



## Williams Mullen On Call | Fall 2016

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Welcome to the first quarterly edition of *Williams Mullen On Call*. In this and future editions, the Williams Mullen Health Care Team will present you with interviews of leaders in the health care community, summaries of certain “breaking news,” and roundups of recent Williams Mullen alerts and articles in legal and industry publications, announcements and coming events. We are honored that for this inaugural edition, Dr. Bill Hazel, Virginia’s Secretary of Health and Human Resources, and Barry E. DuVal, President and CEO of the Virginia Chamber of Commerce, have agreed to share their hopes and expectations for the health care system over the next few years.

We invite you to let us know your thoughts about this publication and to identify any additional issues that you would like for us to cover. Thank you for joining us for this edition, and we look forward to presenting you with what we hope you will find to be insightful and practical information for years to come.

**Patrick C. Devine, Jr., Editor**

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### [Breaking News: Final Rule Implementing MACRA](#)

On October 14, 2016, the Centers for Medicare and Medicaid Services (CMS) released its final rule (the “Final Rule”) implementing the Medicare Access and Children’s Health Insurance Program (CHIP) Authorization Act of 2015 (MACRA) (Pub. L. 114-10). MACRA is a landmark Medicare reform law eliminating the sustainable growth rate formula for physician reimbursement and instead providing for predictable payment increases and value-based reimbursement. Published in the November 4, 2016, Federal Register (81 FR 77008), the Final Rule formally establishes the Quality Payment Program (QPP) and its two clinician reimbursement models: the Merit-based Incentive Payment System (MIPS) and Advanced Alternative Payment Models (“Advanced APMs”).[More >>](#)

### [Legislative Solutions: 2017 Virginia and North Carolina Legislative Preview](#)

Business leaders recognize the importance of seeking legal counsel to navigate the complex laws and

regulations governing health care. However, changing business practices to comply with the legal landscape can be costly, time consuming and not without its own set of risks. The legislative process provides an alternative path for compliance. Simply put, there are times where changing the law is a better solution.

Using the legislative process to resolve issues is an often overlooked opportunity. A strong government affairs effort at the state level allows providers, payors and other businesses to pursue changes to laws that negatively impact their businesses or prevent laws from passing that would unnecessarily increase regulatory burdens.

The following is an update on Virginia's and North Carolina's 2017 legislative sessions, and key policy issues that will be under consideration in both states [More >>](#)

## [Williams Mullen On Call Q&A: Virginia Secretary of Health and Human Resources Dr. Bill Hazel Talks Health Care Issues](#)

Williams Mullen recently interviewed Virginia Secretary of Health and Human Resources Dr. Bill Hazel to discuss the current health care system and health care reform [More >>](#)

## [Williams Mullen On Call Q&A: Virginia Chamber President Speaks Out on Health Care Issues](#)

Williams Mullen recently interviewed Virginia Chamber of Commerce President and CEO Barry DuVal to obtain the Virginia business community's perspective on the current health care system and health reform. [More >>](#)

## [News Roundup](#)

The following Williams Mullen alerts and articles provide an overview of topics of interest to the health care industry.

- [CMS Issues Final Rule on Off-Campus Hospital Department Reimbursement](#)
- [Recent Elections Will Bring Changes to Health Care](#)
- [CMS Releases Nursing Facility Mega-Rule](#)
- [New Nondiscrimination Rules Impact Health Care Providers and Health Plans](#)
- [Special Considerations for Long-term Care Transactions](#)
- [Nursing Facilities to Face Surveyors' Review of Photo and Video Policies](#)
- [DOJ Sues to Enjoin Two Large Health Insurer Mergers](#)
- [The Dennis Decision: A Shot Across the Bow for Hospitals](#)
- [No Harm, Yes Foul: FTC Rules Risk of Consumer Harm Sufficient to Find LabMD Liable for Security Breach](#)
- [Facility Policies Can Become a Basis for Assessing Civil Monetary Penalties](#)
- [Department of Justice Imposes Almost 100% Increase in Minimum and Maximum Monetary Penalties Under FCA](#)

- [Risk and Uncertainty for Health Care Providers and Government Contractors in the Wake of Universal Health Services v. Escobar](#)
- [It's the CON Season in North Carolina – Is Your Petition Ready?](#)
- [CMS Clarifies 60-Day Reporting Requirements For Medicare Parts A & B](#)
- [Latest "Ransomware" Attack Affects Hospital Data – How Secure Are Your Patient Data?](#)
- [COPN Reform Efforts Delayed](#)
- [Virginia's Certificate of Public Need Law is Here to Stay \(For Now\)](#)
- [Judicial Solution May Force Faster Medicare Appeals](#)
- [CMS finalizes changes and clarifications to Stark Law regulations](#)
- Justice Department Reports Annual Results of False Claims Litigation: Numbers Remain Alarming for Health Care Related Industries
- ["Burt's Law" Places New and Enhanced Responsibilities on Employees and Volunteers In Facilities Providing Care for Those with Mental and Developmental Disabilities and Substance Abuse Disorders](#)
- [Government Highlights New Focus on Physician Fraud](#)

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