

**FRAUD AND COMPLIANCE INTEREST GROUP
AMERICAN BAR ASSOCIATION
HEALTH LAW SECTION
WORK PLAN
2007-2008**

by

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The following is a general work plan for the Interest Group for the coming year:

I. INTEREST GROUP DESCRIPTION:

The Healthcare Fraud & Compliance Interest Group addresses topical, cutting edge issues which are the focus of fraud and abuse prevention, investigations and prosecutions, including but not limited to compliance issues, emerging managed care issues, kickback and Stark Law issues, institutional and non-institutional and physician issues, ethical issues, false claims issues, quality of care issues, and private sector as well as private sector enforcement initiatives.

II. INTEREST GROUP STRUCTURE:

IG leadership has appointed the following liaisons:

- A. Technology:** Davis Turner continues to serve as the IG's Technology Liaison. They will work with Adam Bielawski and the Council's Technology Advisory Group to assist in the enhancement of the IG's website and coordinate submissions of substantive materials by IG members to the IG's website.
- B. Membership:** We have invited a new member to serve as Membership Liaison; however, acceptance is pending approval by this individual's employer.
- C. Hot Topics Coordinator:** Carol and Glenn will serve as the IG's Hot Topics Coordinators and will work to send email updates to members and develop teleconference opportunities.

III. MEMBERSHIP & RECRUITMENT:

At present, the Compliance and Fraud Interest Group has over 1000 members and other members of the Health Law Section are welcome to join. Health Law Section members can join any number of Interest Groups without any additional cost. As such, we plan to "cross-sell" the benefits of membership in our IG to other Health Law Section IGs. For example:

- We plan to work to increase the number of government attorneys participating in our IG.
- We will host a breakfast for our IG at the Washington Healthcare Summit in December 2007.
- We will host a luncheon for our IG at EMI in February 2008.

IV. EDUCATIONAL PROGRAMS:

A. Emerging Medical Issues Conference, February 2008

Working with the Litigation IG, we will co-present a program at the Emerging Medical Issues Conference in February, 2008, on the topic of "Identifying and Mitigating Risks in Provider-Vendor Relationships." Provider-vendor relations are fraught with big compliance issues and spur lots of internal investigations. For example, hospitals and physicians interact regularly with medical device and pharmaceutical companies, and purchase millions of dollars in products. Many providers also have service agreements, such as agreement with reference labs or imaging centers. The vendors/contracted service companies spend a lot of time getting "close" to physicians and hospital purchasing departments. This session will focus on relevant risk areas, noting previous prosecutions in this area, and review issues to consider in structuring an agreement and/or how to structure an internal investigation.

B. Teleconferences: The IG will propose and coordinate teleconferences on substantive topics of interest to IG members on timely fraud and compliance topics. Two topics we are currently working up proposals on the following two topics and will work with Earnestine on scheduling and logistics. Additionally, we will solicit ideas for topics and speakers from our membership.

1. Challenges Posed by the DFRR Notification Requirement (co-sponsoring with the Payment & Reimbursement IG)
2. Ten Ways to Mess Up an Internal Investigation
3. Health Care and FCPA
4. State & Municipal False Claims Act Challenges

C. Joint Programs: The IG will explore ways to present programs with other IG's and other professional organizations on broader health care concerns. For example, we plan to explore the possibility of a joint teleconference with the Managed Care and/or Litigation IG on fraud and compliance issues of mutual interest, such state and false claims act issues.

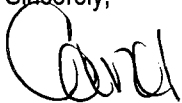
V. ARTICLES & PUBLICATIONS

We will be soliciting articles for the June 2008 volume of *The ABA Health eSource*. We will also be encouraging our members to submit articles to *The Health Lawyer*.

VI. WEBSITE EFFORTS

Our web liaison, Davis Turner, will continue to monitor and update our IG web page with links to pertinent sites and generally work to make our web page user friendly for our IG. Davis Turner and Benjamin Gluck are our web liaisons.

Sincerely,



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