

American Society for Pharmacy Law

Developments in Pharmacy Law XXII Seminar

In Conjunction with: *National Alliance of State Pharmacy Associations*

November 17-20, 2011

**Don CeSar Beach Resort
St. Pete Beach, Florida**

Register Today at www.aspl.org



This year ASPL will again hold its meeting in conjunction with the National Alliance of State Pharmacy Associations. ASPL has a long tradition of presenting authoritative and engaging speakers who discuss timely legal and policy issues that affect pharmacies and pharmacists. See the Agenda on page 2 for descriptions of the educational topics that are being offered this year. We invite you to join us and take advantage of this opportunity to not only learn but to network with other professionals who have an interest in pharmacy law.

Earn up to 15 Continuing Legal and Pharmacy Education Credit Hours

ACPE Continuing Education Credits



The Washington State University College of Pharmacy is accredited by the Accreditation Council for Pharmacy Education (ACPE) as a provider of continuing pharmacy education. Attendance at the program and submission of an attendance form will be required to receive continuing education credits. Certificates will be mailed to participants within 4 weeks after the meeting.

Continuing Legal Education Credits

If you intend to apply for continuing legal education credits, please be sure to indicate the state (or states) in which you are licensed and the corresponding license number(s) on the conference registration form. Quarles & Brady, LLP will process the CLE credits for the Developments in Pharmacy Law Seminar.



Continuing Legal Education credit will be applied for based on attendee return of the "Legal CE Participation Summary and Certificate of Attendance Form" at the conclusion of the seminar.

Accommodations:

A block of rooms has been reserved for the ASPL Seminar at the Don CeSar. The resort is located at 3400 Gulf Boulevard, St. Pete Beach, FL 33706. Room rate is \$150 per night plus 12% tax. The special group rate will apply three days prior and three days after the conference dates, based upon availability of group rooms and group rates at the time of the request.

To make your reservation, call 1-800-282-1116. Be sure to identify that you are with the ASPL/NASPA meeting. The hotel reservation cut-off date is October 15, 2011. Reservations made after that date cannot be guaranteed the discounted rate or room availability. Reservations will require a one night's deposit at the time of the reservation. The room cancellation policy is 3 days in advance of arrival. Within the 72 hours, the deposit will be non-refundable.

Travel:

Air Transportation: The Don CeSar Hotel is conveniently located 30 minutes from Tampa International Airport.

Ground Transportation: Rental Car: Eight (8) National chains service the Tampa airport: Alamo, Avis, Budget, Dollar Car Rental, Enterprise, Hertz, National Car Rental, and Thrifty Car Rental. Self-parking is complimentary for all hotel guests at the Don CeSar Hotel. Valet parking is available for \$20 per 24-hour period.

Taxi: Two (2) Taxi companies service the Tampa airport: Yellow (813-253-0121) and United Cab (813-777-7777). Taxi service is approximately \$80 (plus gratuity) each way.

Limo Service: Luxor Transportation & Limousine Service (813-442-3337) is the preferred vendor for the Don CeSar Hotel. Sedan service is approximately \$60 (plus gratuity) each way.

Super Shuttle: Super Shuttle (800-282-6817) offers share-rides from the Tampa airport to the Don CeSar Hotel for approximately \$25 each way.

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SEMINAR AGENDA

Thursday, November 17, 2011

9:00 am – 5:00 pm ASPL Board Meeting
3:00 pm – 5:00 pm ASPL Registration Open
5:30 pm – 7:30 pm Reception - ASPL/NASPA

Friday, November 18, 2011

7:00 am – 5:00 pm ASPL Registration Open
7:00 am – 8:00 am Breakfast ASPL/NASPA
8:00 am – 8:15 am Welcome

8:15 am – 9:45 am **DEA Decisions: Making Sense of Dissonant Positions when Representing Pharmacists**

The DEA has recently asserted a number of novel positions in charges raised against community pharmacies. This presentation will review these positions and discuss potential responses when defending pharmacists who are charged with administrative violations of the Controlled Substances Act.

William E. Fassett, PhD, RPh, Washington State University College of Pharmacy; Ronald Friedman, JD, Lane Powell (1.5 credit hours)

9:45 am – 10:00 am Break

10:00 am – 12:00 pm **Case Law Update**

Seldom has there been a year in which the U.S. Supreme Court decided so many pharmacy-related cases. This annual presentation will discuss those cases as well as other important court decisions that address pharmacists' duty to warn, employment discrimination, DEA sanctions and revocations, and challenges to decreasing reimbursement by states. *Roger Morris, RPh, JD, Quarles & Brady Streich Lang LLP; William J. Stilling, RPh, JD, Parsons Behle & Latimer (2 credit hours)*

12:00 pm – 1:00 pm Lunch- ASPL

1:00 pm – 2:00 pm **Managing the Clinical and Legal Implications of Drug Shortages**

Drug shortages have become increasingly severe. These shortages create clinical, legal, and ethical dilemmas for pharmacists and institutions. This presentation will provide a summary of the current drug shortages and legal issues that pharmacists should consider as they confront challenges to providing patient care in the face of shortages.

Erin Fox, Pharm D, Drug Information Service, University of Utah Hospitals & Clinics; William J. Stilling, RPh, JD, Parsons Behle & Latimer (1 credit hour)

2:00 pm – 3:00 pm **Role of Pharmacy & Pharmacist During a Declared Emergency**

This session will describe how pharmacists should handle the practice if a "Proclamation of Emergency"

is declared and the risks to professionals who practice during those declared emergency times. The steps regulatory agencies, including state boards of pharmacy, have taken to address the drug distribution system during a declared emergency will be described. Several recent disasters and the role pharmacists undertook will be reviewed.

Richard Palombo, RPh, Medco Health Solutions, Inc (1 credit hour)

3:00 pm – 3:15 pm Break

3:15 pm – 4:45 pm **Pharmacy Reimbursement Litigation & Pharmacy Audits**

This presentation will cover the most recent litigation over state Medicaid and federal reimbursements. Also, the program will cover the flip side of reimbursement—auditing. Audits are increasing as a means for private third party payors and government entities to recoup money because they must cut budgets. The discussion will include tips and strategies for dealing with audits and the rights and responsibilities of all parties involved.

John Cronin, PharmD, JD, Fredrickson, Mazeika & Grant; Michael Tocco, RPh, MEd, Integrated Pharmacy Solutions (1.5 credit hour)

6:30 pm – 8:30 pm Reception/Dinner
ASPL/NASPA

Saturday, November 19, 2011

7:00 am – 8:00 am Breakfast - ASPL/NASPA

8:00 am – 11:00 am **Mock Administrative Hearing**

More pharmacists and attorneys are likely to face litigation with administrative agencies than in civil or criminal courts. This session will include a lecture addressing the differences between administrative hearings and civil litigation as well as pointers for practitioners. The second part will consist of a mock administrative hearing with a case that also contains facts that could lead to civil or criminal litigation. The final part will consist of a discussion between mock trial participants and attendees.

Kenneth R. Baker, RPh, JD, Ken Baker Consulting (3 credit hours)

11:00 am – 12:00 pm **Ethical Issues for Attorneys Representing Clients in Professional Licensing Hearings**

Administrative proceedings are fraught with ethical issues that are governed by the Rules of Professional Conduct. Among other issues, this session will address: (i) how to define the scope of representation of a client who may also face criminal and civil actions; (ii) a pharmacist-attorney's obligation of confidentiality in the face of pharmacy laws that

require disclosure of suspected wrongdoing by a licensee; (iii) the limits of confidentiality when patients' health or lives are endangered; and (iv) communicating with professional licensing staff when the agency is a represented party.

Speaker: TBD (1.0 credit hour)

2:00 pm – 5:00 pm **Pharmacy Law Educators' Group**

This session will provide information and materials to assist part-time and full-time pharmacy law faculty with ideas for course development and student assessment. The group also will discuss how the ASPL website can be best used as a resource for pharmacy law faculty for sharing ideas and course materials.

Sunday, November 20, 2011

7:00 am – 8:00 am Breakfast ASPL

8:00 am – 10:00 am **Legislative & Regulatory Update**

This annual session will provide an overview of recently enacted and proposed laws and regulations that affect pharmacy.

Brian Gallagher, BS Pharm, JD, American Pharmacists Association (2 credit hours)

10:00 am – 10:15 am Break

10:15 am – 11:15 am **Protecting Provider Records from Discovery—Patient Safety Organizations (PSO) and Other Programs**

This presentation discusses means to protect provider records from discovery and government requests. In particular, the focus of the presentation will be how to set up a PSO and how to ensure records generated by the PSO can be protected from disclosures. Additionally, this program will describe background about which government entities have access to provider records, the authority for such access, and the legal theories for protecting and withholding records.

Ed Rickert, RPh, JD, Krieg DeVault (1 credit hour)

11:15 am – 12:15 pm **Combating Rogue Internet Drug Sellers**

This session will discuss recent activities aimed at protecting patient safety by targeting rogue Internet drug sellers including federal legislation, federal government and private sector activities. It will also discuss the link between the Internet and prescription drug abuse, and the federal efforts to provide consumers with education on safe use of the Internet to legally obtain prescription drugs.

Diane Darvey, PharmD, JD, National Association of Chain Drug Stores (1 credit hour)

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LAST DAY TO PRE-REGISTER FOR SEMINAR - NOVEMBER 4, 2011

Please print or type participant information exactly as you would like it to appear on your badge.
Please use a separate form for each registrant.

Name: _____

Credentials: (i.e. RPh, JD, PharmD, etc.) _____

For CLE Credit, please provide:

Licensure State(s): _____ License #(s) _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ E-mail: _____

Medically necessary dietary needs: _____

In case of Emergency Contact: _____

Phone: _____

Registered Guest(s): _____



To Register Online Now!

Please indicate:

- Pharmacist
- Attorney
- Pharmacist/Attorney
- Student
- Technician
- Paralegal
- Other _____

REGISTER BY OCTOBER 7 FOR EARLY BIRD DISCOUNT

FULL CONFERENCE:	By 10/07	After 10/07
<input type="checkbox"/> ASPL Member	\$570.00	\$645.00
<input type="checkbox"/> Nonmember	\$700.00	\$800.00
<input type="checkbox"/> Spouse/Guest	\$225.00	\$225.00
<input type="checkbox"/> Student <input type="checkbox"/> Tech. <input type="checkbox"/> Paralegal	\$300.00	\$375.00
ONE DAY REGISTRATION:		
<input type="checkbox"/> ASPL Member <input type="checkbox"/> Fri	\$300.00	\$350.00
<input type="checkbox"/> Sat <input type="checkbox"/> Sun	\$175.00	\$225.00
<input type="checkbox"/> Nonmember <input type="checkbox"/> Fri	\$370.00	\$420.00
<input type="checkbox"/> Sat <input type="checkbox"/> Sun	\$200.00	\$250.00
<input type="checkbox"/> Student <input type="checkbox"/> Tech. <input type="checkbox"/> Paralegal		
<input type="checkbox"/> Fri	\$175.00	\$205.00
<input type="checkbox"/> Sat <input type="checkbox"/> Sun	\$100.00	\$130.00

Total Fees: _____

Registration fee for Seminar includes attendance at all seminar sessions, breakfast, refreshment breaks, Thursday and Friday receptions, Friday lunch and all seminar materials.

Cancellation policy: Cancellations must be received in writing. You can email to dscott@associationcentral.org or fax to 217-529-9120. Your cancellation is null and void unless you receive confirmation of cancellation from the ASPL office. Refund of registration (less a \$50 administrative fee) will be granted for cancellations received in writing on or before October 1, 2011. Refund of registration (less a \$150 administrative fee) will be granted for cancellations received in writing after October 1, 2011 but on or before October 31, 2011. Refunds will not be granted for no-shows or cancellations received after October 31, 2011 regardless of cause. In the event of a no-show or cancellation after October 31, 2011, meeting materials will be forwarded to the address provided on your registration form.

Payment Method:

Check enclosed for full payment.

Please charge my: MasterCard Visa

Card Number: _____

Exp. Date: _____ CVV# _____

Name on Card: _____

Signature: _____

Register on-line at www.aspl.org

ASPL is accepting on-line registrations at www.aspl.org
or, you can mail registration form to:

American Society for Pharmacy Law

3085 Stevenson Drive - Suite 200 - Springfield, IL 62703
or fax to: 217-529-9120.

Payment must accompany registration.

Direct registration questions to
Dustin Scott at dscott@associationcentral.org or 217-529-6948

ASPL is a 501(c)(3) non-profit, voluntary professional association and all contributions are fully tax deductible. The ASPL Federal Tax ID Number is: 52-1250852.