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Matthew Ryan Law & Public Policy Forum: 2014

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Villanova University School of Law
Matthew J. Ryan
Law and Public Policy Forum

November 14, 2014

*"Delivering Quality Health Care Today -
Challenges, Opportunities and the Law"*

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Matthew J. Ryan Law and Public Policy Forum
**"Delivering Quality Health Care Today -
Challenges, Opportunities and the Law"**

The Matthew J. Ryan Law and Public Policy Forum

honors the memory of one of Villanova Law's most distinguished alumni, Honorable Matthew J. Ryan '59, the former Speaker of the Pennsylvania House of Representatives. This annual public forum will foster discussion of current questions of law and public policy important to the Commonwealth and the nation.

The Matthew J. Ryan Law and Public Policy Forum brings together distinguished legal scholars, legislators, government officials and other public figures in a bipartisan atmosphere of full and frank discussion and analysis. The goal of the Forum is to make a significant contribution to important public debates, to perpetuate the memory of Matthew J. Ryan's many contributions to public service. Mr. Ryan who died in March 2003, was elected to his first House term in 1962, a Republican representing Delaware County. He served as majority leader for the 1979-80 session, and was first elected speaker in 1981. From 1983 to 1994, he was minority leader. He was elected speaker for his second two-year term in 1995 and for each successive two-year term until his death. In 1999, the Capitol Annex was renamed the Speaker Matthew J. Ryan Legislative Office Building, a rare honor for a living legislator.

The Ryan Forum was made possible by the generosity of his many friends and the leadership of Arthur J. Kania '56, Albert A. Lindner '68, James E. McErlane '67 and Richard Phillips '66.

S C H E D U L E

8:45-8:50 **Welcome**

8:50-10:05 **Panel 1**

Will the "meaningful use" of electronic health records beget improved quality, safety, and efficiency, while leading ultimately to better clinical outcomes and improved population health? Do current policies and practices facilitate the intended results? Are legal safeguards of data veracity and security in place to protect consumers and providers?

R. Christopher Raphaely, Esq., Co-Chair, Health Practice Group, Cozen O'Connor
Reed D. Gelzer, MD, MPH, Founder and CEO, Trustworthy EHR
Ross Koppel, PhD, FACMI, Dept. of Sociology, Senior Fellow, LDI, Wharton, University of Pennsylvania
Moderator: Matthew McGovern, Esq., Reference Librarian and Legal Research Instructor, Villanova University School of Law

10:10-11:25 **Panel II**

Pennsylvania is a national leader in innovative efforts by government and the private sector to improve the quality of health care through the promotion of accountable provider organizations, patient-centered medical homes, telemedicine, and an expanded supply of primary care and behavioral health providers. When will these efforts bear fruit, and will they be sufficient?

Marcela Diaz-Myers, MD, Director, Center for Practice Transformation and Innovation, Pennsylvania Department of Health
David K. Kelley, MD, MPA, Chief Medical Officer, Office of Medial Assistance Programs, Pennsylvania Department of Public Welfare
Richard Snyder, MD, Senior Vice-President and Chief Medical Office, Independence Blue Cross
Moderator: Ann S. Torregrossa, Esq. '70, Executive Director, Pennsylvania Health Funders Collaborative

11:30-12:30 **Panel III**

With the download of an app or the connection to a simple device, your iPhone can research medical terms, schedule doctor's appointments, check your glucose levels or record EKGs. Is the federal government's risk-driven regulatory approach adequate? How does it impact state regulatory efforts?

Julia Rafferty, Esq. '02, Stradley, Ronon, Stevens & Young
Brendan Benner, Esq., Vice President of Public Affairs, Medical Device Manufacturers Association
Moderator: Michael Campbell, Esq., Director, Interdisciplinary Mental and Physical Health Law Clinic, Villanova University School of Law

BRENDAN BENNER, ESQ. is the Vice President of Public Affairs for the Medical Device Manufacturers Association (MDMA) where he is in charge of communications, strategic outreach and grassroots development. Mr. Benner has extensive experience in the private and public sector, as well as working with non-profits. He began his career with the Archdiocese of Philadelphia's Office of Public Affairs where he worked on education policy and other issues, interacting with elected officials and policy makers. He spent several years working in Congress, serving both as a Communications Director and District Director for former Congresswoman Melissa Hart (PA) and Congressman Jim Gerlach (PA) respectively. He oversaw and implemented aggressive media and outreach plans in these highly competitive congressional districts. Mr. Benner is also a veteran of numerous Congressional and Presidential campaigns as well. Mr. Benner is a member of the Pennsylvania Bar and a graduate of Georgetown University and Temple University's Beasley School of Law.

REED D. GELZER, MD, MPH, CHCC is a physician whose 30 years in the health care field includes 11 years in primary care practice and legal medical records, and 3 years as an Electronic Health Record vendor. With EHR system data quality and integrity as a primary interest, he co-founded Advocates for Documentation Integrity and Compliance, publishing "How to Evaluate Electronic Health Record Systems" in 2008, and started Trust-worthy EHR in 2013. Dr. Gelzer provides clinical data quality and documentation improvement project convergence support for patient care organizations. Past consulting clients have included the U.S. Navy Health Care Data Quality Office and the CMS Physician Quality Reporting Initiative. He chaired a Fraud Prevention workgroup for the Office of the National Coordinator for Health Information Technology and volunteers extensively including co-chairing HL7's EHR Records Management and Evidentiary Support Profile Working Group, and the American Bar Association (ABA). Dr. Gelzer is also the HIT Policy and EHR Specialist for Provider Resources, Inc. supporting CMS's Meaningful Use process, External Quality Review Protocols for Medicaid Managed Care, and Medicare Medical Review.

DAVID KELLEY, MD, MPA is the Chief Medical Officer for the Pennsylvania Department of Public Welfare's Office of Medical Assistance Programs. He oversees the clinical and quality aspects of the Medical Assistance Programs that provide health benefits to over 2.2 million recipients. Prior to joining the Department, Dr. Kelley worked for Aetna Health Inc. as the medical director responsible for utilization and quality management in central and northeastern Pennsylvania. Prior to Aetna, he served as Assistant Professor and Director of Clinical Quality Improvement at Penn State University's College of Medicine. As the Director for Clinical Quality Improvement, he oversaw the quality and utilization management at Penn State's Hershey Medical Center. Dr. Kelley received his BS degree at Elizabethtown College, attended medical school at the University of Pittsburgh, completed his residency training at Baylor College of Medicine in Houston, obtained his MPA at Penn State University, and is board certified in Internal Medicine and Geriatrics. He has clinically practiced at a FQHC, private practice, an academic practice at Penn State University, and a community-based team approach to diabetes care in a Medicaid hospital clinic.

ROSS KOPPEL, PhD holds current appointments as: Adjunct Professor of Sociology at the University of Pennsylvania; Principal Investigator for the Center for Clinical Epidemiology and Biostatistics at the University of Pennsylvania School of Medicine; and Senior Fellow at the Wharton School's Leonard Davis Institute. He is a principal investigator at the Harvard Medical School and is President of Social Research Corporation. His work in medical informatics reflects his 40-year career as researcher and sociologist of work and organizations, statistics, ethnographic research, survey research, and medical sociology. In the past 5 years he has published over 30 articles and book chapters on HIT in JAMA, Health Affairs, JAMIA, Journal of Biomedical Informatics, Journal of Patient Safety, Journal of Clinical Care, Journal of the American Geriatrics Society, Journal of Managed Care, AHRQ-M&M, and Infection Control and Hospital Epidemiology, plus three books.

Dr. Koppel is the recipient of the Distinguished Career Award in the Practice of Sociology from the American Sociological Association (ASA), the William Foote Whyte Award from the ASA's section on Public Sociology,

the Robert E. Park Award from the Association for Applied and Clinical Sociology, the Distinguished Career Award from the Society for Applied Sociology, and several other awards for his work in Sociological scholarship and practice. He has served as president of all of America's associations of applied sociologists.

MARCELA DIAZ-MYERS, MD is Director of the Pennsylvania Department of Health's Center for Practice Transformation and Innovation. She is a native of Bogota, Colombia where she graduated from Corpas Medical School. From 2005 to 2010 she was the Director of Health Services for the Harrisburg School District where she managed the School Based Health Centers, providing services to over 8,000 students in the Harrisburg area. Since 2010 Dr. Diaz-Meyers has worked with the Health Department on State Health Policy, Chronic Diseases and Practice Transformation Models.

JULIA RAFFERTY, ESQ. is an attorney with Stradley Ronon Stevens & Young, LLP, who focuses on general litigation, primarily in the area of products liability and mass tort. She is a member of the firm's life sciences practice group, which offers extensive experience representing pharmaceutical, medical-device and other FDA-regulated companies. Ms. Rafferty is dedicated to her involvement in the community. She currently serves as a member of the board of trustees at the Gesu School in Philadelphia. Ms. Rafferty graduated with a BS from Boston College and received her JD from Villanova University School of Law.

R. CHRISTOPHER RAPHAELY, ESQ. joined Cozen O'Connor's Philadelphia office in 2014 as co-chair of the Health Care Practice Group. Mr. Raphaely joined the firm from Jefferson Health System, where he served as deputy general counsel and general counsel to the system's accountable care organization and captive professional liability insurance companies. At Jefferson Health System, Mr. Raphaely served as a legal advisor to the system's board of trustees and executive team and played key roles in Jefferson Health System's largest and most complex transactions during his tenure. Prior to joining Jefferson Health System, he spent 16 years in private practice representing health care clients in a wide array of transactional and regulatory matters, the last seven as a partner in Duane Morris' Health Law Practice Group. He has extensive experience representing health sys-

tems, hospitals, accountable care organizations, physicians and professional liability insurers in connection with the Medicare Shared Savings Program, payer negotiations and contract enforcement, HIPAA, information privacy and security, tax exemption, stark and fraud and abuse matters, clinical integration, provider acquisitions, spin-offs, medical staff relations and general compliance matters. Mr. Raphaely is an adjunct professor at Widener University School of Law, where he teaches health care finance. He earned his JD from Temple University Beasley School of Law and his BA in economics from the University of Pennsylvania.

RICHARD SNYDER, MD is the senior vice president and chief medical officer at Independence Blue Cross (IBC). In this role, he is the company's chief clinical spokesperson, and has overall corporate responsibility for medical management, quality management, and all clinical policies and programs. He currently leads IBC's efforts to improve the quality of patient care by transforming all primary care delivery to the patient-centered medical home model, which focuses on a team approach to accessible, well-coordinated primary care.

Dr. Snyder is active in a variety of state and professional advisory committees and serves on the board of directors for the Pennsylvania Health Care Quality Alliance; The Health Care Improvement Foundation; Health-Share Exchange of Southeastern Pennsylvania, a regional health information organization (HIO); and Pennsylvania eHealth Partnership Authority, which is responsible for providing statewide and national exchange among HIOs. He also serves on the board of directors for Tandigm Health, a company established through a joint venture between Independence Blue Cross and Health Care Partners, LLC to improve quality and lower the cost of care in southeastern Pennsylvania by working in tandem with primary care physicians. He is a member of the American Medical Association, the Pennsylvania Medical Society, the American Academy of Family Physicians, and the Pennsylvania Academy of Family Physicians. Dr. Snyder is a graduate of Franklin & Marshall College and the Medical College of Pennsylvania. He is board certified by the American Board of Family Medicine.