

American Society for Pharmacy Law

2009 Developments in Pharmacy Law Seminar XX

In conjunction with

National Alliance of State Pharmacy Associations

November 12-15, 2009

AGENDA

Thursday, November 12, 2009

9:00 am – 5:00 pm	ASPL Board Meeting
3:00 pm – 5:00 pm	ASPL Registration Open
6:00pm – 8:00 pm	Reception ASPL/NASPA

Friday, November 13, 2009

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

Joint Education Sessions ASPL/NASPA

8:15 am – 9:15 am	REMS & Opioid Analgesics: A Collaborative Effort to Find a Balance The FDA is requiring manufacturers of certain opioid products to implement Risk Evaluation and Mitigation Strategies (“REMS”) to mitigate the abuse and accidental overdoses associated with their products. This presentation will describe the FDA’s progress in implementing the REMS program and the goals it hopes to achieve. <i>Speaker: Janelle Derbis, Food & Drug Administration</i>
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1 Credit Hour
CE#071-999-09-018-L03-P

9:15 am – 10:30 am	¿Habra Español? Laws and Promising Practices for Providing Language Services in Pharmacy Settings The New York attorney general recently stated, “Prescription information can literally be a matter of life and death.” Learn about agreements by chain pharmacies to provide drug information in languages other than English and the implications of these agreements for pharmacies and regulators in other states. <i>Speaker: Sarah Lichtman Spector, National Health Law Program</i>
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1.25 Credit Hours
CE#071-999-09-019-L03-P

10:45 am – 12:15 pm	Legislative and Regulatory Update This session is ASPL’s annual review of new statutory and regulatory developments over the past twelve months that impact pharmacy law. Among other topics covered, this session will help clarify the most recent proposals for health care reform and their impacts on pharmacy. <i>Speaker: Kristina Lunner, American Pharmacists Association</i>
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1.25 Credit Hours
CE#071-999-09-020-L03-P

12:15 noon – 1:00 pm	Lunch - ASPL
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Education Sessions

1:00 pm – 2:00 pm	Pharmacy Reimbursement Litigation This program will cover the legal theories and status of the cases that challenge states’ efforts to cut reimbursement to pharmacies. Cases in California, Washington State; issues surrounding the use of AMP as the basis for reducing reimbursement; and the effect of reduced AWP’s under the First DataBank AWP case will be discussed. <i>Speaker: To be determined.</i>
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1 Credit Hour
CE#071-999-09-021-L03-P

2:00 pm – 3:00 pm	New Privacy Requirements for Pharmacists The American Recovery and Reinvestment Act of 2009 (Stimulus Act) included the first major changes to the privacy provisions of HIPAA since its initial passage. This session will discuss the timing and content of the new standards applicable to pharmacies. <i>Speaker: Kevin Nicholson, National Association of Chain DrugStores</i>
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1 Credit Hour
CE#071-999-09-022-L03-P

3:15 pm – 4:15 pm

1 Credit Hour
CE#071-999-09-023-L03-P

International Pharmacy Law – Developments in Australia for Handling Conduct Complaints, Impaired Pharmacists and Dispensing Errors

This presentation focuses on Australian legislative reforms addressing conduct complaints, impaired pharmacists, and dispensing errors. The speakers will use cases to show how Australia has avoided criminalizing professional problems.

Speakers: Christine Campbell, Pharmacy Board NSW Australia; Peter Dwyer, Maurice Byers & Chambers

4:15 pm – 5:15 pm

1 Credit Hour
CE#071-999-09-024-L03-P

E-Prescribing

E-prescribing has been touted as the wave of the future, but legal barriers have impeded its implementation. This program will describe the premise of e-prescribing, risk management issues, and applicable laws (e.g., DEA regulations).

Speaker: Laura Carpenter, Carpenter Law Firm

6:30 pm – 9:30 pm

Reception/Dinner - ASPL/NASPA

Saturday, November 14, 2009

7:00 am – 8:00 am

Breakfast - ASPL/NASPA

Education Sessions

8:00 am – 9:00 am

1 Credit Hour
CE#071-999-09-025-L03-P

Preemption of Drug Liability Claims

Is there still a right to sue drug manufacturers when a drug or device harms a patient? This presentation will analyze recent U. S. Supreme Court cases that describe how the federal preemption doctrine affects tort claims against drug and device companies.

Speaker: Mark Herrmann, Jones Day

9:00 am – 10:00 am

1 Credit Hour
CE#071-999-09-026-L03-P

Status of Federal and State Drug Traceability and Pedigree Efforts

Counterfeiting continues to threaten the safe supply of prescription drugs. This program will discuss legislative efforts addressing the tracking and tracing of drugs, pedigrees, and their impact.

Speaker: Diane Darvey, National Association of Chain Drug Stores

10:15 am – 11:15 am

1 Credit Hour
CE#071-999-09-027-L03-P

Intersection of Legal and Professional Ethics – The Attorney's Role in Advising Clients Regarding Professional Commitments

This interactive program will use cases from compounding, marketing of professional services, and working with expert witnesses to explore the ethical responsibilities of attorneys as compared to those of their pharmacy clients.

Speakers: Ken Baker, Renaud Cook Drury Mesaros, PA; Bill Fassett, Washington State University

(Legal Ethics Credit has been applied for)

11:15 am – 12:15 pm

1 Credit Hour
CE#071-999-09-028-L03-P

Update on FDA

With a new Administration in Washington and new authorities granted by Congress, many expect changes in the focus of the FDA's regulatory priorities. This program will provide an overview of recent changes in FDA authority, regulations and enforcement.

Speaker: Susan C. Winckler, Former FDA Chief of Staff

Sunday, November 15, 2009

7:00 am – 8:00 am

Breakfast

Education Session

8:00 am – 10:00 am

2 Credit Hours
CE#071-999-09-029-L03-P

Case Law Update

This popular annual session reviews lawsuits, court decisions, and settlements from the past year that affect pharmacies, pharmacists and others involved in pharmacy law.

Speakers: Roger Morris, Quarles & Brady; William Stilling, Parsons Behle & Latimer

10:15 am – 11:45 am

1.5 Credit Hours
CE#071-999-09-030-L03-P

Health Care Fraud Update/Medicare Reimbursement Issues

As federal programs cover more pharmacy services, the risk that pharmacists will be subject to federal fraud and antikickback laws increases. This program will focus on Medicare reimbursement for drugs, whistle blower provisions of the Stimulus Package, and enforcement priorities that impact pharmacies.

Speakers: Rick Robinson, Fulbright and Jaworski; Jonathan Klein, Kelly, Hockel & Klein