

WASHINGTON COLLEGE OF LAW HEALTH LAW BULLETIN

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WHO WE ARE

WCL's **Student Health Lawyers Association** ("SHLA"), a student organization dedicated to creating a forum to discuss issues relevant to the health care industry especially as they relate to legal theory and practice, is committed to improving the understanding and development of the discipline of health law. SHLA intends to provide an informational and professional resource to students pursuing a career in health law, as it simultaneously promotes awareness on a variety of health care topics through events and discussion panels. Under the guidance of Corrine Parver (WCL 1982), former partner and head of the Health Law Services Practice at Dickstein Shapiro Morin & Oshinsky LLP, SHLA is working both to expand the law school's health law curriculum and establish a health law center that would bring WCL to the forefront of emerging health law issues.

NEXT SHLA OPEN MEETING: Tuesday, April 13th, noon-1:00PM (Room tbd)

OFFICERS & COMMITTEE MEMBERS

Lisa Lockwood, *Co-Founder; President*

Christine Naglieri, *Co-Founder; Co-Editor, Newsletter*

Eric Liang, *Treasurer*

Karine Mauprivez, *Co-Editor, Newsletter; Chair, Website Committee*

Corrine Parver, *Faculty Advisor*

BE ON THE LOOKOUT FOR FUTURE SHLA ACTIVITIES:

Legislative, regulatory, case law **updates**; Alumni-student-professor **networking** events; **externships**; scholarships; **employment** possibilities; key **web sites**; volunteer placements.

WHAT IS HEALTH LAW?

Health care, a heavily regulated, complex market that comprises a large segment of the United States economy (approximately 1/7 of GDP), consistently faces new challenges from private and public payers, drug and medical device manufacturers, health care providers and suppliers, and federal and state governments. Given these ongoing challenges, the discipline of health law has developed over the last 25 years as a significant and multi-faceted area of legal study and practice. From an academic



viewpoint, the study of health law begins with a fundamental working knowledge of basic contract, corporate, tort, criminal and administrative law, that serves as the underpinning for more advanced studies of special state and federal law and regulations and industry practices.

The landscape of the health care industry is constantly changing. Given that, health lawyers must maintain a level of knowledge and expertise in a variety of fields, particularly in areas such as fraud and abuse; Medicare and Medicaid and other federal and state governmental coverage, coding and reimbursement issues; hospital-physician relations; medical research and biotechnology; access to health care; health care financial transactions; compliance; health litigation, both criminal and civil; and patient-privacy regulations. A health lawyer may represent a client in specialty areas of the law such as corporate, administrative, securities, contracts, intellectual property, tax, and litigation, and may have to deal with ethical and bioethical issues such as violation of professional ethics, human research protocols, and patients' rights.

Health care attorneys represent a wide spectrum of health care organizations, in various capacities from in-house general counsel, to special counsel on particular, complex matters. Health industry organizations include, among others, hospitals and hospital systems; physicians, dentists, and other individual practitioners; nursing homes; home care companies; pharmaceutical and medical device manufacturers; insurers such as HMOs; and medical research and teaching institutions. As such, health care lawyers' representation of these types of clients covers all aspects of the law that would affect these business entities.

UPCOMING EVENTS & ACTIVITIES

MARCH 30 Migrant Worker Access to Health Care (in conjunction with the Hispanic Law Students Association), Rm. 101, 12:00 -1:20pm.

APRIL 13 Biotechnology and Beyond: Challenging Legal and Ethical Issues for the 21st Century (Sponsored by the Program in Law and Government), RM. 600, 8:00-10:30am (Breakfast served).

Program Description for " Biotechnology and Beyond: Challenging Legal and Ethical Issues for the 21st Century" on April 13th: A panel of leading health policy experts will examine critical therapeutic issues emerging from our nation's creative biotechnological advances – topics such as: "therapy versus enhancement" distinctions, genetic engineering, the impacts of excessive regulation, and other social and ethical concerns. Distinguished panel participants, including members of the legal, medical and lobbying professions, will reflect on the immediate and practical and far-reaching legal and ethical implications of innovations in biotechnology, focusing on society in general, and medical professionals and the legal community in particular. The panel will highlight ethical considerations that can develop when the fruits of medical



research bear uses not initially contemplated either by researchers or their funding sources, and will explore the thorny legal issues and implications that arise as a result of the advance of biotechnical powers. **To register for this event, please call 202-274-4075 or email secle@wcl.american.edu. You may also register On Line at <http://www.wcl.american.edu/secle>.**

COURSE REGISTRATION IS APPROACHING!!

Fall 2004 and Spring 2005 Health Law Courses (Tentative)

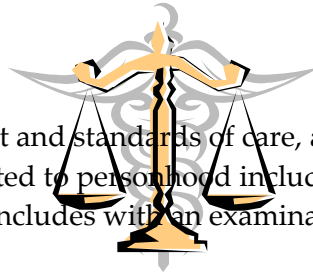
FRAUD AND ABUSE IN THE HEALTH CARE INDUSTRY: Course Description: Health care fraud and its resultant increasing costs to taxpayers and the government, alike, have had an enormous adverse impact on patients, providers, payers, and workers. This class will examine in-depth fraud and abuse in the delivery of health care, a major priority of federal and state enforcement, through discussions of the major criminal and civil laws and regulations that combat various forms of health care fraud, health care anti-fraud enforcement efforts by the FBI and Department of Health and Human Services' Office of Inspector General, sanctions, and compliance programs. Course materials will include case studies and hypotheticals arising from private practice situations. 3 credits.

Current Issues in Health Law and Policy: Course Description: This class will provide an overview of coverage and reimbursement issues, the legislative and regulatory processes governing the U.S. health care system, the new Medicare Reform Act and prescription drug benefit, employer-sponsored health care, the problem of the uninsured, federal ERISA law and state regulation of insurance, HIPAA and patient privacy protections, health care reform proposals (past and present), AIDS, advances in biotechnology, and other recent developments in health care policy. 3 credits (tentative).

Effect of Managed Care Reform on Health Care: Course Description: This seminar will focus on current and emerging issues and theories relevant to managed care arrangements, including: HMOs, PPOs, and CMPs, with special emphasis on the delivery of health care and the effect of managed care on the provision of health care services and health care policy. Key legal issues in managed care relationships with providers, employers and plan members, such as state and federal law benefit mandates, ERISA, HIPAA and health insurance portability, and managed care plan operations and contracting will be discussed. Prerequisite: Introductory Health Law course. 2 credits (tentative).

Health Law (Basic Primer): Course Description: Begins by examining basic assumptions about the fields of health care financing and delivery. The course then focuses on the four major pillars of health law: access, financing, quality, and personhood. In the area of access, topics include statutory and common law obligations of health care providers to render care and civil rights issues within the health care arena. In financing, topics include private insurance, government programs to finance care for specific populations, and efforts to control costs within public and private systems. In the field of quality, topics include definitions of quality, systems of

measurement, informed consent and standards of care, and regulatory versus free-market approaches. Topics related to personhood include rationing of services and ethical decisions. The course concludes with an examination of health reform models. 3-4 credits.



SPOTLIGHT ON.... CORRINE PARVER, J.D., P.T.



Corrine Parver joined Dickstein Shapiro Morin & Oshinsky LLP as a partner in the Spring of 1997, and formed the Firm's Health Law Services Practice. Prior to joining the Firm as a partner, Ms. Parver was the President of Parver & Associates, her own health care law consulting firm. From 1990 through 1994, she served as the President & CEO of the National Association for Medical Equipment Services (NAMES), a national trade association representing the home medical equipment and rehab technology services industries. From 1986 to 1989, Ms. Parver was the associate general counsel for the National Association of Rehabilitation Facilities, providing advice and legal support to this Washington, DC association that represents rehabilitation hospitals. She also was a health care associate attorney at DSM&O and Pierson Ball & Dowd (now Reed Smith) in the early-to-mid 1980s and, prior to her legal career, practiced the profession of Physical Therapy for 15 years.

Ms. Parver currently serves as Chair of the Board of Directors of the National Family Caregivers Association and is on the Board of Trustees of the Clinical Social Work Institute. Ms. Parver formerly served on the Boards of the Foundation for Physical Therapy; the Section on Health Policy, Legislation, and Regulation, and the Judicial Committee of the American Physical Therapy Association; and the Province of Quebec's Physical Therapy Association (honorary).

She plans to teach several health law courses at WCL beginning with the Fall 2004 semester, will serve as the SHLA faculty advisor and, together with the Dean's office and the faculty, will be working to establish a Center for Health Law and Policy at WCL.

INTERESTED IN HEALTH LAW? QUESTIONS ABOUT SHLA?

Contact Lisa Lockwood at lisa_lockwood@hotmail.com or 727-692-4946; and Christine Naglieri at christine_naglieri@yahoo.com or 631-664-4416.