

Fundamentals of Health Law



ORIGINAL PROGRAM DATE

March 22, 2022

AVAILABLE MEDIA TYPES

Video & Audio MP3

*Presented in partnership with WSBA
Health Law Section*

REPORTING YOUR CREDIT

This on-demand seminar was originally presented as a live webcast on March 22, 2022, in Seattle, WA. If you attended the live webcast and reported CLE credits, you cannot also report credits from watching or listening to this recording if repeated within your three year reporting period.

DESCRIPTION

In this on-demand Health Law CLE, explore how the continuing COVID-19 pandemic and emerging technologies are affecting the fundamentals of health care. We will discuss the formation and operation of accountable care organizations, telemedicine, health care apps and accountable care organizations. We will finish the session with a presentation on noncompetition covenants and health care workers.

AGENDA

1 Accountable Care Organizations

Throughout the past decade, the healthcare industry has experimented with accountable and value-based care. Government and commercial payers have shifted payment methodologies to reward quality and efficiency, while healthcare providers have integrated care to help achieve these objectives. However, the aspiration rewarding value instead of volume in healthcare is not free from legal issues and risks. This presentation discusses the key legal considerations applicable to the formation and operation of ACOs and CINs as they attempt to improve our healthcare delivery and payment systems.

Adam Romney – Davis Wright Tremaine LLP, Seattle, WA

2 Telemedicine: A Primer

This session covers the fundamentals of telemedicine and touches on the new developments ushered in by the COVID-19 pandemic. Our panelists will introduce key terms and concepts, describe the chief regulatory risks of telemedicine programs, and discuss the hurdles to payment. The panelists will also recap recent telehealth enforcement trends.

Caitlin Forsyth – Davis Wright Tremaine LLP, Seattle, WA

Gavin Keene – Davis Wright Tremaine LLP, Seattle, WA

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3 **Future Health - Apps, Devices and Remote Monitoring: When Your Client's Side Hustle is Regulated by FDA**

Future healthcare is more and more self-directed and integrated with technology. Your clients, especially healthcare professionals, are inventing new ways to monitor, diagnose, improve and maintain our health. Apps, such as smoking cessation video games, wearables that monitor your heart rate and blood pressure, and connected monitoring that automatically sends your blood pressure or toileting readings to your doctor are not the future, they are here. These innovations are often regulated by the federal Food and Drug Administration, which regulates over 20% of the economy, plus other regulatory agencies. Healthcare lawyers should be familiar with these innovations to spot legal issues, such as government approval or marketing clearance, advertising, IP, privacy and HIPAA, fraud and abuse, gift and sunshine reporting, quality manufacturing and injury reporting and other laws.

William Waller – Waller Consulting, Mercer Island, WA

4 **Washington Noncompete Law and Health Care Workers**

This CLE will cover the law of restrictive covenants in Washington as applied to health care workers. The CLE will: describe the common law applicable to noncompetition covenants as well as the substantive requirements of the Washington's 2020 statute with respect to existing and new noncompetition covenants. We will highlight new developments and continued areas of uncertainty; and provide practical recommendations.

Luke Campbell – Montgomery Purdue PLLC, Seattle, WA