



2022

CSHA HEARING OFFICER UPDATE PROGRAM

SHERATON GRAND

SACRAMENTO HOTEL

OCTOBER 27



CALIFORNIA
SOCIETY *for* HEALTHCARE
ATTORNEYS



Welcome

Effective peer review is a vital link in the delivery of quality medical care in California hospitals. Judicial Review Committee hearings are the highest and most complex process in the peer review system. For those hearings to achieve the goals of effectiveness and fairness, well-trained and experienced hearing officers are essential. The CSHA Hearing Officer Committee serves California's medical-legal community by advancing the training and quality of the pool of hearing officers in California.

We are pleased to announce a new presentation of the Hearing Officer Committee which will take place in Sacramento on the afternoon of October 27th, immediately before the CSHA fall conference the next day. This program will include a discussion of important appellate decisions that have come out in the last several years addressing various aspects of peer review law. It will also include presentations on a variety of topics important to hearing officers, including how to deal with proposed expert witnesses, the legal relationship between the hearing officer and the parties, considerations for some of the motions that may confront a hearing officer, including dispositive motions, and the issues presented when conducting hearings by remote video technology and whether this approach to hearings will endure after the pandemic abates.

We are confident this array of topics will be interesting and educational for everyone who serves as a hearing officer, or who appears before hearing officers as an advocate for a party to a JRC hearing. We have a terrific panel of highly experienced hearing officers serving as presenters for the program whose experience with JRC hearings collectively substantially exceeds one hundred years.

Please plan on joining us for this enriching, interesting and educational program. We look forward to seeing you.

Glenda Zarbock and Brock Phillips
Co-Chairs, CSHA Hearing Officer Committee



CALIFORNIA
SOCIETY *for* HEALTHCARE
ATTORNEYS

2022 Hearing Officer Update Program Agenda

Thursday, October 27

- 1:00 - 1:15 p.m. Welcome & Opening Remarks
Glenda Zarbock and Brock Phillips, Co-Chairs, CSHA Hearing Officer Committee
- 1:15 - 2:00 p.m. Recent Developments in Medical Staff Case Law: California Courts Have Been Busy in the Medical Staff Arena!
*Tom Curtis, Nossaman LLP; Brock Phillips, Pacific West Law Group,
A. Robert Singer, Law Office of A. Robert Singer; and Bob Sullivan, Rothschild Wishek + Sands LLP*
Moderated by *Rick Barton, Procopio, Cory, Hargreaves & Savitch LLP*
- 2:00 - 2:45 p.m. The Role of Expert Witnesses at Hearings-
Issues in the Retention of Experts and Permissible Scope of Their Testimony
*Rick Barton, Procopio, Cory, Hargreaves & Savitch LLP; Tom Curtis, Nossaman LLP;
A. Robert Singer, Law Office of A. Robert Singer; and Bob Sullivan, Rothschild Wishek + Sands LLP*
Moderated by *Brock Phillips, Pacific West Law Group*
- 3:00 - 3:45 p.m. The Legal Relationships Between Hearing Officers and Parties to a Hearing-
Ethical, Legal and Practical Challenges
*Rick Barton, Procopio, Cory, Hargreaves & Savitch LLP; Tom Curtis, Nossaman LLP;
Brock Phillips, Pacific West Law Group; and Bob Sullivan, Rothschild Wishek + Sands LLP*
Moderated by *A. Robert Singer, Law Office of A. Robert Singer*
- 3:45 - 4:30 p.m. The Scope of Hearing Officer Rulings- What *Miliekowski v. West Hills* Left for Us to Ponder
*Rick Barton, Procopio, Cory, Hargreaves & Savitch LLP; Brock Phillips, Pacific West Law Group;
A. Robert Singer, Law Office of A. Robert Singer; and Bob Sullivan, Rothschild Wishek + Sands LLP*
Moderated by *Tom Curtis, Nossaman LLP*
- 4:30 - 5:15 p.m. Developments in Virtual vs. In Person Hearings Post-COVID 19- What Do We Do Now?
*Rick Barton, Procopio, Cory, Hargreaves & Savitch LLP; Tom Curtis, Nossaman LLP;
Brock Phillips, Pacific West Law Group; and A. Robert Singer, Law Office of A. Robert Singer*
Moderated by *Bob Sullivan, Rothschild Wishek + Sands LLP*
- 5:15 p.m. Adjournment & Distribution of MCLE Certificates
- 5:30 - 6:30 p.m. Welcome Reception (hosted)

General Information



Hearing Officer Program

The Hearing Officer Program is designated for attorneys who do or would like to serve as a Hearing Officer or have represented parties in peer review fair hearings. This training program will cover the broad array of fundamentals, common problems and options for handling them, the latest developments in this evolving area of California law, and will touch on interesting issues that are likely to be encountered.

To be listed in either of the two CSHA listings for Hearing Officers, a CSHA member must attend the entirety of this or a comparable future seminar. The first list ("Completed Hearings List") is comprised of persons who have served as a Hearing Officer or been lead counsel in at least five completed adversarial evidentiary hearings before a peer review hearing committee. The other list ("General List") is comprised of persons who have not served as a Hearing Officer or been lead counsel in at least five completed hearings, but who have other self-identified relevant experience or qualifications.

The complete requirements for being listed as a Hearing Officer on the CSHA website can be found on the CSHA website at www.csha.info/hearing-officer-requirements.

Tuition & Fees

Reduced pricing is available for registrations postmarked by October 11, 2022.

Members

Early (postmarked by October 11, 2022)\$195

Non-Members*

Early (postmarked by October 11, 2022)\$195 + membership dues

**Initial membership dues are \$255. Discounted membership programs are available to eligible individuals. Please visit www.csha.info/pilot-membership-programs to determine if you qualify. Your CSHA membership will be valid through 2023.*

Please register online at www.csha.info/event/2022-csha-hearing-officer-update-program.

Refund/Submissions/Cancellations

All cancellations must be in writing and received in the CSHA office by October 18, 2022. Seminar registration fees, minus a \$75 processing fee, will be refunded for cancellations received by the October 18 deadline. Substitutions may be arranged by contacting the CSHA offices.

Minimum Continuing Legal Education (MCLE) Hours

The California Society for Healthcare Attorneys is a State Bar of California-Approved MCLE provider. The Hearing Officer Program provides 3.75 hours of MCLE credit.

Reasonable Accommodation Pursuant to the ADA

If you require special accommodations pursuant to the Americans with Disabilities Act, please contact the CSHA office at (530) 760-5222.

Additional Information

For additional information regarding the Hearing Officer Program or CSHA membership, please contact Mahsa Farahani, Program & Operations Manager, at (530) 760-5222 or mfarahani@csha.info. You may also visit the CSHA website at www.csha.info.