### Wednesday, September 13, 2017

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
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<tr>
<td>12:30–4:30 p.m.</td>
<td>Registration Open</td>
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<tr>
<td>1:00–1:15 p.m.</td>
<td>Welcome and Introductory Remarks</td>
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| 1:15–2:45 p.m. | General Session **When Words and Action Matter Most: Responding to Adverse Outcomes**  
Timothy B. McDonald, MD, JD, Director, Center for Open and Honest Communication, MedStar Institute for Quality and Safety; Professor, Beastly Institute for Health Law and Policy, Loyola University School of Law – Chicago |
| 2:45–3:00 p.m. | Refreshment Break                                        |
| 3:00–4:30 p.m. | General Session **Cyber Security: How MPL/HPL Insurers Can Prepare for a Ransomware Attack**  
Justin Joy, CIPP/US, Attorney, Lewis Thomason  
Michael Stoeckert, Chief Technology Officer, ProAssurance Corporation |

Over the years, we’ve seen important changes in the response to adverse medical events, from several perspectives: patients and families, clinicians and other professionals, and that of the liability carrier or the claims and risk management staff of the institution involved in the event. Tim McDonald has been at the forefront of this evolution, in many areas. He was active in developing the 7 Pillars program at the University of Illinois-Chicago. He worked with the federal AHRQ grants program, participating in demonstration projects in communication and resolution initiatives. He was a major contributor to the development of CANDOR (Communication and Optimal Resolution) programs. And he plays a key role in the ongoing development and implementation of best practices in the field nationally and internationally. This session will summarize the recent history of communication programs, and then focus on a comprehensive approach to what healthcare professional and others should aim for now and what will need to be done to get there.

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<tr>
<td>4:30–6:00 p.m.</td>
<td>Networking Reception</td>
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### Thursday, September 14, 2017

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<tr>
<th>Time</th>
<th>Event</th>
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<tr>
<td>8:15–9:00 a.m.</td>
<td>Breakfast</td>
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Concurrent Session I

9:00–10:15 a.m.

Claims

Bad Faith Claims
Jon T. Neumann, JD, Partner, Steptoe & Johnson LLP
Tamara Wolfson, JD, Partner, Anderson & Krieger LLP

Risk Management/Patient Safety
Diagnostic Error in the Canadian Context: Themes from Medical-legal Data
Lisa Calder, MD, MSc, FRCPC, Director, Medical Care Analytics, The Canadian Medical Protective Association

Claims

Bad Faith Claims
“Bad faith” claims against MPL/HPL insurers can arise in several contexts, including: denial of coverage, failure to accept a settlement demand within policy limits, and following entry of a judgment in excess of the insured’s policy limit. This presentation will focus on allegations of bad faith stemming from the failure to settle. There is a risk of a bad faith claim whenever an MPL suit with a risk of excess exposure goes to trial. No insurer can eliminate the risk without settling every claim—and it wouldn’t stay in business very long with this approach. However, an insurer can mitigate its exposure. The speakers will provide an overview of bad faith law and then will discuss ways to mitigate the risks of a successful bad faith claim for failure to settle within the limits by sharing best practices for investigation, file documentation, negotiation, and client communication.

Risk Management/Patient Safety
Diagnostic Error in the Canadian Context: Themes from Medical-legal Data
This interactive presentation will feature an analysis of recent trends in claims against Canadian physicians alleging diagnostic error. The discussion will be framed by an explicit definition of “diagnostic error,” and will be framed by the twin contexts of health policy and the scientific literature. Based on this broad perspective, the speaker will identify the three top contributing factors that lead to diagnostic error among the various medical and surgical cases, as noted in medicolegal cases, and will also highlight key areas of focus for improvements in the safety of healthcare.

10:15–10:30 a.m.

Refreshment Break

10:30–11:45 a.m.

Concurrent Session II

Claims

Defending Damages: Tactics and Techniques in Catastrophic Injury Cases
J. Ric Gass, JD, Senior Shareholder, Gass Weber Mullins LLC

Risk Management/Patient Safety
Healthcare Update: The ACA, Reimbursement, and the Impact of MACRA
Robert Hanscom, JD, Vice President, Business Analytics, Coverys
Fran Hober, MBA, CPHQ, Senior Director of Quality Reform & Reporting, Cleveland Clinic
Defending Damages: Tactics and Techniques in Catastrophic Injury Cases
This session will give litigation managers and trial lawyers the tools they need to defend against claims for damages in high-exposure cases, through a direct response to economic claims and physical impairments, and also through tactics and techniques that can be utilized in dealing with the emotions that ensue in the wake of catastrophic injury, including how best to express sympathy with the claimants. The presentation will explain how to counter a plaintiff’s claims that he or she “can’t do” a particular activity. There will also be strategies provided for dealing with a typical “day in the life” video.

Healthcare Update: The ACA, Reimbursement, and the Impact of MACRA
Physicians have had to deal with a series of change in their practice, including those that resulted from passage of the ACA. But none have had greater implications than the recent changes in reimbursement procedures. Learn how the MACRA regulations have impacted providers, and find out how risk management can help them prioritize their efforts by aligning patient safety efforts in a way that enhances revenue.

+ 11:45 a.m.–1:00 p.m. Topical Networking Lunch
Choose a topic! Choose a table! Enjoy your lunch while participating in a lively discussion with your peers. Choose from a variety of topics on claims, patient safety, and risk. Each table will have a topic leader to facilitate the discussion.

+ 1:00–2:15 p.m. Concurrent Session III
Claims
Potpourri—Interactive Discussion of Hot Topics in MPL/HPL Claims
Jonathan C. Abel, Esq., Partner, Conroy Simberg
Richard Henderson, Vice President, Transatlantic Reinsurance Company
William J. McDonough, RPLU, President & CEO, MMIC/Constellation

Risk Management/Patient Safety
Scope of Practice—Nurse Practitioners, Physician Assistants, Medical Assistants
Melanie Blake, MD, MBA, Associate Chief Medical Officer, Erlanger Health System
F. Laurens Brock, JD, Partner, Adams and Reese, LLP

Potpourri—Interactive Discussion of Hot Topics in MPL/HPL Claims
The speakers will explore emerging topics that matter to today’s attendees, including trends in telemedicine, patient safety training, unique risks arising from technology, and many other developments that have a potential impact on claims and risk. The panelists will explain how these trends will affect the medical community and offer their tips for reducing potential exposures.

Scope of Practice—Nurse Practitioners, Physician Assistants, Medical Assistants
The increased demand for healthcare, coupled with the growing shortage of physicians, has rekindled the debate about the appropriate scope of practice for allied health professionals. This session will consider several cases in which over-delegation became an issue and will cover the current views on this matter, as well as the opinions of the various licensure boards. Strategies for best practices in delegation will be offered, along with tips for developing an organized framework for defining appropriate roles.

+ 2:15–2:30 p.m. Refreshment Break
### Friday, September 15, 2017

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<tr>
<th>Time</th>
<th>Session</th>
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<tr>
<td>2:30–3:45 p.m.</td>
<td>General Session&lt;br&gt;<strong>Mock Trial – Part 1</strong>&lt;br&gt;<em>H. Kenneth Armstrong, Esq., Senior Partner, Armstrong, Donohue, Ceppos, Vaughan &amp; Rhodes, Chartered</em>&lt;br&gt;<em>Larry A. Ceppos, Esq., Founding Partner, Shareholder, Armstrong, Donohue, Ceppos, Vaughn, &amp; Roahades, Chartered</em>&lt;br&gt;<em>Robert C. Maynard, JD, Partner, Armstrong, Donohue, Ceppos, Vaughan &amp; Rhodes, Chartered</em>&lt;br&gt;Part 1 of this presentation will address how to organize the facts of the case, and explain how a doctor should prepare for deposition. You'll watch as this physician is transformed from a poor witness to a presentable witness. From this session, you will understand the critical importance of deposition preparation. You will also find out about the sorts of behaviors that lead to lawsuits in which a physician is difficult to defend.</td>
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<td>7:45–8:30 a.m.</td>
<td>Breakfast</td>
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<td>8:30–10:00 a.m.</td>
<td>General Session&lt;br&gt;<strong>Mock Trial – Part 2</strong>&lt;br&gt;<em>H. Kenneth Armstrong, Esq., Senior Partner, Armstrong, Donohue, Ceppos, Vaughan &amp; Roahades, Chartered</em>&lt;br&gt;<em>Larry A. Ceppos, Esq., Founding Partner, Shareholder, Armstrong, Donohue, Ceppos, Vaughn, &amp; Roahades, Chartered</em>&lt;br&gt;<em>Robert C. Maynard, JD, Partner, Armstrong, Donohue, Ceppos, Vaughan &amp; Rhodes, Chartered</em>&lt;br&gt;Part 2 – the trial. Learn how negative elements of the case can be presented in a positive light. In this session, think about how you would vote and find out what influences you. The session will explore what can be done to prepare insureds for trial and how you can help them avoid behaviors that can harm them in the legal arena. At the close of the presentation, 16 jurors of your peers will deliberate–see if your peers determined the same outcome as you!</td>
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<td>10:00–10:15 a.m.</td>
<td>Refreshment Break</td>
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<td>10:15–11:30 a.m.</td>
<td>General Session&lt;br&gt;<strong>Insight from a Defense Attorney: What’s New in Telemedicine Claims? A Look at Current and Future Trends</strong>&lt;br&gt;<em>Justin Joy, CIPP/US, Attorney, Lewis Thomason</em>&lt;br&gt;This session will explore the challenges in the delivery of healthcare via telemedicine and its unique exposures and challenges.</td>
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<td>11:30 a.m.</td>
<td>Adjourn</td>
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