HLI Brief

HAMLINE UNIVERSITY School of Law

health law INSTITUTE

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This weekly newsletter is distributed to Hamline Health Law Institute students and supporters. Please contact HLI Director, Thad Pope, at tpope01@hamline.edu if you have any questions or comments about, or suggestions for, the content of this newsletter.

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1. Announcements

Free Tickets – Hamline Law Dean's Dinner Featuring Dr. Ezekiel Emanuel

Hamline Health Law Institute certificate students have an exciting opportunity to attend the Hamline Law Dean's Dinner on Thursday, November 21st for free! The first 20 students to contact Kari McMartin will receive a free ticket. The dinner will feature nationally recognized health policy expert, Dr. Ezekiel Emanuel. This will also be a great opportunity to meet some of the top health law experts in the Twin Cities.

HCCA's *Compliance Today* Magazine Features HLI Students

The Health Care Compliance Association's (HCCA) monthly magazine, *Compliance Today*, featured Hamline Health Law Institute certificate students, Rob Tungseth, JD '13 and Tescia Veldhouse, JD '14, in their November 2013 issue. Tungseth and Veldhouse were HCCA interns in spring of 2013 and built a robust library of 2,000 compliance documents. Read the full rticle about their legal and healthcare compliance backgrounds, why building the library was important, and what's next in their careers. Read the full article at the end of the HLI Brief.

Health Law Moot Court Competition

Congratulations to Hamline Law students Kristin Kunz and Michael Manning on representing Hamline Law at the National Health Law Moot Court Competition. Great work! Read more about their experience below and click here to see photos.

Health Care Compliance Career Panel

Matt Landis, JD '10 (Compliance Director, ActivStyle) and Sara Schroeckenthaler, JD '12, (Compliance Manager, Ancillary Services, Park Nicollet Health Services) served on the Health Care Compliance Career panel today. Thank you to all of the students that were able to attend. Click here to see additional photos from the event.

American Health Lawyers Association *Connections* Young Professionals Section

The October 2013 issue of Connections by AHLA features information for young professionals, including: *How Young Professionals can Maximize AHLA Membership* & *Ten Questions for Three Attorneys from a Solo, Mid-sized and Large Law Firm.* Click here to read the full young professionals section.

2. Calendar

Find additional details on our website at http://law.hamline.edu/hli/events.html
✦ *Indicates Hamline events*

November

8 6th Annual UST Executive Conference on the Future of Health Care
8:00 a.m., University of St. Thomas

8 Overriding the Best Interests of the Neonatal Patient, UMN Center for Bioethics
12:15 p.m. to 1:30 p.m., Room 3-100 Mayo

8 Student Network Career Panel Webinar with Marice Ashe and Manel Kappagoda, Network for Public Health Law, 12:00 p.m. to 1:00 p.m.

9 Morality and Care Practices at the End-of-Life, University of Minnesota, Center for Bioethics
8:30 a.m. to 12:30 p.m., UMN Saint Paul Campus

✦**11** J-Term Course Registration Closes, 10:00am

14 The State of Food Law Class Actions and the Power of the FDA, MSBA Health Law Section
8:00 a.m. to 10:00 a.m., Oppenheimer Wolff & Donnelly, Minneapolis

14 No Smokers or Big Gulps Allowed – Drawing the Line between Paternalism & Personal Responsibility in Public Health, HCBA
8:30 a.m. to 11:00 a.m., HCBA

20 Day 50 of Minnesota's Insurance Exchange – Get the Real Story, Minnesota State Bar Association, 8:00 a.m. to 9:30 a.m., William Mitchell

21 Specialty Courts to Improve Public Health Outcomes, The Network for Public Health Law
12:00 p.m. to 1:00 p.m., Webinar

✦**21** Dean's Dinner, Hamline University School of Law, Featuring Dr. Ezekiel Emanuel, Muse Event Center, Minneapolis

December

5 ADA Compliance: Getting It Right, Minnesota CLE, 8:30 a.m. to 4:30 p.m., Minneapolis

6 Student Network Career Webinar: Tools for Landing a Job in Public Health Law, The Network for Public Health Law, 12:30 p.m., Webinar

6 ABA Health Law Section Student Writing Competition Due Date

January

2 Mollie & Paul Hill Student Writing Competition Deadline

15 Job Search Strategies for the Law Student, American Health Lawyers Association, Webinar

✦**2-17** HIPAA Privacy, *ONLINE,* 2 credits
Faculty: Mary Prentnieks, Sr. Dir. Associate General Counsel, Medica Health Plans

✦**6-9, 13-16** Food Law, 2 credits
Faculty: David Graham, Partner, Oppenheimer Wolff & Donnelly and Nancy Husnik, Senior Counsel, Target Corporation

✦**29** Minnesota Medical Board Operations
Presented by Sarah Evenson, Hamline Law Alumna '02, Anderson, Helgen, Davis & Nissen, LLC and Jamall Faleel, Hamline Law Alumnus '02, Fredrickson & Byron
6:00 p.m. to 7:00 p.m., Anderson Center 111

3. Health Law Moot Court Competition

Hamline Law students, Kristin Kunz and Michael Manning, represented Hamline Law at the National Health Law Moot Court Competition at Southern Illinois University, November 1-2, 2013. Congratulations on a job well done!

Kristin said, "The National Health Law Moot Court Competition allowed me to improve both my written and oral skills. It gave me the chance to analyze First Amendment and Health Law issues in a written appellate brief. In addition, I had the opportunity to develop oral advocacy skills. I enjoyed working with Michael Manning as my partner and meeting Hamline Law Alumni who volunteered as judges during practice rounds. Alumnus, Joseph Van Thomme and Professor Pope were dedicated coaches for our team. We were able to see all our hard work pay off during the competition at Southern Illinois University."

Michael said, "It was great seeing how different legal professionals responded to the same information based on their background, and how other teams presented the same case on the same issues. You use all of your research and writing skills. Congressional history, statutory interpretation, caselaw synthesis; it was a good culmination."

4. J-Term & Spring 2014 Courses

J-Term 2014

HIPAA Privacy, 2 credits (Online), January 2-17, 2014
Adjunct Faculty: Mary Prentnieks, Sr. Dir. Associate General Counsel, Medica Health Plans

The focal point of this course will be the privacy provisions of the Health Insurance Portability and Accountability Act (HIPAA), the foundation for federal protections of health care information. Additionally, the course will examine the interplay between HIPAA and other federal and state health privacy laws and the application and enforcement of those laws in a variety of health care settings. Classroom work will incorporate discussions about the close and evolving relationships among health care policy, evolving social norms and health privacy laws.

Guest speakers include:
Terri Tersteeg, JD, Health Care Policy Analyst; Jesse Winsell, JD, Metropolitan Health Plan Privacy Officer; Kari Myrold, JD, HCMC Privacy Officer/Data Practices Responsible Authority & Compliance Officer; Mark Lanterman, CEO and Chief Technology Officer of Computer Forensic Services; Gina Kastel, Partner, Faegre Baker Daniels LLP; Steve Warch, Chair, Health Care Practice Group, Nilan Johnson Lewis

Food Law, 2 credits, January 6-9 & 13-16, 4:30pm to 7:00pm
Adjunct Faculty: David Graham, Partner, Oppenheimer Wolff & Donnelly LLP and Nancy Husnik, Senior Counsel, Target Corporation

This course will focus on the regulation of food and food additives by the U.S. Food & Drug Administration. Students will learn both the statutory framework and FDA's interpretation and enforcement of its statutes and regulations. The course will also examine food litigation relating to food contamination and labeling. Guest presenters include inside counsel from Target, General Mills, and other local players in the food industry.

Hamline Law students receive priority registration and are able to register via Piperline starting Monday, October 28th.

Spring 2014

Administrative Law, 3 Credits, Marisam
M/W 12:00PM to 1:30PM, Room 103

Administrative Law, 3 Credits, Bakken
S 1:00PM to 4:15PM, Room 105

Clinic: Health Law, 3 Credits, Schaffer, Susan
R 2:30PM to 4:40PM, Room 240A

Compliance Skills, 3 credits, Colombo, Oleson
M, 4:10PM to 7:25PM, EH 106

Externship: Health Law, 3 Credits, Colombo
M 1:50PM to 4:00PM, Room 6

Food and Drug Law, 3 Credits, Gardner
T 5:30PM to 8:45PM, Room 103

Genetics Seminar, 3 Credits, Kahn
W 3:30PM to 5:40PM, Room 240A

Governance & Ethics in Health Care Compliance, 2 Credits, Adjunct Faculty, R 4:10PM to 6:20PM, EH 106

Health Law Organization and Finance, 3 Credits, Hermer
S 1:00PM to 4:15PM, Room 6

Mental Health Law, 2 Credits, Lindberg, Barbara
T, 4:50PM to 7:00PM, Room 105

Reproductive Rights Seminar, 3 Credits, Hermer
F 8:00AM to 10:10AM, Room 240A

Independent Study

Consortium Courses

HCCA
HEALTH CARE COMPLIANCE ASSOCIATION

Compliance TODAY

November 2013

A PUBLICATION OF THE HEALTH CARE COMPLIANCE ASSOCIATION

WWW.HCCA-INFO.ORG

HCCA's interns built a robust library of 2,000 compliance documents for you

Rob Tungseth and Tescia Veldhouse

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This article, published in *Compliance Today*, appears here with permission from the Health Care Compliance Association. Call HCCA at 888-580-8373 with reprint requests.

Rob Tungseth, JD, HLC
Tescia Veldhouse

an interview by Brook Matthiesen

Meet HCCA's summer interns

This interview with **Rob Tungseth** and **Tescia Veldhouse** was conducted early in the summer of 2013 by **Brook Matthiesen** (brook.matthiesen@corporatecompliance.org), SCCE/HCCA Communications, Public Relations, and Public Affairs Specialist.

BM: Rob and Tescia, thank you for taking the time for this interview. Would you give us a general overview of your legal and healthcare compliance background?

RT: I graduated from Hamline University School of Law with a Health Law Certificate and completed internships at HealthPartners and the Health Care Compliance Association.

TV: I graduated from Hamline Undergrad in May 2011 with a major in Legal Studies, English, and a Paralegal Certificate. While working on my certificate, I interned at two separate law firms in and around the Twin Cities that deal mostly with Family Law. After entering law school in the fall of 2011, I obtained a clerkship with a law firm in Minneapolis that specializes in Social Security and Disability. In addition to working with HCCA during the summer, I clerked for HealthPartners in its General Counsel's Office, as well as a law firm in Minneapolis. I have little-to-no practical experience in healthcare compliance, which is why I applied for the internship with HCCA. I wanted experience in the field before fully committing with a career. I wanted to get my feet wet, in a sense.

BM: Why was building the online library important to HCCA members and why did HCCA put importance on this project?

RT: Having the library open and easily accessible benefits everyone. The library is open

to everyone and organized in a manner that enhances members' experience. Now, whether a member is looking for a particular document or doing a cursory search for advice, they will be able to find what they are looking for.

TV: Building the library was important to HCCA members because it brings documents from a variety of folders into one central database. Also, search terms were attached to each document to aid members in searching the database for a document pertaining to a specific topic. The new library allows the documents to be accessed in an easier, more effective fashion. Rob and I also reviewed each document to make sure the information and content were relevant and up-to-date. Members are now able to access up-to-date, relevant documents simply by typing in a search term.

Building the library was important to HCCA members because it brings documents from a variety of folders into one central database.

BM: What was involved with building the document library?

RT: A lot of reading, which thankfully law school prepares you for. Tescia and I read thousands of articles, summarized them, and attached key words for search engine optimization. This means that anyone can now use common words, acronyms, or phrases like "HIPAA" or "audit" to find articles.

TV: What Rob and I did in building the library was review documents that had been posted to HCCA's online library. We renamed each file so the file name appropriately represented the document, attached search terms, and noted the date and author of the document. We took this information and logged it on a spreadsheet that we then used to create the document library that members currently can access online.

BM: Did your legal and/or healthcare compliance background help in discerning the value and merit of the documents?

RT: Absolutely! It was great to put my legal education to use. If I did not have education in health law and compliance, most articles and acronyms would have seemed like a foreign language. In order for the library to be useful to the members, a background in health law and compliance was necessary.

TV: Absolutely! Being able to quickly identify the topic, coverage, and application of the document was key. Without this knowledge, the process of categorizing the documents into specific topic and practice areas would have been much more difficult.

BM: What documents would you like to call attention to as most valuable and helpful to HCCA members?

RT: I found the surveys and articles relating to HIPAA especially helpful. I represented a client in law school where protected health information (PHI) became an issue. The laws and regulations concerning this area are complex, and I think the library is full of great information to help professionals tackle these issues with confidence.

TV: There are multiple great examples of policies and procedures on the website. If a compliance officer is attempting to implement or revamp a policy or procedure, the HCCA website is the place to look.

BM: You attended HCCA's Compliance Institute earlier this year. How did connecting with members and participating in the sessions help you with building the document library?

RT: Completing the library and attending the sessions taught me there is always more to learn. The professionals who attended the CI are successful for this very reason—their desire to learn has not decreased as their knowledge on healthcare compliance progressively increases.

TV: An aspect of the Institute that aided me in building the library is being able to put a face to the name of a document's authors. After reviewing document after document, it was helpful to have personally met the person who drafted the policy, PowerPoint, or article.

BM: How did connecting with members and attending sessions enrich your understanding of the compliance profession in the healthcare industry?

RT: Attending the CI really cemented my desire to work in healthcare. I met so many amazing individuals who were eager to learn more so that they could better serve their hospitals and, ultimately, their patients.

TV: Attending the Institute gave me a wonderful introduction into the compliance profession. Meeting so many great people who work in the field, and hearing their stories, gave me insight into the struggles and joys of the position.

BM: What's next in your careers and career development?

RT: Now that I have successfully completed law school, I look forward to a career in health law and compliance. My education and employment experience have prepared me to take this next step, and I am eager for new opportunities.

TV: Since interning at HCCA, I obtained an internship with the General Counsel's Office at HealthPartners for the summer. Once school starts up again, I'll start a Judicial Clerkship at the Tax Court here in Minneapolis. After the clerkship wraps up, I'll start the journey of preparing for and taking the Bar exam. After that, I'm open to any experience God decides to bring my way.

BM: Are you currently or are you planning to become CCB Certified in Healthcare Compliance?

RT: Upon passing the Bar, I will need to take one more class at Hamline University School of Law in order to sit for the certification. I have been in discussions with professors at the school to complete these steps, so that I may sit for the exam.

TV: I am planning on becoming CCB Certified after graduation, since it's an additional certification that will open doors and bring new opportunities. Hamline Law offers a certificate in healthcare, as well as a certificate in compliance, both of which I'll be obtaining during my time as a law student. If a student obtains both certificates, they're adequately prepared to become CCB certified.

BM: Are you planning to continue in the healthcare compliance profession? If so, how?

RT: I am eagerly looking for placements within the healthcare compliance profession. My previous supervisor at HCCA, Eric Newman, recently moved to a Privacy Officer position and has spoken highly of this opportunity, so I look forward to taking the next step as well.

TV: To be completely honest, I'm not sure. I'm at a place in my life where I have a better idea of what areas of law I don't like, rather than the ones I like. So, I'd be lying if I said I knew exactly what practice area I would like to go into, yet that being said, the career opportunities offered in compliance are unmatchable by any other practice area. It's a booming industry, and students are silly not to note this increase of job opportunities.

BM: On a personal note, what book that you have read left the biggest impression on you?

RT: *The Purpose Driven Life* by Rick Warren has helped me cope with some of the most challenging moments in my life. The advice and guidance it offers has taught me that life

is not always fair or good, but the way one deals with these trials makes you who you are. It has also shown me that time is precious, and deciding what to do with this gift is something that should not be taken for granted.

TV: This is probably the easiest question of the entire interview, and will probably yield the most cliché answer. For me, the book that has had the biggest impression on me is *The Bible*.

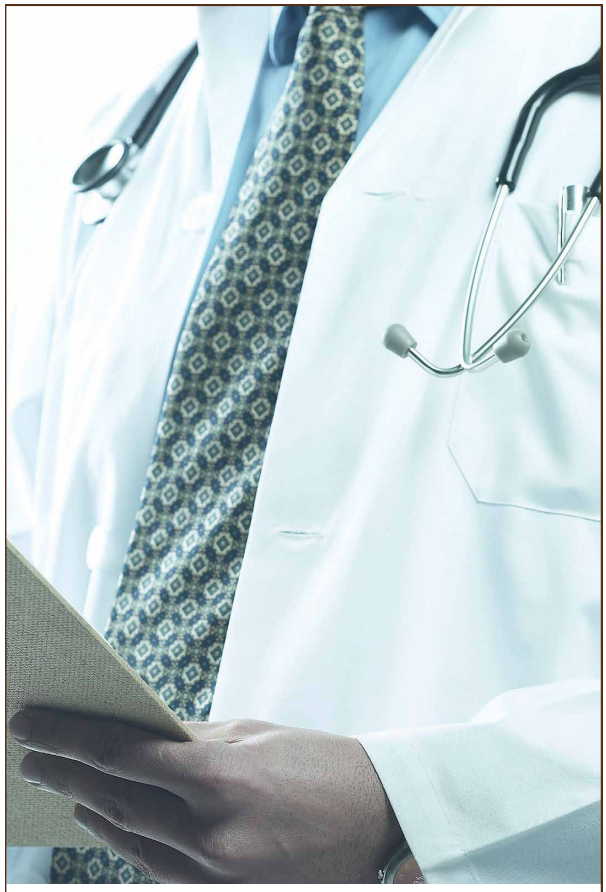
BM: How has your internship with HCCA helped you to attain or clarify your future goals?

RT: I could not be more thankful for my time at HCCA. The people are amazing and all truly do their work altruistically. Because it is a non-profit, HCCA has the advantage of serving its members above everything. CEO, Roy Snell, has shown me how an effective leader can make or break a company. There was not a time I was worried about asking a question or seeking advice from him, because he cares about every employee. His leadership has clarified my goal to pay my dues and earn people's respect within the profession, without sacrificing my personal beliefs.

TV: My internship at HCCA has given me a unique look into the operations and dynamics of the compliance industry. A person working at HCCA's headquarters cannot help but interact and learn the "behind the scenes" operations that occur. This experience is invaluable. Being an intern at HCCA has also given me an opportunity to explore my interests in healthcare compliance, for which I'm truly grateful!

Since the interview, Rob Tungseth has passed the bar, and has been offered a position with Minnesota-based United Health Group.

HCCA's new document library can be accessed at www.hcca-info.org by clicking on "Resources" and then "Library." The library contains more than 2,000 compliance-related documents, and is organized into more than 20 topical areas. It is also keyword searchable.



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