



NEXT STEPS IN HEALTH REFORM 2017

October 26 - 28 | Washington, D.C.

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conferences@aslme.org



HEALTH LAW & POLICY
PROGRAM



DRAFT AGENDA

current as of 10/10/17

please note updated start and end times

THURSDAY, OCTOBER 26

- 11:00 **Registration Open**
Founders Lobby, American University Washington College of Law, Tenley Campus
- 11:45-12:15 **Lunch Buffet**
- 12:15-12:45 **Welcome**
Grossman Hall, American University Washington College of Law, Tenley Campus

Camille A. Nelson, *Dean, American University Washington College of Law*
Vicky Wilkins, *Interim Dean, American University School of Public Affairs*
John Delaney, *Dean, American University Kogod School of Business*
Ted Hutchinson, *Executive Director, American Society of Law, Medicine, and Ethics*
- 12:45-1:30 **“Health Reform: Perspective from a Purple State”**
Grossman Hall, American University Washington College of Law, Tenley Campus

Mandy Cohen, *Secretary, North Carolina Department of Health and Human Services*
- 1:30-1:45 **Networking Break sponsored by the *Administrative Law Review***
Founders Lobby, American University Washington College of Law, Tenley Campus
- 1:45-3:00 **Plenary Roundtable Discussion: Recent Developments in Health Reform**
Grossman Hall, American University Washington College of Law, Tenley Campus

Abbe Gluck, *Professor of Law, Yale Law School*

Allison K. Hoffman, *Professor of Law, University of Pennsylvania Law School*
Timothy Jost, *Contributing Editor, Health Affairs and Professor Emeritus, Washington and Lee University School of Law*
Sheila Lieber, *former Deputy Director, Civil Division, US Dep't of Justice*
Timothy Westmoreland, *Professor from Practice, Georgetown University Law Center, former Counsel, House of Representatives Subcommittee on Health and the Environment, and former Director, Center for Medicaid and State Operations, Health Care Financing Administration*

Moderator: Sarah Dash, *President and CEO, Alliance for Health Policy*

3:00-3:30 **Networking Break sponsored by the *Health Law and Policy Brief* and the *Health Law and Policy Student Society***

Founders Lobby, American University Washington College of Law, Tenley Campus

3:30-5:00 **Concurrent Session 1**

Session 1A **Health Care Delivery and Payment Reform: Global Payment and Provider Incentives**
TBD, American University Washington College of Law, Tenley Campus

Joseph Antos, *Resident Scholar, Wilson S. Taylor Scholar in Health Care and Retirement Policy, American Enterprise Institute*
Gwendolyn Roberts Majette, *Associate Professor, Cleveland-Marshall College of Law*
Aditi P. Sen, *Assistant Professor, Johns Hopkins Bloomberg School of Public Health*
Matthew Lawrence, *Assistant Professor of Law, Pennsylvania State University Dickinson School of Law*

Moderator: Kirk Nahra, *Adjunct Professor, American University Washington College of Law, Partner, Wiley Rein LLP*

Session 1B **The Future of Medicaid and CHIP: Competing Priorities**
Grossman Hall, American University Washington College of Law, Tenley Campus

Sara Rosenbaum, *Harold and Jane Hirsh Professor, Health Law and Policy, Milken Institute School of Public Health, George Washington University*
Liz McCuskey, *Associate Professor, University of Toledo School of Law*
Elizabeth Taylor, *Executive Director, National Health Law Program*
David Cade, *CEO, American Health Lawyers Association, former Deputy General Counsel, U.S. Department of Health and Human Services*

Moderator: Lewis Grossman, *Professor of Law, American University Washington College of Law*

5:00-6:30 **Networking Reception**
The Commons, American University Washington College of Law, Tenley Campus

FRIDAY, OCTOBER 27

8:00-9:00 **Continental Breakfast sponsored by the Pence Law Library**
Founders Lobby, American University Washington College of Law, Tenley Campus

9:00-10:30 **Concurrent Session 2**

Session 2A **Private Insurance: Subsidies, Risk Adjustment, and Adverse Selection**
Grossman Hall, American University Washington College of Law, Tenley Campus

Joel Michaels, *Partner, McDermott, Will & Emery*

Jeanne Lambrew, *Senior Fellow, Century Foundation, former Deputy Assistant to the President for Health Policy*

William B. Schultz, *Partner, Zuckerman Spaeder, former General Counsel, Department of Health and Human Services*

Brendan S. Maher, *Professor of Law, Director, Insurance Law Center, University of Connecticut School of Law*

Moderator: Taryn Morrissey, *Associate Professor, American University School of Public Affairs*

Session 2B **Health Reform: Implications for Health Equity**
TBD, American University Washington College of Law, Tenley Campus

Daniel Dawes, *Exec. Dir. of Health Policy and External Affairs, Morehouse School of Medicine*

Renée M. Landers, *Professor of Law, Suffolk University School of Law*

Mary Crossley, *Professor of Law, University of Pittsburgh School of Law*

MaryBeth Musumeci, *Associate Director, Program on Medicaid and the Uninsured, Kaiser Family Foundation*

Moderator: Capri S. Cafaro, *Executive in Residence, American University School of Public Affairs, former Minority Leader, Ohio Senate*

10:30-10:45 **Networking Break sponsored by Bloomberg Law**
Founders Lobby, American University Washington College of Law, Tenley Campus

10:45-11:30 **The Future of Health Reform**
Grossman Hall, American University Washington College of Law, Tenley Campus

Sylvia Mathews Burwell, *American University President and former Secretary of Health and Human Services*

11:30-12:15 **Getting Health Care Right**
Grossman Hall, American University Washington College of Law, Tenley Campus

Daniel J. Hilferty, *President and CEO, Independence Blue Cross*

12:15-12:45 Lunch Buffet

12:45-1:30 **A Conversation with Representative Henry A. Waxman on the Hatch Waxman Act and the Future of the Pharmaceutical Marketplace**
Grossman Hall, American University Washington College of Law, Tenley Campus

Rep. Henry A. Waxman, *Chairman, Waxman Strategies and former Member of the U.S. House of Representatives from California*

Moderator: Aaron S. Kesselheim, *Associate Professor of Medicine, Harvard Medical School*

Sponsored by Joel Michaels, JD Class of 1975 and the American Society of Law, Medicine, and Ethics

1:30-2:00 **Networking Break sponsored by the *Business Law Review* and the Business Law Program**
Founders Lobby, American University Washington College of Law, Tenley Campus

2:00-3:30 **Concurrent Session 3**

Session 3A **Regulating the Nongroup Market: Preexisting Conditions, Health-Status Underwriting, and Essential Health Benefits**
Grossman Hall, American University Washington College of Law, Tenley Campus

Elizabeth Weeks Leonard, *Professor of Law, University of Georgia School of Law*
Edmund F. Haislmaier, *Preston A. Wells, Jr. Senior Research Fellow, Heritage Foundation*
Joel Ario, *Managing Director, Manatt, Phelps & Phillips, LLP, former Director, Office of Health Insurance Exchanges, US Dep't of Health and Human Services*
John Jacobi, *Professor of Law, Seton Hall University School of Law*

Moderator: Robert Dinerstein, *Professor of Law and Associate Dean for Experiential Education, American University Washington College of Law*

Session 3B **Health Reform: Implications for Hospitals**
TBD, American University Washington College of Law, Tenley Campus

Maureen Byrnes, *Lead Research Scientist, George Washington University Milken Institute School of Public Health*
Beth Feldpush, *Senior Vice President, Policy and Advocacy, America's Essential Hospitals*
Mark Hayes, *Senior Vice President, Federal Policy and Advocacy, Ascension Health*
Dayna Bowen Matthew, *Professor of Law, University of Virginia*

Moderator: Asha Scielzo, *Senior Fellow, Health Law and Policy Program, American University Washington College of Law*

3:30-3:45 **Networking Break sponsored by the Program on Law and Government**
Founders Lobby, American University Washington College of Law, Tenley Campus

3:45-5:15 **Concurrent Session 4**

Session 4A Health Care Payment and Delivery Reform: Transparency and Competition

TBD, American University Washington College of Law, Tenley Campus

Erin Fuse Brown, Associate Professor of Law, Georgia State University College of Law

Thomas L. Greaney, Professor of Law, Emeritus, St. Louis Univ. School of Law, Visiting Professor of Law, UC Hastings College of Law

Jamie S. King, Professor of Law, UC Hastings College of Law

Lawrence E. Singer, Associate Professor of Law, Associate Dean, Online Learning, Director, Beazley Institute for Health Law and Policy, Loyola University Chicago School of Law

Moderator: Fernando Laguarda, Faculty Director, Program on Law and Government, American University Washington College of Law

Session 4B Medicaid Waivers and Litigation

Grossman Hall, American University Washington College of Law, Tenley Campus

Heather Howard, Lecturer in Public Affairs and Director, State Health and Value Strategies, Woodrow Wilson School of Public and International Affairs, Princeton University

Leonardo Cuello, Director, Health Policy, National Health Law Program

Sidney Watson, Professor of Law, St. Louis University School of Law

Caroline M. Brown, Partner, Covington and Burling

Moderator: Capri S. Cafaro, Executive in Residence, American University School of Public Affairs, former Minority Leader, Ohio Senate

SATURDAY, OCTOBER 28

8:00-9:00 **Continental Breakfast**
Founders Lobby, American University Washington College of Law, Tenley Campus

9:00-10:30 **Concurrent Session 5**

Session 5A Medicaid Cost Concerns: Per Capita Caps, Block Grants, and Managed Care

TBD, American University Washington College of Law, Tenley Campus

Clifford Barnes, Member, Epstein, Becker & Green

Zack Buck, Assistant Professor, University of Tennessee College of Law

Brietta Clark, Professor of Law and Associate Dean for Faculty, Loyola Law School Los Angeles

Nicole Huberfeld, Professor of Law, Boston University School of Law

Moderator: Daniela Kraiem, *Associate Director, Women and the Law Program, American University Washington College of Law*

Session 5B Comparing the U.S. and Canadian Health Systems: Fact vs. Fiction Roundtable

TBD, American University Washington College of Law, Tenley Campus

Adalsteinn Brown, *Chair of Public Health Policy and Interim Dean, Dalla Lana School of Public Health, University of Toronto*

Capri S. Cafaro, *Executive in Residence, American University School of Public Affairs, former Minority Leader, Ohio Senate*

Gregory Marchildon, *Ontario Research Chair in Health Policy and System Design, Institute of Health Policy, Management, and Evaluation, University of Toronto*

Jacqueline R. Fox, *Associate Professor of Law, University of South Carolina School of Law*

Moderator: Vicky Wilkins, *Interim Dean, American University School of Public Affairs*

10:30-10:45 **Networking Break sponsored by Women and the Law Program**

Founders Lobby, American University Washington College of Law, Tenley Campus

10:45-12:15 **Concurrent Session 6**

Session 6A Health Care Delivery and Payment Reform: Value-Based Purchasing, Care Coordination and Provider Incentives

TBD, American University Washington College of Law, Tenley Campus

Arlene S. Bierman, *Director, Center for Evidence and Practice Improvement, Agency for Healthcare Research and Quality, US Dept. of Health and Human Services*

Gary Jacobs, *Partner, Circumference Consulting*

Wendy Netter Epstein, *Visiting Associate Professor of Law, University of Chicago Law School; Faculty Director, Jaharis Health Law Institute, DePaul College of Law*

Jessica Mantel, *Associate Professor, Co-Director, Health Law and Policy Institute, University of Houston Law Center*

Moderator: Asha Scielzo, *Senior Fellow, Health Law and Policy Program, American University Washington College of Law*

Session 6B Health Care Reform: Implications for Public Health

TBD, American University Washington College of Law, Tenley Campus

Susan Polan, *Associate Executive Director, Public Affairs and Advocacy, American Public Health Association*

Lance Gable, *Associate Professor of Law, Wayne State University Law School*

Wendy E. Parmet, *Matthews Distinguished University Professor of Law, Director of the Center for Health Policy and Law and Associate Dean for Interdisciplinary Education and Research Support, Northeastern University School of Law*

Karen Porter, *Associate Professor of Clinical Law, Brooklyn Law School*

Moderator: Kim Blankenship, *Director Center on Health, Risk, and Society, Professor,
Department of Sociology, American University*

12:15

Conference Adjourns