



DIGITAL
HEALTH
SUMMIT

POLICY | RESEARCH | PRACTICE

SPRING SUMMIT

JUNE 6 – 7, 2023

WWW.CTELSUMMIT.ORG



WELCOME TO CTTEL

For 30 years, the Center for Telehealth & e-Health Law (CTeL) has been the leading source of legal, regulatory, and policy intelligence for the telehealth community. As a 501(c)3 nonprofit, vendor-agnostic research institute, CTeL's research, Summits, and coalitions have forged the path for modern-day virtual care delivery. CTeL is committed to continuing our legacy of leadership as we work to make high-quality, accessible virtual care a reality for all.

CTEL EXTENDS A SPECIAL THANK YOU TO OUR SPONSOR



King & Spalding is pleased to sponsor the 2023 CTel Spring Digital Health Summit. King & Spalding helps leading companies advance complex business interests in more than 160 countries. Working across a highly integrated platform of more than 1,100 lawyers in 21 offices globally, we deliver tailored commercial solutions through world-class offerings and an uncompromising approach to quality and service.

Our team is experienced in developing and implementing creative strategies for innovative care delivery models and the nuances that come along with the changing telehealth landscape.

Clients rely on us for help with their telehealth programming, including compliance assessments, policies, procedures, and training, website Terms of Use and privacy notices, authorizations and other business and legal issues. Our clients look to us for practical day-to-day advice rooted in deep healthcare industry and government agency experience. Our healthcare team also partners with our Data, Privacy and Security team to counsel clients on a broad range of legal issues faced by multinational organizations including preparing for, responding to, and recovering from data privacy and security incidents.

To learn more, please visit www.kslaw.com/capabilities/data-privacy-and-security.

AGENDA

POLICY | RESEARCH | PRACTICE

Please join us June 6 – 7, 2023 in Washington, D.C.! This event will bring together policymakers and leaders from the telehealth community to discuss policy, research, and practical issues impacting the delivery of virtual care.

CTeL is getting back to its roots at this upcoming June Summit. We invite you to participate in a true roundtable format. Each session will have a subject matter expert, acting as the moderator, that will set the tone for the conversation. The moderator will pose a series of pre-drafted questions to CTeL Members. The responses will be white boarded and memorialized into a policy guidance document for Congress and the Administration. Please come ready to discuss telehealth policies that will immediately impact your virtual care practice.

IN-PERSON SUMMIT | TUESDAY, JUNE 6, 2023

All times US Eastern

**Meet outside the Rayburn House Office Building "Horseshoe Entrance" at 9:00 AM*

9:30 AM – 5:45 PM U.S. House of Representatives | Rayburn House Office Building, Room 2075

9:30 AM – 10:00 AM Breakfast and Welcome Address from CTeL Board of Directors

10:00 AM – 10:45 AM TOPIC • Safeguards for Permanency •



What Safeguards Need to be in Place for Permanent Telehealth Extension?

Serra Schlanger, JD | Lead Counsel – Telehealth | Walmart Health

- How do we monitor and protect provider information, NPIs and PTAN numbers to prevent fraud?
- Are reimbursement caps on high-cost laboratory tests necessary to curb fraud, waste, and abuse?



BREAKOUT - TABLE TOP DISCUSSION:

How can Congress develop effective safeguards or policy concepts to tackle fraud, waste, and abuse in the realm of virtual healthcare?

10:45 AM – 11:45 AM TOPIC • Telemedicine Prescribing •



Prescribing Controlled Substances Via Telehealth: Balancing Diversion and Access

Brooke Trainum, JD | Director, Practice Policy | American Psychiatric Association

- DEA has a mission that balances enforcement and public health. What data or tools are available to show that telemedicine does not increase drug diversion?
- Does Congress need to federalize the Prescription Drug Monitoring Program to allow the free flow of information among states to help curb diversion?
- Does DEA's prescribing rule need to readdress the special registration process, as required in statute by the SUPPORT for Patients and Communities Act passed in 2018,

mandating that DEA activate a Special Registration one year from the passage of the SUPPORT Act?



BREAKOUT - TABLE TOP DISCUSSION:

DEA concluded in the proposed rule that the special registration is “overly burdensome”. Do you think special registration is still needed? If it is deemed necessary, how should it be shaped in terms of policy?

11:45 AM – 12:00 PM BREAK

12:00 PM – 12:45 PM Congressional Staff Panel

Moderator | Adam Solander, JD | Partner | King & Spalding | CTel Legal Resource Team
Crozer Connor | Legislative Director | Representative Mike Thompson (D-CA)
Jonathan Kupperman | Senior Legislative Assistant | Representative Michelle Steel (R-CA)

12:45 PM – 1:45 PM Member of Congress Lunch Address from Representative Bill Johnson (R-OH)

1:45 PM – 2:30 PM TOPIC • Artificial Intelligence • AI is Here: Where are the laws?



Joe McMenamin, JD, MD | Partner | Christian & Barton | CTel Legal Resource Team Member

- Who is liable if an AI algorithm misdiagnoses a patient?
- Should chatbots be allowed to establish patient/provider relationships on behalf of a human provider?
- Should health insurers be allowed to use AI to determine claim denials?
- What are some of the ethical considerations that need to be taken into account when using AI in healthcare?
- How can AI be used to enhance the accuracy and speed of medical diagnosis? Or, can it increase risk and liability?
- What are some of the challenges and barriers that need to be addressed to fully realize the potential benefits of AI in healthcare?



BREAKOUT - TABLE TOP DISCUSSION:

What essential governance elements should healthcare provider organizations adopt to mitigate risk and ensure the effective implementation of AI?

2:30 PM – 3:15 PM TOPIC • Privacy and Security • Selling Patient Health Data: Is it ever okay?



Adam Solander, JD | Partner | King & Spalding | CTel Legal Resource Team Member

- What is the Federal Trade Commission’s Health Breach Notification Rule?
- In vendor-service relationships, who is liable?
- How and when should patients be notified if their data is being sold to third parties?



BREAKOUT - TABLE TOP DISCUSSION:

How should HIPAA account for tracking technologies and marketing platforms?

3:15 PM – 4:00 PM TOPIC • Emerging Services Lines • How to Better Integrate Virtual Oral Health into Healthcare Policy



Becca Bean, MBA | Vice President | DialCare

Maria Kunstadter, DDS | Chief Executive Officer | The TeleDentists

Bryan Laskin, DDS | Co-founder | Toothapps

Trey Lawrence, JD, MA | Vice President and General Counsel | American Association of Orthodontists

- What is the cost of treating emergency dental care in an emergency department?
- Would primary care providers and emergency departments benefit from virtual oral health triaging?
- Is an in-person visit necessary prior to an oral health treatment?
- What types of medical integrations pathways need to be in place for full oral health interoperability?



BREAKOUT - TABLE TOP DISCUSSION:

What should the term “virtual oral health” encompass, and what would be an appropriate definition for it?

4:00 PM – 5:00 PM

Networking Happy Hour Sponsored by King & Spalding LLP

AGENDA

POLICY | RESEARCH | PRACTICE

IN-PERSON SUMMIT | WEDNESDAY, JUNE 7, 2023

8:30 AM – 11:45 AM

U.S. Capitol Visitor Center | SVC 203-02

8:30 AM – 9:00 AM

Opening Remarks & Breakfast

9:00 AM – 9:30 AM

Research on the Horizon: The Use of Data to Inform Policy



Jason Goldwater, MA, MPA | President and Chief Operating Officer | Laurel Health Advisors

Tina Gustin, DNP | Director for the Telehealth-Innovation, Education, and Research | Old Dominion University

Yael Harris, PhD, MHS | CEO | Laurel Health Advisors

Zach Snyder, JD | Vice President, Government Affairs | Quest Analytics

9:30 AM – 10:15 AM

Congressional Staff Panel

Moderator | Ben Traynham, Esq. | Partner | Hancock, Daniel & Johnson, P.C

Gabrielle Schechter | Health Policy Advisor | Senator Brian Schatz (D-HI)

Sarah Schmidt, MPH | Health Policy Director | Senator John Thune (R-SD)

10:15 AM – 11:15 AM



TOPIC • Reimbursement • Practice and Policy: Telehealth Reimbursement and Coding 101

Amanda Buonocore, CPC | Coding and Reimbursement Senior Manager | Northwell Health
Lisa Roche, CPC, CEMC | Manager, Providence Telehealth Billing & Coding Team Manager | Providence

Carol Yarbrough MBA, CHC, CPC, OCS, CCA | Business Operations Manager, Telehealth Resource Center | UCSF Medical Center

- What are common challenges for billing for telehealth services?
- What are resources I should be looking at for current status of telehealth services after the Public Health Emergency Ends?
- What are the nuances of billing different payer types, i.e. Medicare, Medicaid, Commercial Plans, Self-Pay?
- If context of supervision requirements are not addressed, it will be incredibly difficult for telehealth providers to deliver services. How can Congress work with CMS to make sure that supervision can be conducted virtually for appropriate telemedicine codes.



BREAKOUT - TABLE TOP DISCUSSION:

What are your top 5 reimbursement concerns?

11:15 AM – 11:30 AM **Wrap up and closing remarks**

11:30 AM – 2:00 PM **Optional Educational Hill Day Meetings**

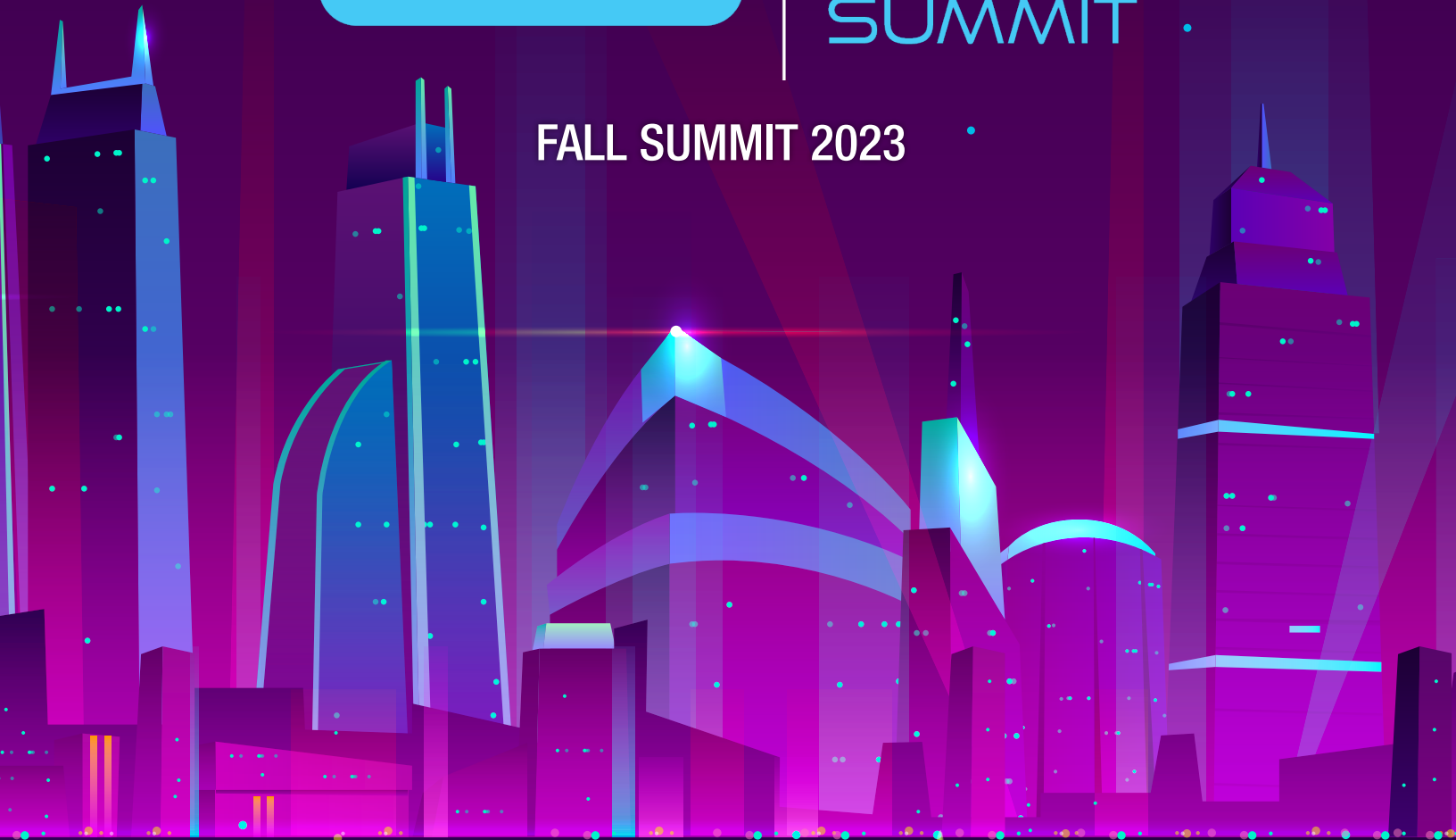


Please take our post-summit survey!



DIGITAL
HEALTH
SUMMIT

FALL SUMMIT 2023



WWW.CTELSUMMIT.ORG