospital Managers
- Physician Practice Managers
- Legal Counsel
- Physician Leaders
- Hospital and Physician Practice Board Members

REGISTRATION

\$1,695 per person

HOW TO REGISTER

(Registration form can be found online at www.hortyspringer.com)

Phone: 412-687-7677

Mail: HortySpringer Seminars
20 Stanwix Street, Suite 405
Pittsburgh, PA 15222

Online: www.hortyspringer.com

Participation by all individuals is encouraged. Advance notification of any special needs will help us provide better service. Please notify us at least *two weeks* in advance of the program.

SEMINAR SCHEDULE

Day One

7:00 TO 8:00 AM – Breakfast

8:00 AM TO NOON – Seminar Session

9:45 TO 10:00 AM – Break

NOON – Day 1 Adjourns

5:30 TO 6:30 PM – Informal Reception

Day Two

7:00 TO 8:00 AM – Breakfast

8:00 AM TO NOON – Seminar Session

9:45 TO 10:00 AM – Break

NOON – Day 2 Adjourns

Day Three

7:00 TO 8:00 AM – Breakfast

8:00 AM TO NOON – Seminar Session

9:45 TO 10:00 AM – Break

NOON – Seminar Adjourns

On Location Registration 2025

Hospital Name: _____ City: _____ State: _____
Address: _____ Zip Code: _____
Contact Person: _____ E-mail: _____
Title: _____ Phone: _____

Location - please fill out a registration form for each location requested

Registration Fee:

\$1,695 per attendee

Payment:

Credit Card: (HSME will contact you via phone for CC information.) Check Enclosed: (Please make check payable to HSM Enterprises.)

Please invoice: (You will be sent an invoice within 10 days to the e-mail listed above.)

How did you hear about this HortySpringer seminar?

Attendee Information Form 2025

(Please give full names and titles as you would like them to appear on name tags.)

A unique e-mail address must be used for each individual participant.

Attendee #1 First: _____ MI: _____ Last: _____

Title: _____ Credentials: _____

★E-mail: _____

***E-mail address will be used to access our conference app, and to receive pre- and post-course materials.**

Seminar: _____

Attendee #2 First: _____ MI: _____ Last: _____

Title: _____ Credentials: _____

★E-mail: _____

***E-mail address will be used to access our conference app, and to receive pre- and post-course materials.**

Seminar: _____

Attendee #3 First: _____ MI: _____ Last: _____

Title: _____ Credentials: _____

★E-mail: _____

***E-mail address will be used to access our conference app, and to receive pre- and post-course materials.**

Seminar: _____

Attendee Information Form 2025 - Page 2

(Please give full names and titles as you would like them to appear on name tags.)

Attendee #4 First:

MI:

Last:

Title:

Credentials:

*E-mail:

**E-mail address will be used to access our conference app, and to receive pre- and post-course materials.*

Seminar:

Attendee #5 First:

MI:

Last:

Title:

Credentials:

*E-mail:

**E-mail address will be used to access our conference app, and to receive pre- and post-course materials.*

Seminar:

Attendee #6 First:

MI:

Last:

Title:

Credentials:

*E-mail:

**E-mail address will be used to access our conference app, and to receive pre- and post-course materials.*

Seminar:

Attendee #7 First:

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Last:

Title:

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*E-mail:

**E-mail address will be used to access our conference app, and to receive pre- and post-course materials.*

Seminar:

Attendee #8 First:

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Last:

Title:

Credentials:

*E-mail:

**E-mail address will be used to access our conference app, and to receive pre- and post-course materials.*

Seminar:

Attendee #9 First:

MI:

Last:

Title:

Credentials:

*E-mail:

**E-mail address will be used to access our conference app, and to receive pre- and post-course materials.*

Seminar:

Please fill out a second form if additional attendee information is needed.

info@hortyspringer.com