

**20  
24**

**ARIZONA  
HEALTH LAW  
CONFERENCE &  
ANNUAL MEETING**



**FRIDAY, FEBRUARY  
23, 2024  
8:30 AM - 6:00 PM**

**SHERATON PHOENIX  
DOWNTOWN**

340 N. 3RD ST  
PHOENIX, AZ 85004



# CONFERENCE AGENDA

Friday, February 23, 2024  
Sheraton Phoenix Downtown  
340 N. 3rd St.  
Phoenix, AZ 85004

## TIME

## PROGRAMMING

## LOCATION

**8:30 AM – 9:00 AM**

**Registration and  
Morning Refreshments**  
Coffee, tea, pastries

Encanto Foyer

**9:00 AM – 9:10 AM**

Opening Remarks

Encanto

**9:10 AM – 10:10 AM**

Arizona Health Law Annual Review Part 1

Encanto

**10:10 AM – 10:25 AM: Break**

**10:25 AM – 11:25 AM**

Arizona Health Law Annual Review Part 2

Encanto

**11:25 AM – 11:40 AM: Break**

**11:40AM – 12:00 PM**

AzSHA Annual Meeting

Encanto

**12:00 PM – 1:15 PM**

**Lunch**

Encanto Foyer

# CONFERENCE AGENDA

Friday, February 24, 2023  
Sheraton Phoenix Downtown  
340 N. 3rd St.  
Phoenix, AZ 85004

**TIME**

**PROGRAMMING**

**LOCATION**

**1:15 PM - 2:30 PM**

Breakout Session 1

See more details  
on page 7

**2:30 PM - 3:00 PM: Break**

**3:00 PM - 4:15 PM**

Breakout Session 2

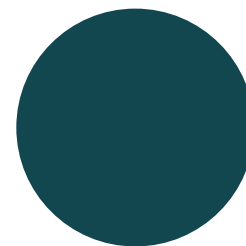
See more details  
on page 7

**4:15 PM - 6:00 PM**

**Happy Hour Reception**  
Open Wine and Beer Bar  
Appetizers  
Networking

Encanto Foyer

# Arizona Health Law Annual Review



## PROGRAM DESCRIPTION

9:10 AM – 11:25 AM  
Encanto

Please join us for the Arizona Health Law Annual Review. Our panel of health law experts will get you up to speed on recent developments ranging from fraud, waste, and abuse, telehealth, data privacy and security, and behavioral health, to health equity, reproductive health, and more.

## PRESENTERS



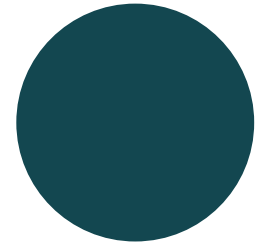
### BOB MILLIGAN

[Bob@milliganlawless.com](mailto:Bob@milliganlawless.com)

Bob Milligan is a shareholder in the Phoenix, Arizona law firm of Milligan Lawless, P.C. He focuses his practice on the representation of physicians, physician organizations and other health care and life sciences clients, providing advice on a wide variety of matters including business transactions, regulatory compliance, licensing, medical research, professional liability and risk management. In addition to his law degree from De Paul University, Mr. Milligan has a Masters of Law (LL.M.) degree in Biotechnology and Genomics from the Sandra Day O'Connor College of Law at Arizona State University, where he serves as an Adjunct Professor.

He is listed in 'The Best Lawyers in America,' and in Chambers USA, for health care law. He is a Member of the Arizona Society of Healthcare Attorneys.

# Arizona Health Law Annual Review



## PRESENTERS

9:10 AM – 11:25 AM  
Encanto



### TARA SKLAR

[trsklar@arizona.edu](mailto:trsklar@arizona.edu)

Professor Tara Sklar is the Faculty Director of the Health Law & Policy Program at Arizona Law. She also holds appointments as Associate Director of Telehealth Law & Policy at the Arizona Telemedicine Program, with the University of Arizona College of Medicine, and Senior Faculty Adviser of Innovations in Healthy Aging with the University of Arizona Health Sciences. Sklar currently serves as a telehealth policy consultant with the Department of Health and Human Services, Office for the Advancement of Telehealth

Professor Sklar's research examines legal, regulatory, and ethical issues that arise in adapting to a diverse aging population, with a focus on health technology. Her work has appeared in the following peer-reviewed journals: New England Journal of Medicine, Journal of Empirical Legal Studies, and the American Journal of Law & Medicine, and in books by Cambridge University Press, New York University Press, and the American Public Health Association Press. She teaches courses on Aging Law & Policy, Telehealth Law & Policy, and Advanced Health Law Research.

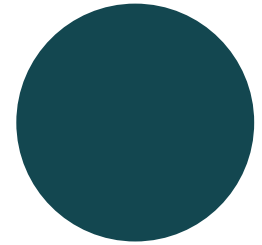


### LAUREN WEINZWEIG

[Lauren@nelsonlawsolutions.com](mailto:Lauren@nelsonlawsolutions.com)

Lauren Weinzwieg is a partner at The Nelson Law Group, PLLC where she assists health care facilities, medical groups and other health care practitioners address many of the operational, regulatory and transactional issues facing the health care industry. Her practice has an emphasis on health care transactions, compliance with fraud and abuse laws, professional board investigation defense and health information privacy. She has been recognized in Best Lawyers in America for Health Care Law since 2015 and has been honored to serve as a member of the Board of the Arizona Society of Healthcare Attorneys since 2013. When not working, Lauren enjoys spending time with her family and dogs in Munds Park, Arizona.

# Arizona Health Law Annual Review



## PRESENTERS

9:10 AM – 11:25 AM  
Encanto



### ERICA ERMAN

[eerman@dickinsonwright.com](mailto:eerman@dickinsonwright.com)

Erica Erman is an attorney at Dickinson Wright PLLC practicing health care law with a particular emphasis on behavioral health care law. Her work includes handling administrative hearings, counseling clients with issues related to HIPAA compliance, Stark and AKS, state licensing, contract drafting, and health care business transactions. Erica has experience in litigating both state and federal False Claims Act cases, has dealt extensively with the Parity Act and psychiatric urgent care, and has written multiple articles on emergent case law regarding parity. She was named a Rising Star in 2021 by The Phoenix Business Journal. Prior to joining Dickinson Wright, she clerked for the Hon. Robert M. Brutinel of the Arizona Supreme Court.

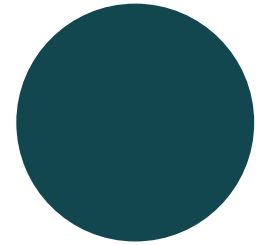


### SUSAN RUSSO

[susan.russo@cbridges.com](mailto:susan.russo@cbridges.com)

Susan Russo is the Chief Standards and Compliance Officer at Community Bridges, Inc. (CBI), a behavioral health provider across the full continuum of care. In her role, she leads the strategic efforts of CBI in developing, planning, implementing, monitoring and evaluating an organization-wide framework in quality, population health, compliance, and accreditation. Prior to joining CBI, Susan was an in-house attorney at the Arizona Health Care Cost Containment System (AHCCCS), Arizona's state Medicaid agency. Her work included drafting language for contracts with health plans, supporting contract oversight, reviewing and advising on new state and federal laws, and representing AHCCCS in administrative hearings and settlement discussions. She has experience in government reimbursement, electronic health records, whistleblower investigations, and health care risk adjustment. Susan has also been a compliance consultant in healthcare payer disputes and investigations and clerked on the Arizona Court of Appeals.

# Arizona Health Law Annual Review



## PRESENTERS

9:10 AM – 11:25 AM  
Encanto



### MOLLY BRIZGYS

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A former public defender who has also worked doing high-impact plaintiff's side civil litigation, Molly uses her breadth of experience to represent clients facing a variety of complex problems. Molly has successfully won dispositive search and seizure issues, persuaded prosecutors to not charge serious offense through meticulous pre-indictment investigations, and has won dismissal of federal firearms offenses. A methodical and experienced appellate attorney, she has argued and won published decisions in the Ninth Circuit and the Arizona Court of Appeals. As a former lawyer at the ACLU of Arizona, Molly helped enforce complex court orders related to police reform and prison conditions. In this role, Molly earned the respect of a variety of stakeholders by taking time to listen, see, and understand various perspectives in order to craft innovative solutions.

# BREAKOUT SESSIONS

<b>TIME</b>	<b>ROOM: ENCANTO</b>	<b>ROOM: CAMELBACK A</b>	<b>ROOM: CAMELBACK B</b>
1:15 PM - 2:30 PM	Who, Me? A Lawyer's Ethical Obligations for Data Privacy and Security	ADHS Licensing: Behavioral Health Requirements and Common Issues	AI-sues and Don'ts: Deciphering Legal Challenges in AI Health
3:00 PM - 4:15 PM	SCOTUS Impacts on Health Care and Public Health Law	The 340B Program in Flux: Challenges and Opportunities for 340B Stakeholders	There's a New Sheriff in Town – Healthcare Antitrust Enforcement in the Biden Era



# Who, Me? A Lawyer's Ethical Obligations for Data Privacy and Security

Breakout  
Session 1

## PROGRAM DESCRIPTION

1:15 PM – 2:30 PM  
Encanto

Mel Soliz—a data privacy, security and interoperability attorney—will cover what lawyers need to know about their ethical and legal obligations regarding data privacy and security, with a special focus on a lawyer's compliance obligations under health information data privacy and security laws, such as HIPAA and 42 CFR Part 2. Sheri Garver—senior advisor/regulatory advisor for PacketWatch—will share views from the field and how law firms and their clients can use innovative compliance platforms to assess, evaluate and monitor their compliance with data privacy and security requirements. This program qualifies for up to 1.25 ethics credits.

## PRESENTERS



### MEL SOLIZ

[msoliz@cblawyers.com](mailto:msoliz@cblawyers.com)

Melissa Soliz is a partner with Coppersmith Brockelman, PLC in Phoenix, Arizona. Her regulatory health law practice focuses on compliance with data privacy, access, and interoperability laws (such as HIPAA, 42 C.F.R. Part 2, the ONC Information Blocking Rule, the CMS Interoperability mandates, and state laws), health information exchange (HIE) (including the Trusted Exchange Framework and Common Agreement (TEFCA)), behavioral health/substance use disorder law issues, data breaches and OCR investigations, as well as clinical research compliance and contracting. Melissa regularly speaks in local and national forums on these topics and has been active in state and federal policy making on data privacy and HIE issues. She is the President of the Arizona Society of Healthcare Attorneys and is recognized by Chambers, Best Lawyers® and Southwest Super Lawyers: Rising Stars® for her work in health law. She is a Phoenix Business Journal (PBJ), 40 under 40 recipient (Class of 2023) and 2023 Managed Healthcare Executive: Emerging Leader in Healthcare.

# Who, Me? A Lawyer's Ethical Obligations for Data Privacy and Security

Breakout  
Session 1

## PRESENTERS

1:15 PM – 2:30 PM  
Encanto



### SHERI GARVER

[sgarver@packetwatch.com](mailto:sgarver@packetwatch.com)

Bringing close to two decades of expertise in accreditation and compliance, Sheri Garver is a seasoned leader in the Governance, Risk Management, and Compliance (GRC) field. She is adept at translating complex compliance frameworks and evolving industry knowledge into holistic programs, tailored for clients, and spanning federal, state, local, and agency levels. Throughout her career, Sheri has been the corporate liaison with federal government audit agencies for inquiries and onsite visits. Sheri's approach involves hands-on development and tailored solutions. She specializes in identifying and mitigating risks, helping clients create, maintain, and grow within their regulatory or accreditation requirements. In her current capacity as the Senior Advisor of Regulatory Compliance at PacketWatch, a cutting-edge cybersecurity firm based in Scottsdale, Arizona, Sheri plays a pivotal role on the Advisory Services Team. Her focus is providing strategic guidance to clients, whether it be developing an entire program from scratch or working on a project basis.



### TODD WELFELT

[twelfelt@packetwatch.com](mailto:twelfelt@packetwatch.com)

With 25+ years in the trenches of IT security, Todd bridges the gap between complex regulations and practical solutions. He protects organizations from harm with a hands-on approach navigating around the hidden pitfalls and guides teams to smooth implementation to keep their data safe. His passion is protecting people and organizations from cybersecurity threats.

# ADHS Licensing: Behavioral Health Requirements and Common Issues

Breakout Session 1

## PROGRAM DESCRIPTION

1:15 PM - 2:30 PM  
Camelback A

Overview of ADHS Division of Licensing and reorganization, licensing requirements, and top cited deficiencies.

## PRESENTERS



### TIFFANY SLATER

[tiffany.slater@azdhs.gov](mailto:tiffany.slater@azdhs.gov)

Tiffany Slater is the Bureau Chief for the Bureau of Behavioral Health Facilities Licensing and Acting Bureau Chief for the Bureau Residential Facilities Licensing at the Arizona Department of Health Services. Tiffany began her career at the Arizona Department of Health Services in 2018 as a State Licensing Surveyor for the Bureau of Residential Facilities Licensing. In 2019 she became a Healthcare Compliance Manager and managed the Bureau of Residential Facilities Licensing Training Team. Tiffany earned her Bachelor of Science in Nutritional Sciences, with a minor in Chemistry at the University of Arizona, and also earned her Master in Public Health at Grand Canyon University. Tiffany has years of experience working in an Assisted Living Center, Memory Care, and Skilled Nursing Facilities; and has a passion for reducing health disparities for at-risk and vulnerable populations in the State of Arizona.

# ADHS Licensing: Behavioral Health Requirements and Common Issues

**Breakout  
Session 1**

## PRESENTERS

1:15 PM – 2:30 PM  
Camelback A



### **KATRINA TRINCHERA**

[katrina.trinchera@azdhs.gov](mailto:katrina.trinchera@azdhs.gov)

Katrina Trinchera is the Deputy Bureau Chief for the Arizona Department of Health Services, Bureau of Medical Facilities Licensing. She joined the Department in December of 2021 after moving to Arizona from California. Katrina completed her Bachelor of Science in Biology at California State University, Sacramento and has over 12 years of regulatory experience working with the California State Board of Pharmacy with a major of that time spent in Licensing. Katrina enjoys a challenging and fulfilling career in public service fueled by her passion for helping others. Katrina supports the Department’s efforts to carry out its regulatory responsibility through collaboration and education with healthcare providers in providing safe and effective healthcare to the people of Arizona.

# AI-sues and Don'ts: Deciphering Legal Challenges in AI Health

Breakout  
Session 1

## PROGRAM DESCRIPTION

1:15 PM – 2:30 PM  
Camelback B

This session will provide background on AI and its applications in healthcare, present an overview of the federal regulatory landscape for healthcare AI, and discuss potential liabilities related to the development and use of AI in healthcare.

## PRESENTERS



### BEN YEAGER

[byeager@cblawyers.com](mailto:byeager@cblawyers.com)

Ben Yeager is an associate attorney in the data privacy, security, and interoperability practice at Coppersmith Brockelman, PLC. Ben advises clients on compliance with health data privacy, security, breach reporting, interoperability, and state consumer data privacy laws. He also assists clients with state and federal data breach investigations and reporting.



### GARY MARCHANT

[Gary.marchant@asu.edu](mailto:Gary.marchant@asu.edu)

Gary Marchant, Ph.D., J.D., M.P.P., is Regents' Professor and Faculty Director of the Center for Law, Science & Innovation, at Arizona State University. He teaches, researches and speaks on the governance of a wide range of emerging technologies including AI.

# AI-sues and Don'ts: Deciphering Legal Challenges in AI Health

**Breakout  
Session 1**

## PRESENTERS

1:15 PM - 2:30 PM  
Camelback B



### KAREN YEAGER

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Dr. Yeager is board certified in pediatric emergency medicine and clinical informatics. She completed her pediatric residency and pediatric emergency medicine fellowship at Phoenix Children's Hospital in 2019. She completed her masters in Clinical Informatics and Patient Centered Technology through the University of Washington in 2022. She is passionate about using data visualizations and technology solutions to improve patient care through research and quality improvement, and currently works as an emergency medicine attending physician and clinical informatician at Phoenix Children's Hospital. She lives in Phoenix, Arizona with her husband Ben, daughter and two goofy doodles.

# SCOTUS Impacts on Health Care and Public Health Law

Breakout  
Session 2

## PROGRAM DESCRIPTION

3:00 PM – 4:15 PM  
Encanto

This session provides an in depth assessment of key U.S. Supreme Court developments re: recent or forthcoming decisions impacting health care and public health law and policy. Panelists from ASU's Center for Public Health Law and Policy and the University of Arizona Zuckerman College of Public Health will lay out these dynamic developments with the latest updates and projections for impacts in the field for the Court's current term.

## PRESENTERS



### JAMES G. HODGE, JR.

[James.Hodge.1@asu.edu](mailto:James.Hodge.1@asu.edu)

James G. Hodge, Jr., JD, LL.M., is the Peter Kiewit Foundation Professor of Law and Director of the nationally-ranked Center for Public Health Law and Policy at the Sandra Day O'Connor College of Law, Arizona State University. Through scholarship, teaching, and projects, Professor Hodge delves into multiple areas of health law, public health law, global health law, ethics, and human rights. Professor Hodge has published more than 300 articles in journals of law, medicine, public health and bioethics; 2 books in public health law; 25+ book chapters; dozens of reports; and guest edited 4 symposium issues in the *Journal of Law, Medicine & Ethics*, *Jurimetrics*, and the *Annals of Health Law*. He is listed among the [Top 20 Most-Cited Health Law Scholars in Web of Science](#) (2013-2017) and is ranked above the top 1% of all downloaded authors internationally in the Social Science Research Network (SSRN).

# SCOTUS Impacts on Health Care and Public Health Law

Breakout Session 2

## PRESENTERS

3:00 PM – 4:15 PM  
Encanto



### LEILA BARRAZA

[lbarraza@arizona.edu](mailto:lbarraza@arizona.edu)

Leila Barraza, J.D., M.P.H., is an Associate Professor and Interim Chair for the Department of Public Health Practice, Policy & Translational Research at the Mel and Enid Zuckerman College of Public Health, University of Arizona. She is also the Director of the Arizona Area Health Education Centers Program. Her research interests include studying the impact of laws and regulations on population health, both nationally and globally. Professor Barraza instructs a public health law course for public health and law students, and she has also provided numerous presentations at national and local conferences on a variety of critical public health law issues.



### JENNIFER PIATT

[Jennifer.Piatt@asu.edu](mailto:Jennifer.Piatt@asu.edu)

Jennifer Piatt, J.D., (“Jen”) is a Research Scholar and Co-Director of the Center for Public Health Law and Policy at the Sandra Day O’Connor College of Law, Arizona State University, where she earned her J.D. in the spring of 2018.

After law school, Jen served as a law clerk to Vice Chief Justice Ann A. Scott Timmer of the Arizona Supreme Court, providing research and drafting assistance and preparing bench memos for cases granted review. Jen also has experience working in private practice as a pharmacy regulatory attorney at Quarles & Brady LLP, advising multiple clients on pharmacy and drug wholesale regulatory compliance, contract drafting, and state licensing. Jen now concentrates her work with the Center in areas of reproductive rights and health access, emergency preparedness and response, and vaccinations.



# SCOTUS Impacts on Health Care and Public Health Law

Breakout Session 2

## PRESENTERS

3:00 PM – 4:15 PM  
Encanto



### MARY SAXON

[mesaxon@asu.edu](mailto:mesaxon@asu.edu)

Mary Saxon is a third-year law student at the Sandra Day O'Connor College of Law, Senior Legal Researcher at the Center for Public Health Law and Policy, and current AzSHA scholar. She is an Arizona State University and Barrett, the Honors College graduate with a MS in Science of Health Care delivery and a BA in Global Health. She has previously interned at the U.S. Department of Health and Human Services, Office of General Counsel, Quarles and Brady, and Arizona Attorney General's Office. Formerly, she was an academic associate and research project coordinator at the College of Health Solutions at Arizona State University where she coordinated a variety of projects related to health disparities, health policy, and health care delivery.

# The 340B Program in Flux: Challenges and Opportunities for 340B Stakeholders

Breakout  
Session 2

## PROGRAM DESCRIPTION

3:00 PM – 4:15 PM  
Camelback A

It continues to be an eventful and tumultuous time in the 340B Drug Pricing Program space. The last few months were packed with updates to consequential litigation, ongoing uncertainty into the Health Resources and Services Administration's (HRSA) underlying enforcement authority, changes to 340B-related laws on the state level, shifting alliances between 340B stakeholders, and a significant increase in public awareness and scrutiny. What does the rest of 2024 have in store, and where does the 340B Program go from here? This session will lay a groundwork for navigating this complex and uncertain regulatory space, and provide detail on creative solutions that 340B stakeholders are utilizing to mitigate 340B savings loss while improving patient health.

## PRESENTERS



### RICHARD DAVIS

[Richard.Davis@quarles.com](mailto:Richard.Davis@quarles.com)

Richard is a Partner in Quarles' Milwaukee Office Health Law Group. He has widespread experience with the 340B Program and has worked with all types of 340B stakeholders to develop and optimize their Program participation. Richard has represented 340B participating entities during HRSA OPA audits and has successfully disputed and mitigated financial payback obligation related to those findings.

## There's a New Sheriff in Town – Healthcare Antitrust Enforcement in the Biden Era

### PROGRAM DESCRIPTION

3:00 PM – 4:15 PM  
Camelback B

Under the Biden administration, the FTC and the Justice Department have increased antitrust enforcement in healthcare with the goal of increasing competition and reducing prices. In addition to filing many more enforcement actions to block mergers or other collusive activities, the agencies have withdrawn long standing healthcare antitrust guidelines, significantly changed the existing merger guidelines and greatly increased the amount of information required from parties intending to merge. These changes have been criticized by many in the healthcare world. This program will review the most significant changes, including the treatment of horizontal and vertical mergers and consolidations, specialty provider roll-ups by private equity firms, providers' use of claimed efficiencies to justify their conduct, efforts to eliminate employment non-compete clauses and the like. The program will also consider the issues presented in the FTC's Texas lawsuit against U.S. Anesthesia Partners and its PE backer, Welsh Carson Anderson & Stowe.

### PRESENTERS



#### ANDREW GORDON

[agordon@cblawyers.com](mailto:agordon@cblawyers.com)

Andy is a seasoned senior litigator with 50 years of experience and a national reputation in business, antitrust, health care law, government contracting, and procurement and appeals. Andy is an adjunct professor at the Sandra Day O'Connor College of Law at Arizona State University where he teaches antitrust law and national security law. He has also taught survey courses on health law and health policy at ASU. He is in Southwest Super Lawyers and Best Lawyers for both antitrust and health care and in both categories has been lawyer of the year multiple times.

# There's a New Sheriff in Town – Healthcare Antitrust Enforcement in the Biden Era

Breakout  
Session 2

## PRESENTERS

3:00 PM – 4:15 PM  
Camelback B



### LINDSAY KNUTSON

[lknutson@thinkbrg.com](mailto:lknutson@thinkbrg.com)

Lindsay Knutson is a director with BRG's Health Analytics practice. She leads teams in complex data analytics and compliance audits to help healthcare companies and their legal counsel resolve business challenges and disputes. Ms. Knutson has led the data analytics, reasonable value analysis, benchmarking analysis, and compliance review of hundreds of engagements for payors, providers, life sciences companies, and liability insurers. She works with payor and provider datasets, publicly available Medicare data, and publicly available state encounter and hospital financial data, as well as private healthcare datasets, to create benchmarking models, damages calculations, and analyses for advisory and expert reports. Ms. Knutson has extensive experience in litigation consulting and specializes in assessing issues and structuring solutions grounded in client-specific documentation, industry standards, law, policies and regulations, and data.



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