



Garfunkel, Wild & Travis, P.C.

New York New Jersey Connecticut

# Legal Alert

July 2008

## THE 2009 PHYSICIAN FEE SCHEDULE PROPOSED RULE WHAT PROVIDERS NEED TO KNOW

### TELECONFERENCE

**Thursday, July 24, 2008  
1:30 p.m. to 3:00 p.m.**

### ANTI-MARKUP, GAINSHARING AND CHANGES AFFECTING PHYSICIANS OFFERING IMAGING SERVICES

Beard AudioConferences, in conjunction with **Garfunkel, Wild & Travis, P.C. ("GWT")**, will be hosting a national teleconference on July 24, 2008 to educate health care providers on some of the proposed changes contained in the 2009 Physician Fee Schedule Proposed Rule, which was released on June 30, 2008 and published in the Federal Register on July 7, 2008. The 2009 Physician Fee Schedule includes, in addition to proposed changes to Medicare payment policies, significant proposed changes to the purchased diagnostic test rule (also referred to as the anti-markup rule), a new Stark Law exception for gainsharing, pay-for-performance, and other incentive payment and shared savings programs offered by hospitals, and changes to the physician, non-physician practitioner, and independent diagnostic testing facility enrollment requirements.

#### Panelists For the Teleconference:

**Donald H. Romano**, Director  
Division of Technical Payment Policy  
Center for Medicare Management  
Centers for Medicare and Medicaid Services,  
Baltimore, MD

**Hayden S. Wool**, Partner  
Garfunkel, Wild & Travis, P.C.  
Great Neck, NY

**Lisa M. Ohrin**, Deputy Director  
Division of Technical Payment Policy  
Center for Medicare Management  
Centers for Medicare and Medicaid Services,  
Baltimore, MD

**Steven Chanie**, Partner  
Garfunkel, Wild & Travis, P.C.  
Great Neck, NY

The GWT panelists will provide an overview of the proposed changes, and pose questions to the Centers for Medicare and Medicaid Services ("CMS") panelists concerning their practical application to a variety of situations and provider types. The CMS panelists will provide teleconference participants with key insight into CMS's interpretation of these proposed regulations. Both GWT and CMS panelists will be available to answer participants' questions.

**[PLEASE TURN OVER FOR REGISTRATION INFORMATION]**

## **HOW TO REGISTER FOR THE TELECONFERENCE**

GWT has arranged for a limited number of its clients to participate in this teleconference **free of charge**. Through the Beard Group the registration fee for the teleconference, including an audio CD, is \$390.

In order to participate in this teleconference **at no cost**, you must pre-register directly with GWT. To pre-register, please contact GWT at 516-393-2200.

If you have questions specifically regarding the teleconference, please contact Gregg Reisman at (516) 393-2294 or greisman@gwtlaw.com.

**Additional information is available at [www.gwtlaw.com](http://www.gwtlaw.com).**

### About Garfunkel, Wild & Travis, P.C.

Garfunkel, Wild & Travis, P.C. was founded in 1980 with a single purpose in mind: to become a preeminent health care law firm attending to the unique business and legal needs of its clients. Since then, the firm has grown to 80 attorneys devoted to addressing the complex legal, regulatory, business and financial needs of its diverse clients.

If you would like to receive Legal Alert mailing from Garfunkel, Wild & Travis, P.C. electronically in the future, or if you would like to be removed from the mailing list, please contact us at (516) 393-2258 or subscriptions@gwtlaw.com. You may also visit the Firm's website at [www.gwtlaw.com](http://www.gwtlaw.com).

### About Beard AudioConferences

The Beard Group offers a comprehensive range of leading-edge products and services for legal and business professionals, including the monthly newsletter, Nightingale's Healthcare News. Beard AudioConferences, part of the Beard Group, provides timely audio briefings on the most important issues affecting the financial health of today's healthcare providers. For details, visit [www.beardgroup.com](http://www.beardgroup.com).

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