To Refund or Not to Refund, That is the Question
Dealing with Overpayments Under the Affordable Care and False Claims Acts (NE-092513)

September 25, 2013
1:30 – 3:00 p.m. CDT

Overview:
One of the biggest challenges facing hospitals is figuring out when the hospital is legally obligated to pay back money to the government. The 2009 amendments to the federal False Claims Act and the 2010 Affordable Care Act require hospitals to return “overpayments”. However, the questions of “What is an overpayment”? and “How much do I have to pay back”? remain uncertain. Just because an internal or external investigation reveals a compliance issue does not mean money must be repaid.

This webinar will discuss how to determine whether an actual overpayment exists, common misconceptions about what constitutes an overpayment and arguments against internal and external overpayment allegations. The webinar will cover the legal look-back period for calculating overpayments and how an overpayment can become the basis for a False Claims Act lawsuit. Also covered will be the process for voluntary refunds and tips will be given on how to prevent your internal compliance efforts from being used against you.

Learning Objectives:
 Identifying overpayments and legal defenses against overpayment allegations
 Determining the proper look-back period for calculating overpayments
 Understanding when a compliance issue may become the basis for a False Claims Act lawsuit

Target Audience: Compliance Officers, In-House Counsel, Risk Managers, Finance

Faculty:
Katherine Ilten
Fredrikson & Byron, P.A.
Katie Ilten advises hospitals, clinics, life science companies and health care practitioners on compliance issues such as HIPAA, Start, anti-kickback, Medicare and Medicaid enrollment and reimbursement, sunshine reporting, licensure and accreditation, and regulatory issues raised in transactions. She also defends clients against overpayment, False Claims Act, and fraud and abuse allegations and assists clients in responding to internal and external investigations. Ms. Ilten received a B.A. degree, summa cum laude in 2004 from St. Olaf College and a J.D. with high distinction from the University of Iowa College of Law in 2008.

Kevin Riach
Fredrikson & Byron, P.A.
Kevin Riach defends clients charged with mail and wire fraud, securities fraud, money laundering, felony theft, criminal sexual conduct, controlled substance violations, violent felonies, and domestic assault, among other crimes. He also represents hospitals, physicians, and other individual and corporate clients in civil fraud lawsuits brought under the False Claims Act, as well as other civil investigations and litigation. Mr. Riach received a B.A. from Evergreen State College in 1995 and J.D. summa cum laude from William Mitchell College of Law in 2008.
Registration:
There is a site fee of $175.00 for NDHA Members and ND HFMA Members, and $300.00 for Non-members for this course. The registration fee provides you with one phone number, Web connection and a downloadable handout.

Numerous people at one physical site are encouraged to participate in the Web Conference through one registration (utilizing the same telephone/Web connection). A member hospital is referred to as an individual freestanding facility, not a hospital system. If any additional locations or facilities are added into your connection, additional registration fees will be charged. If participants at your site require more than one telephone/Web connection, additional registration fees will be charged.

Prior to the program you will receive an e-mail containing instructions on how to connect to the conference. This e-mail will also contain codes to access the conference call. Advance registration by September 16, 2013 is required to ensure delivery of instructional materials. A late fee of $25.00 will be charged for any registrations after this date. This fee is necessary, as we are being charged a late fee for any last minute registrations that require an overflow line on the bridge. If you do not receive an e-mail from Linda Simmons prior to the program with your handouts and dial-in information, please contact her at 701 224-9732.

Please contact Linda Simmons at 701 224-9732 or lsimmons@ndha.org for further information. You may register by fax (701) 224-9529, online at http://www.ndha.org under Education or by mail PO Box 7340, Bismarck ND 58507.

Registration fees are non-refundable unless notice of an individual’s cancellation is received at NDHA five working days prior to the event, in which case a cancellation fee of $50.00 will be deducted from your registration fee. If notice of cancellation is received after this date, there is no refund. You will be billed whether or not you attend the program.

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Facility ____________________________________________

Contact Name/Title ____________________________________________________________

E-Mail _________________________________________________________________

Phone Number ____________________________________________________________