

Group Discount Proposal North Central EMS Cooperative

Submitted By:



The National EMS, Ambulance & Medical Transportation Law Firm

Submitted:

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**Group Discount Proposal
North Central EMS Cooperative**

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I. INTRODUCTION

The North Central EMS Cooperative is an innovative and successful group purchasing organization designed to achieve cost reductions on products and services for its members in the EMS, ambulance and medical transportation industry. The Cooperative has solicited this proposal from Page, Wolfberg & Wirth, LLC (“PWW”) – a national EMS, ambulance and medical transportation industry law firm – to provide discounts to its members on PWW’s various services, products and publications.

PWW is pleased to submit this proposal to the Cooperative and sincerely appreciates the invitation. We are prepared to offer your members significant savings on our complete line of industry-leading products and services.

II. MEMBER PRICES

PWW will offer discounts to Cooperative members on all PWW services, products and publications. Currently our offerings fall into five categories:

- (1) Services
- (2) Publications
- (3) Videos
- (4) Audio Conferences; and
- (5) Audio Cassettes.

The following chart lists each of our offerings, along with the regular price and the NCEMSC member price. PWW has several exciting new products and publications planned for 2005, and we pledge to offer similar discounts to NCEMSC members as those new products and publications are released. Please note that we occasionally launch new products or publications with temporary introductory discounts to the general public, and during any such introductory period, additional discounts for NCEMSC members may not always be possible.

We will also make these discounts clear on our invoices and proposals, so that NCEMSC members can be reminded of the concrete price savings they are receiving as a benefit of their NCEMSC membership.



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| Item | Format | Regular Price | Member Price |
|--|-----------------------|---------------------------------|---------------------------------|
| <i>SERVICES</i> | | | |
| Legal services | Hourly rate | Varies | 20% discount |
| Flat fee projects (claim reviews, etc.) | Flat rate | Varies | 20% discount |
| Seminars and Training | Flat rate | \$3,000 per day (plus expenses) | \$2,400 per day (plus expenses) |
| Mock Trial Programs | Flat rate | \$6,000 (plus expenses) | \$4,800 (plus expenses) |
| <i>PUBLICATIONS</i> | | | |
| The Ambulance Service Guide to HIPAA Compliance – Third Edition | CD ROM | \$250 | \$190 |
| The Ambulance Service Guide to HIPAA Compliance – Third Edition | Paper | \$300 | \$240 |
| Better Billing – The Ambulance Service Model Compliance Plan | CD ROM | \$175 | \$125 |
| <i>VIDEOS</i> | | | |
| HPTV – The HIPAA Privacy Training Video | DVD or VHS | \$275 | \$200 |
| The PWW HIPAA Bundle (includes HPTV and The Ambulance Service Guide to HIPAA Compliance on CD ROM) | CD ROM and DVD or VHS | \$475 | \$350 |
| <i>AUDIO CONFERENCES</i> | | | |
| PWW National EMS Law Audio Conferences | By Phone | \$190 | \$155 |



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| Item | Format | Regular Price | Member Price |
|--|----------------|----------------------|---------------------|
| <i>AUDIO CASSETTES</i> | | | |
| The HIPAA Security Rule: Five Months and Counting | Audio Cassette | \$180 | \$90 |
| The New Overtime Rules: Big Changes for EMS and the Fire Service | Audio Cassette | \$180 | \$90 |
| Conducting the EMS Workplace Investigation: Ten Steps to Doing it Right | Audio Cassette | \$180 | \$90 |
| Negotiating and Writing Rock-Solid EMS Contracts | Audio Cassette | \$180 | \$90 |
| Bylaws, Boards Members and More: Pitfalls in Managing the Nonprofit EMS Organization | Audio Cassette | \$180 | \$90 |
| ER Bypass and Diversions: EMS Caught in the Crossfire | Audio Cassette | \$180 | \$90 |
| Writing the Bullet-Proof EMS Personnel Handbook | Audio Cassette | \$180 | \$90 |
| Jim Page on Discipline With Due Process | Audio Cassette | \$180 | \$90 |
| Dynamic Documentation: This is Not Your Father's Trip Sheet! | Audio Cassette | \$180 | \$90 |
| Nuts and Bolts Compliance: Practical Steps to Implement an Affordable, Effective Program | Audio Cassette | \$180 | \$90 |
| Organizing Your Billing Operation from A to Z: Dealing with Claims, Credit, and Collections! | Audio Cassette | \$180 | \$90 |
| EMS Life After April 14th: Tackling the Tough Issues in Patient Privacy | Audio Cassette | \$180 | \$90 |
| Documentation in a New Era of EMS | Audio Cassette | \$92.50 | \$45 |
| Defuse the Problem: Don't Get Caught in the EMS Workplace Litigation Explosion | Audio Cassette | \$92.50 | \$45 |
| The Final Security Rule: Meeting HIPAA's Next Big Challenge | Audio Cassette | \$92.50 | \$45 |



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| Item | Format | Regular Price | Member Price |
|---|-------------------|----------------------|---------------------|
| Getting the Job Done: The Role of the Privacy Officer in Your EMS Organization | Audio Cassette | \$92.50 | \$45 |
| HIPAA at the 11th Hour: What To Do in the Next Two Months | Audio Cassette | \$92.50 | \$45 |
| Complete Compliance: Taking Your Ambulance Service to the Next Level! | Audio Cassette | \$80 | \$40 |
| Paying Your People Properly: Dealing With Wages, Volunteer Incentives, and Other Workplace Issues | Audio Cassette | \$80 | \$40 |
| Write it Right! Effective Documentation for Patient Care, Reimbursement and Compliance | Audio Cassette | \$80 | \$40 |
| HIPAA in the Home Stretch: Compliance Under the Final Privacy Rule | Audio Cassette | \$80 | \$40 |

III. DESCRIPTIONS OF SERVICES AND PRODUCTS

A. Services

1. Legal Services

PWW is the nation’s leading EMS, ambulance and medical transportation industry law firm. Our core business has always been – and always will be – the provision of competent, efficient and cost-effective legal consulting services exclusively to the EMS, ambulance and medical transportation industries. We represent private, public and nonprofit EMS and ambulance organizations of all types and sizes. We provide services in the areas of Medicare reimbursement, provider appeals, billing compliance programs, HIPAA compliance programs, labor and employment law (including personnel policy development, workplace investigations, arbitration hearings, and representation in discrimination litigation), contract drafting and negotiating, operational policy and procedure development, and numerous other types of services. In short, we are a full-service law firm when it comes to the EMS, ambulance and medical transportation industries.



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Our legal services are customarily furnished on an hourly rate basis. Our hourly rates vary according to the experience of the attorney performing the services (in other words, our associate rates are typically lower than our partner rates), but our hourly rates for new 2005 clients customarily range from \$200 per hour to \$250 per hour. We will clearly set forth our rates in writing for each particular client who enters into a formal attorney-client relationship with our firm.

We also typically require an advance retainer in order to engage our firm for legal services. This retainer amount varies depending upon the nature and extent of the work to be performed on the client's behalf. Clients are also responsible for expenses and disbursements, including Federal Express or similar delivery charges, court filing fees, outside copying jobs when necessary, on-line legal research charges and travel expenses when applicable (such as mileage, tolls, meals, lodging, airfare, etc.). Expenses and disbursements are billed at actual costs, without markups, but obviously cannot be discounted.

Unlike most law firms, we *do not* charge clients for the cost of in-office copies, long distance telephone company charges and fax charges.

Please note that while the proposal sets forth general information about our rates and charges, this proposal does not constitute an offer to provide legal services to any specific client. Prior to being engaged to provide legal services, ethically we must first determine if there are any conflicts of interest that would preclude us from representing any particular client (such as representing an adverse party, for instance). After we have had the opportunity to assess any potential conflicts and other ethical issues, we then forward an engagement letter to the client, which sets forth the specific rates and charges, and advance retainer requirement. Upon receipt of an executed engagement letter and payment of the advance retainer, an attorney-client relationship is formed.

2. Flat Fee Projects

In addition to providing legal services on an hourly rate basis, we also perform services on a flat fee, per-project basis. We often provide flat fee pricing on services such as claim reviews, compliance program implementation, facilitated planning projects, site visits and system assessments. Prices for these projects vary according to their scope, but we pledge to provide 20% discounts to NCEMSC members on our professional services in these projects.



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3. Seminars and Training

PWW provides many types of on-site seminars and training programs, ranging from staff documentation training to conference presentations to full-day EMS law workshops. Attached in the Appendix is a complete catalog of our presentations and seminar topics. This catalog provides a sampling of many of our most popular topics, but it is by no means complete. We are always developing new and customized training and seminar topics based on the needs and requests of our clients.

4. EMS Mock Trial Programs

We also offer real courtroom-style EMS mock trial programs, which are a fun and informative way to learn the importance of effective documentation, policies and risk management. These are often done as opening general sessions in EMS conferences, and can also be scheduled as stand-alone programs. The presentation catalog in the Appendix includes more detailed information on our mock trial offerings.

B. Publications

1. The Ambulance Service Guide to HIPAA Compliance – Third Edition

“The Ambulance Service Guide to HIPAA Compliance” by Page, Wolfberg & Wirth, LLC has long been recognized as the ambulance industry’s leading HIPAA compliance resource. Since the introduction of the first edition in 2001, thousands of ambulance services nationwide have relied on it as the complete and authoritative “bible” for HIPAA compliance in our industry. The all-new Third Edition is completely revised and expanded, to include everything you need for compliance with the new HIPAA Security Rule (which takes effect in April 2005) as well as the HIPAA Privacy Rule. The Guide contains over 60 customizable forms and policies that you can copy and use for your own organization’s HIPAA compliance. In addition, the Guide is chock full of EMS-specific examples and discussions so that every page is 100% relevant to our industry.

The 532-page Guide is available on CD ROM and in paper. NCEMSC members are urged to purchase the Guide on CD ROM, which is lower-priced, and includes an extra file containing all of the sample forms and policies in Microsoft Word™ format for easy customization.



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2. Better Billing: The Ambulance Service Model Compliance Plan

All entities that provide ambulance services -- regardless of whether they do their billing in-house or use an outside billing company, are responsible under the law for making sure their billing is proper and that they are in compliance with all of the complicated laws, rules, regulations and policies that govern billing, especially when it comes to Medicare. Simply delegating your billing issues isn't enough. You must monitor the performance of your billing operation and ensure that claims are being properly submitted and that your staff understands their critical role in the documentation and billing process.

Every ambulance service should have its *own* compliance program in place, whether it is a private, public or non-profit provider. "Better Billing - The Ambulance Service Model Compliance Plan" from PWW includes many "must-have" tools for any ambulance service that charges for its services (whether it does the billing in-house or uses a billing agency), including a Model Compliance Plan that can be easily tailored for your own organization; over 30 "ready-to-use" sample forms, policies and documents for your compliance program, including a staff Code of Conduct, a Compliance Officer job description, a Background and Reference Check Authorization Form, a Background Screening Policy, a Conflict of Interest Policy and more; the PWW Ambulance Claim Analysis Tool - AmbuCAT™ - a unique program to help you effectively perform your own internal claim reviews to spot issues before they become costly problems; and detailed discussions of the top billing risk areas, like the proper use of billing codes and modifiers, proper documentation, mandatory assignment, waiving patient copayments, and more.

C. Videos

PWW offers a complete HIPAA training solution called "HPTV – The HIPAA Privacy Training Video" for EMS. HPTV includes *two* videos – one geared for EMS field providers and one for managers – as well as an extra CD ROM that contains PowerPoint™ files of the HIPAA presentations used in the videos, an instructor manual, participant handouts, learning objectives, and participant post-tests (with answer keys).

HIPAA privacy training is mandatory, and HPTV is a complete solution that meets all applicable HIPAA training requirements. Best of all, the convenience of providing training through a video format means that your personnel can watch it whenever, wherever – and it can be used to employee orientation as new personnel come into your organization.



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D. EMS Law Audio Conferences

PWW conducts an ongoing series of National EMS Law Audio Conferences on a variety of topics important to the industry. Typically these audio conferences involve “breaking news” or important new developments in the industry. Because they require a relatively short advance production time, our audio conference programs allow us to quickly deliver timely and in-depth on the most current developments in EMS and ambulance law, regulations, compliance and reimbursement. There is also ample time in each audio conference for participants to have their questions answered.

Registration fees for our 90-minute audio conferences are on a per-site basis. This means that NCEMSC member organizations can invite as many people as they wish to listen in at their location, all for one registration fee. In addition, neighboring organizations can get together and share the registration cost of each audio conference, or take turns hosting audio conferences.

Each audio conference registration also includes detailed handout materials that clearly and concisely explain the topic at hand.

E. EMS Law Audio Cassettes

PWW has tape recorded all of its previous audio conferences. Each tape is 90 minutes and covers a specific topic in depth. Each audio cassette also includes all of the handout materials from the original broadcast.

Complete descriptions of each audio cassette program are available on our web site, www.pwwemslaw.com.

IV. TERMS AND CONDITIONS

Acceptance of the Proposal

Upon notification of the NCEMSC’s acceptance of the proposal, we will forward a letter of agreement for signature by NCEMSC. This proposal is not considered finalized until such time as we receive a signed letter of agreement from NCEMSC.



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Expiration of Proposal

This proposal is valid for thirty days from the date shown on the cover page.

Member Access Links

NCEMSC will be given special web links and/or customized order forms for their members to use in purchasing our products and publications at the discounted member rates. Neither NCEMSC nor its individual members may distribute these forms or links to anyone outside of NCEMSC.

Tape recording of audio conferences is not permitted. Unauthorized duplication, transmission, broadcast or reproduction of any PWW copyrighted content is prohibited without the express written permission of Page, Wolfberg & Wirth, LLC.

Cross Promotion

NCEMSC and PWW will furnish to each other an electronic version of their logos for use by each party in promoting the PWW/NCEMSC relationship. The parties agree that the other party's logo may only be used in connection with promotion of the PWW/NCEMSC arrangement for discounted services, products and publications included in this proposal. Any other use of the other party's logo requires the express written permission of that party.

As an added benefit of this relationship, PWW will include an NCEMSC link on the PWW web site (which generates approximately 75,000 hits per month) to assist NCEMSC in promoting its organization. PWW asks for NCEMSC to link to PWW's site as well. In addition, PWW will post an e-mail message to its electronic mailing list (consisting of approximately 10,000 names) announcing the PWW-NCEMSC relationship (content to be mutually agreed to by PWW and NCEMSC, though PWW retains sole and exclusive rights over content distributed to its mailing list).

NCEMSC would also agree to utilize PWW as the exclusive NCEMSC "provider of choice" for EMS legal services, and EMS law-related products and publications of the type described in this proposal.



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**Appendix
PWW Presentation Catalog**



Seminars and Presentations



www.pwwemslaw.com

THE NATIONAL EMS, AMBULANCE AND MEDICAL TRANSPORTATION INDUSTRY LAW FIRM



•EMS, Medical Transportation & Public Safety Solutions•

**5010 E. Trindle Road, Suite 202
Mechanicsburg, PA 17050
717-691-0100
717-691-1226 (fax)**

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I. GENERAL INFORMATION

A. About Us

Page, Wolfberg & Wirth, LLC (PWW) is the nation's preeminent EMS, ambulance and medical transportation industry law firm, serving private, public and nonprofit clients throughout the United States. Its three founding partners, Jim Page (who passed away on September 4, 2004), Doug Wolfberg and Steve Wirth, are three longtime EMS providers, managers, administrators, authors and lecturers whose work is known in the industry throughout the United States. The firm provides legal representation and advice to ambulance organizations in areas of compliance, reimbursement, contracting, employment and workplace law, paratransit and PUC licensing, tax, corporate and organizational issues, and nearly every other facet of EMS law. Additional information regarding Page, Wolfberg & Wirth, LLC is available at www.pwwemslaw.com.

PWW Consulting, Inc. (PCI) provides comprehensive consulting services to organizations and municipalities interested in increasing the efficiency and productivity of their EMS operations and billing departments. The firm's services include consulting on billing and reimbursement, subscription programs, compliance consulting, managed care procurement and contracting, strategic planning services, expert witness services and EMS system assessment, design and re-engineering services. Maggie Adams is the Managing Consultant, and PWW partners Steve Wirth and Doug Wolfberg also serve as Senior Consultants. Additional information is available at www.pwwconsult.com.

B. Speaker Information

Douglas M. Wolfberg, Esquire

Douglas M. Wolfberg, Esquire is a founding partner of Page, Wolfberg & Wirth, LLC, a national law firm concentrating on EMS, ambulance and medical transportation law. He was a volunteer and paid EMS provider for nearly 20 years prior to becoming an attorney. He has also worked as an EMS administrator at the county, regional, statewide and federal levels. He is an author and co-author of numerous articles, books and other publications in the EMS field, and has lectured at EMS conferences and seminars in almost every state in the country. He has also served as a member of the Panel of Commissioners of the Commission on Accreditation of Ambulance Services (CAAS), the national accreditation body for the ambulance industry. He received his law degree *magna cum laude* from the Widener University School of Law, and presently holds faculty teaching appointments at the University of Pittsburgh, George Washington University and the Widener University School of Law.

Stephen R. Wirth, Esquire

Steve Wirth, Esquire is a founding partner in the national EMS law firm of Page, Wolfberg & Wirth, LLC. Prior to becoming a lawyer, Steve had a distinguished two-decade career in public safety as both a career and volunteer EMT and paramedic, EMS instructor, EMS administrator, firefighter, and fire department

officer. He has years of hands-on business experience as a key manager for a large ambulance service. Currently Steve serves as one of three members of the panel of commissioners for the Commission on Accreditation of Ambulance Services (CAAS), the national accrediting body for the ambulance industry. Steve is a *cum laude* graduate of Duquesne University School of Law, where he was a member of the national trial and appellate court competition teams. He also holds a Masters Degree in Health Services Administration from Gannon University in Erie. Steve is a frequent speaker at regional, state and national conferences across the country on a wide variety of subjects dealing with medical transportation law. He is an assistant professor at George Washington University and the University of Pittsburgh where he teaches in the EMS degree programs. Steve has also authored or coauthored many articles on a variety of EMS management topics. Steve continues in public service as an active firefighter/EMT for the Hampden Township Volunteer Fire Company in Mechanicsburg, PA.

Maggie Adams (PWW Consulting, Inc.)

Maggie Adams is the Managing Consultant of PWW Consulting. For many years, Maggie was the president of EMS Financial Services, a company dedicated to resolving billing and collections problems for ambulance providers. Maggie has written numerous articles for ambulance industry trade publications on improving cash flow. She also routinely speaks throughout the country on accounts receivable management, insurance reimbursement, managed care, collections, and billing office operations. She is currently serving as the Chairman of the Managed Care Committee of the Board of the Ambulance Association of Pennsylvania. She is a *Cum Laude* graduate of the Wharton School of Business of the University of Pennsylvania.

Christie M. Mellott, Esquire

Christie M. Mellott is an attorney with Page, Wolfberg & Wirth, LLC and a Pennsylvania-certified EMT. She has extensive experience in EMS regulatory matters, and in corporate law issues affecting the medical transportation industry. Christie attended the University of Florida and Florida State University, graduating from Florida State in 1993 with a Bachelor of Science degree in chemistry and a minor in biology. Throughout college, Christie worked as a medical assistant in the emergency room of two local hospitals. In 1994, Christie entered Temple University School of Law, graduating in 1997. During law school, Christie worked in Temple University's Small Business Development Center, advising and offering legal assistance to business owners.

John Mayernick, IV, Esquire

John Mayernick is an attorney with Page, Wolfberg & Wirth, LLC. He is a member of the Pennsylvania bar. John has extensive experience in dealing with labor and employment law issues. He is a graduate of Shippensburg University where he received a degree in history in 1994. John also attended Widener University School of Law, graduating in 2001. Before attending law school John worked mainly in elective politics as a campaign staff member and campaign manager. John comes to Page, Wolfberg & Wirth from the Public Health and Welfare Committee in the Pennsylvania Senate where he participated in many health policy

initiatives. John is an active member of the Hampden Township Volunteer Fire Company as well as several other civic organizations.

Daniel J. Pedersen, Esquire

Daniel J. Pedersen is an attorney with Page, Wolfberg & Wirth, LLC. A 1998 Graduate of Franklin & Marshall College, Daniel attended both Pace University School of Law and Widener University School of Law and earned his J.D. from Pace in 2002. Daniel comes to Page, Wolfberg, & Wirth P.C. with a compliance, HIPAA, employment, corporate, and regulatory background, having previously represented health care providers, and he formerly worked as a Quality Assurance Analyst for Wyeth Ayerst pharmaceuticals.

C. Fees and Expenses

- Seminar Fees: \$3,000 plus expenses
(Includes one speaker for up to one full day of seminar topics and one overnight stay)
- Mock Trials: \$6,000 plus expenses
(Includes two speakers for up to one full day of seminar topics, including the mock trial program)
- Expenses: Expenses include travel by car and/or airfare (we generally travel by air for trips in excess of 350 miles one-way); lodging (if necessary); car rental (if necessary) and meals. Seminar sponsor is responsible for duplicating the handouts for the participants; we will send you our handout material in PDF format prior to the seminar in accordance with your deadline.

We typically require a 50% deposit to formally engage our firm for a presentation, unless other arrangements are approved in advance.

Whether you are hiring us for regular seminars or a mock trial program, we make ourselves available to you the entire time we are present at your conference, seminar or event. We urge you to get your money's worth out of us! Feel free to ask us to give multiple presentations at your event. It is not uncommon for us to "mix-and-match" 4 or more of the above topics in a full-day visit. If you would like us to address other topics or customize the times of these presentations to fit your needs, please ask! We are happy to work with you to make your event as successful as it can be.

D. Continuing Education Credit

Some of our conference and seminar topics are pre-approved for continuing education credit in some jurisdictions. Program sponsors should check with their appropriate continuing education agencies well in advance of the program to determine the availability of continuing education credits.

E. Seminar/Conference Promotion

PWW has an extensive e-mail list, and we gladly promote those seminars, conferences or other events for which we are engaged to do presentations. In addition, we can, upon request, provide sample flyers or agendas from past program sponsors to give you an idea of how to organize your event and lay out your promotional materials. In addition, we can supply PWW logos, speaker photos and other graphics for your promotional materials, or, program sponsors are free to utilize graphics from our website, www.pwwemslaw.com, for this purpose. Please send us a copy of your finalized flyer or brochure for promotional purposes.

F. Video/Audio Taping

Video/audio taping or other recording is permitted only with our permission. We may grant permission for the recording of our seminars under limited circumstances, and only for the internal use of the program sponsor or individual EMS agency that engages us for the seminar. We will also consider other requests on a case-by-case basis. All presentation content, including audio, video, handouts, etc., constitutes the intellectual property of Page, Wolfberg & Wirth, LLC and may not be sold, broadcast, reproduced, duplicated or distributed by any means without the express, written permission of Page, Wolfberg & Wirth, LLC.

II. KEYNOTE/GENERAL SESSIONS

A. Forging Ahead in EMS

See the future of EMS by taking a walk through it's rich history, presented by an EMS provider/manager/attorney/author/lecturer who has seen EMS from the street, the office, the courtroom and the regional, state and Federal levels of government. This highly entertaining session will preview the biggest EMS issues of the future, and "recharge your batteries" as you forge ahead in EMS.

Estimated time: 1 to 1.5 hours
Audience: All (providers, supervisors, managers, officers, owners, administrators)

B. Hey, This Used to Be Fun! Coping With Change in EMS

Remember the days of Johnny and Roy in Squad 51 and why we got into EMS in the first place? Too much stress and you don't enjoy being in EMS anymore? It seems like EMS today is more about paperwork and "risk management" and less about taking care of people—or is it? Well, maybe you need the "12-Step Recovery Program" to reduce EMS stress, have more fun, and make practical improvements to your system and feel good doing it presented by EMS attorneys who have been there! This presentation will help you focus on the bigger picture and the important issues that really make a difference, instead of sweating the small stuff!

Estimated time: 1 to 1.5 hours
Audience: All (providers, supervisors, managers, officers, owners, administrators)

C. The EMS Law "Top Ten": The Year in Perspective

What are the Top Ten EMS law issues you need to be concerned about from a legal compliance perspective? This session will provide you with important insight and strategies for dealing with the most significant legal developments of the past year, from the OIG's new Compliance Guidance for the Ambulance Industry, to the latest lawsuits in EMS "workplace." This session will provide you with a must-have "potpourri" of the leading developments in the law and strategies for effectively dealing with them.

Estimated time: 1.5 hours
Audience: All (providers, supervisors, managers, officers, owners, administrators)

III. DOCUMENTATION AND EMS PROVIDER LIABILITY PRESENTATIONS

A. Dynamic Documentation: This Is Not Your Father's Trip Sheet!

Think this is “just another documentation session?” Well, think again! This all-new session will explore the important links between documentation and reimbursement, and explain how to meet the new documentation challenges that have come about as a result of new Medicare rules and other payor requirements. This session will review the various signature requirements and the reasons that EMS providers must capture adequate information in the field to support the billing that takes place after the call.

Estimated time: 1.5 hours
Audience: Billing staff, managers/officers, providers in services that bill

B. EMS Law Case Studies: Liability in the Trenches

Using actual EMS court cases as a backdrop, this session will open your eyes to the liability pitfalls that may await the unwary EMS provider. This session will include “The Case of Negligent Documentation,” “The Case of Apathy in Action,” “The Case of the Dispatch That Wasn't,” and several others, all presented in a way that will help you avoid the same liability traps that arose in these cases.

Estimated time: 1.5 – 2 hours
Audience: All (providers, supervisors, managers, officers, owners, administrators)

C. Understanding EMS Law: Negligence, Consent, Refusals, Documentation and More!

This session will review the types of lawsuits in which EMS providers may be likely to find themselves, and explain the legal basis for a negligence suit against an ambulance service. This session will also cover principles of patient consent and refusal, which are complex and important to the delivery of EMS. EMS providers need to have a basic understanding of the law to be able to effectively handle difficult field situations like seemingly competent 16 or 17 year-old car accident patients who refuse care, dealing with family members who insist on you withholding resuscitation when there's no living will or DNR order in sight, or treating patients who may have an altered mental status. This session provide you with a basic set of principles that can be applied to almost all of these difficult field situations involving consent for and refusal of care, and will explore the state of the law as it applies to withholding and discontinuing resuscitation. The importance of effective documentation will also be discussed.

Estimated time: 1.5 – 2 hours
Audience: All (providers, supervisors, managers, officers, owners, administrators)

D. Still Caught in the Crossfire: EMTALA and ER Diversions

Many EMS providers literally feel as if they are caught in the middle when told that a hospital is on divert and unable to accept emergency patients. In addition, ER diversions can prolong transport times, tie up EMS resources and perhaps even affect patient care. Recent amendments to EMTALA have changed some of the definitions, but how will these amendments help you where the “rubber meets the road?” What legal rights and obligations belong to the ambulance service in these situations? How about the patient? The hospital? What is your liability for transporting a patient to another facility, or for transporting a patient to a hospital that tells you it's on divert status? This session will address all of these timely issues and topics in a lively and interactive way.

Estimated time: 1.5 hours
Audience: All (providers, supervisors, managers, officers, owners, administrators)

E. The Liability of Apathy

What are the most significant “weak spots” in ambulance service liability and what can you do to minimize risk? What motivates patients and others to want to sue you? Much has to do with the “basics” of providing ambulance service in the first place—to help other people in need—and this session will provide dynamic insight into the “root cause” of ambulance industry litigation. The bottom line is that most people will not sue you if they like you! Studies show that the main reason that malpractice litigation occurs is because of “communications issues.” Much can be done to avoid liability in the first place by improving communications skills and by applying common sense approaches to risk management in the critical areas where your system can fall apart.

Estimated time: 0.5 to 1 hour
Audience: All (providers, supervisors, managers, officers, owners, administrators)

F. My Lawsuit, Your Lawyer: The “Unholy Trinity” of Lawyers, Clients and Insurance Companies

If your ambulance service is sued for malpractice -- or for a vehicle accident or other personal injury claim -- chances are that your insurance company will hire a lawyer for you. However, the three way lawyer-client-insurance company relationship can be complicated, and understanding how to navigate it can make the difference for your ambulance service in a lawsuit. Can your ambulance service approve or disapprove the lawyer assigned by your insurance company? How does your own ambulance service lawyer fit into the picture? Who gets to decide if a lawsuit gets settled or goes to trial? What if the verdict is higher than your insurance policy limits -- who pays? This is “must know” material for risk management.

Estimated time: 1 to 1.5 hours
Audience: Managers, owners, administrators, etc.

IV. COMPLIANCE PRESENTATIONS

A. Ripped Off! Preventing Embezzlement and Internal Fraud in Your EMS Organization

Some EMS organizations don't discover the holes in their internal financial management process until it's too late. For some, the first time they realized there was trouble was when they discovered that hundreds of thousands of dollars were missing from their organization's treasury. Don't let this happen to your organization – learn about some effective strategies you can employ right away to decrease the chances of your organization being caught on the short end of internal fraud and embezzlement. You will also hear of actual case studies and how they could have been prevented by taking relatively easy management steps.

Estimated time: 1.5 hours

Audience: Managers, officers, owners, administrators, compliance officers

B. Ambulance Service Compliance Programs: Avoiding the Fraud & Abuse Pitfalls

Federal regulators -- and prosecutors -- are taking a much closer look at EMS and the medical transportation industry, and several practices that are commonplace now may lead to legal problems in the near future. The trouble is, many providers don't spot these issues until it's too late, and massive fines or even criminal liability can result. In this session, one of the nation's leading EMS attorneys will explore the present fraud, abuse and anti-kickback trouble spots and give you concrete approaches to address reimbursement and legal dilemmas that you can put into effect immediately. More importantly, this session will identify several areas -- such as ambulance restocking, discounts, waiving of copayments, subscription/membership programs, municipal contracts, primary response designations and facility contracts – which can be traps for the unwary. Liability can even result from hiring or doing business with individuals or entities that have themselves been in trouble with federal regulators. This session will also discuss how to implement an effective compliance program to guard against these problems. Every EMS provider, manager, administrator or owner needs to know the information presented in this session.

Estimated time: 1.5 hours

Audience: Managers, officers, owners, administrators, compliance officers, billing staff

C. Responding to Audits, Investigations and Lawsuits: What to Do When Your Ambulance Service is Under The Gun

Ambulance providers of all types -- public, private or nonprofit -- can find themselves under the gun of a lawsuit, Medicare audit or governmental investigation. Having a plan to deal with these situations in advance can make all the difference in

the world as to whether your service sinks or swims. This session will present strategies to prevent and minimize the expense of a Medicare audit, and review a model investigation policy that sets forth the rights and responsibilities of your personnel if contacted by government agencies. Finally, this session will help your organization respond promptly and effectively to a lawsuit of any type.

Estimated time: 1.5 hours

Audience: Managers, officers, owners, administrators, compliance officers

D. Auditing Your Own Claims: Preventing Problems Before They Become Nightmares

All ambulance services should periodically engage in self-audits of their Medicare claims and other aspects of their billing. However, this is a task that must be undertaken properly to ensure that your company is protected, and that the results are meaningful in assisting your ambulance service to stay in compliance. This session will cover the various approaches to performing self-audits, including the review of pre-submitted, paid and denied claims, proper sampling techniques (including links to free software for this purpose), claim review strategies, and, finally, the important question of “what to do with the results,” such as potentially refunding overpayments, making changes to your billing system and consulting with your legal counsel.

Estimated time: 1.5 hours

Audience: Managers, officers, owners, administrators, billing staff, compliance officers

E. "Its Getting Worse! Latest Developments Under the False Claims Act and Government Enforcement"

The federal government has amassed \$4.21 billion in fines, settlements, and restitution payment from its health care investigations in the last three fiscal years--- *well over the \$3.29 billion it collected in the prior ten years combined!* Between 1996 and 2003, Congress has more than *tripled* the budget for Medicare and Medicaid fraud enforcement at the OIG. Should you be concerned? *Absolutely!* Understanding the new theories and draconian penalties under the FCA makes this a “must attend” reimbursement session. This session will explore the latest developments under the FCA, including new theories of liability – like when a billing company “causes” the submission of a false claim, the critical importance of attorney/client privilege in internal investigations, bad quality of care as the basis for a false claim, and failure to have in place an effective compliance program. Specific steps on what to do now to minimize your risk of a false claims act case will be provided.

Estimated time: 1.5 hours

Audience: Managers, officers, owners, administrators, billing staff, compliance officers

V. MEDICARE AND AMBULANCE BILLING PRESENTATIONS

A. Making Sense of Medicare for Ambulance Services

This session explores the current requirements for what it takes to get ambulance claims paid by Medicare and other insurance carriers. Participants will learn about the nuances of the Medicare Modernization Act, the ambulance fee schedule (including the new regional fee schedules) and the ever-changing rules for medical necessity for non-emergency transports, and discover surprising things about what an “emergency” really is for Medicare purposes. This session will also review tips for effective documentation practices to help demonstrate medical necessity according to today’s strict guidelines.

Estimated time: 1.5 – 2 hours
Audience: Managers, officers, owners, administrators, billing staff, compliance officers

B. Dealing With Denial: Troubleshooting Your Denied Claims

This session will explore the most troublesome areas of claim denials under Medicare and commercial insurers as well. Based on our experience of appealing and reviewing hundreds of ambulance service claim denials at all levels, this session will help you avoid the common – and not so common – denial pitfalls in the first place, and give you a strategy to deal with denials when they occur.

Estimated time: 1.5 hours
Audience: Managers, officers, owners, administrators, billing staff, compliance officers

C. Organizing Your Billing Operation from A to Z: Dealing with Claims, Credit, and Collections!

Many EMS organizations can improve their bottom line significantly with a well organized and finely tuned billing office operation. Whether you do your billing in house or contract it out to a third party billing service, you need to understand the full process of accounts receivable management to maximize cash flow for your organization. In this presentation, you will get the practical information you need to properly organize your own operation, or to oversee the functions you contract out. What are the steps that must be taken the day the claim hits the billing office? What is considered a “reasonable collection effort?” What are the steps that must be included in every follow up process for every unpaid claim? What wording do you need for an effective billing authorization form? When should you turn an unpaid claim over to collections? Answers to these and many other top billing office questions will be covered in this dynamic presentation that will give you tangible tips to increase your cash flow.

Estimated time: 1.5 hours

Audience: Managers, officers, owners, administrators, billing staff, compliance officers

D. Getting the Most from All Payers (A Follow-up Session to Organizing Your Billing from A to Z)

This presentation is the next step in maximizing your cash flow. The session offers an in-depth look at where all your money has gone. You will learn solutions to your many insurance problems. What should you be paid by Medicare+Choice plans (the Medicare HMO)? When can you balance bill Medicare HMO patients? What is the best approach to Medicaid and Medicaid HMO's? What's the difference in billing insurers for emergencies vs. routine trips? What can you do to manage managed care? How does state law affect your managed care and commercial insurance payments? What should providers do about their rejected claims? What is the best method for appealing payment denials? When should you consider going to your Insurance Commissioner? What is the best approach to billing and following-up with your facility payers? Finally, the growing problem of patient-pay accounts will be discussed, including when and if accounts should be sent to collection. Concrete tips will be offered on choosing a collection agency and what providers should expect in return. The presentation will be invaluable for experienced billing office personnel and management.

Estimated time: 1.5 – 2 hours

Audience: Managers, officers, owners, administrators, billing staff, compliance officers

E. Internal Collections: Getting Patients to Pay

Do you think you have heard it all from patients? Not yet! Attend this informative session, and learn how to handle patient collections internally. What is the best timeline for sending bills to patients? Is it appropriate to include finance charges on unpaid bills? When do you alert patients to finance charges? How do you handle patient collection calls? What can you say to patients about their unpaid bills? How do you respond to the things that patients say to you? What times of day can you call a patient? What should you do about patients who want to make payments over time? How should you deal with patients who claim financial hardship? Can you collect from bankrupt patients? What should you do with your returned mail? Where can you find information to bill patients' insurers? Patients provide difficult challenges to getting paid. This session offers more solutions for providers to increase their rate of collection. Providers are encouraged to bring examples of their troublesome accounts for discussion. Time will be provided for questions and answers.

Estimated time: 1.5 – 2 hours

Audience: Managers, officers, owners, administrators, billing staff, compliance officers

F. Effective Call Intake: The Link Between Dispatch and Billing

Whether you are dispatched by an outside agency or do your own dispatching, the information you capture – and document – can make or break the billing process. The quantity and quality of information that is gathered on the “front end” – call intake – can make the difference between prompt billing and effective cash flow, or delays and cash flow nightmares. This session will explore the strategies for getting and documenting valuable patient information at the dispatch or call intake phase of your operations, which is the front door to billing and compliance.

Estimated time: 1.5 hours
Audience: Managers, officers, owners, administrators, billing staff, compliance officers, dispatch or communications center managers, dispatch personnel

G. Medicare Managed Care: The New Future of Ambulance Reimbursement?

As a result of the Medicare Modernization Act of 2003, Medicare managed care is going to experience enormous growth, from the 10% of Medicare beneficiaries currently enrolled in managed care to the goal of 35% participation. Beginning in 2006, all senior citizens will have access to managed care (Medicare Advantage) plans offering them lower premiums, low or non-existent co-payments, plan choice, discounted prescription drugs, and enhanced benefits. The country will be divided into regions for managed care coverage. Insurers will be offering contracting opportunities. Emergency service rules may change. This session will outline the anticipated changes to insurance coverage for seniors, as well as discuss what ambulance providers need to know about contracting, filing claims, and the prompt payment requirements of managed care.

Estimated time: 1.5 hours
Audience: Managers, officers, owners, administrators, billing staff, compliance officers

VI. HIPAA PRESENTATIONS

A. Advanced HIPAA for Ambulance Services: Tackling the Tough Issues

Exactly what patient information can we share with law enforcement, and under what circumstances? What are the privacy concerns when it comes to giving patient information over the radio? What can we say to the media about an EMS incident and not run afoul of the privacy regulations? These are but a few of the tough issues that ambulance services are facing now that the HIPAA privacy rule has gone into effect. This all-new session, suitable for privacy officers, managers and EMS providers alike, will help you take your ambulance service's privacy compliance to the next level, without boring you with all of the "HIPAA basics."

Estimated time: 1.5 hours
Audience: All (providers, managers, officers, owners, administrators, billing staff, compliance officers, dispatch or communications center managers, privacy officers, etc.)

B. HIPAA Compliance for Ambulance Services: The Basics of the Privacy Rule

HIPAA contains requirements for ambulance services and other health care providers to protect the privacy of all patient information. These massive Federal regulations pose one of the biggest compliance challenges for ambulance services in recent years. The regulations require ambulance service to furnish a privacy notice to their patients, obtain new signatures, conduct mandatory privacy training, and implement numerous new forms, policies and procedures regarding patient privacy. This seminar will review the requirements of the HIPAA privacy regulations with specific explanations and examples for ambulance providers, presented by attorneys of Page, Wolfberg & Wirth, LLC, who literally "wrote the book" on HIPAA compliance for EMS – "The Ambulance Service Guide to HIPAA Compliance."

Estimated time: 1.5 hours
Audience: All (providers, managers, officers, owners, administrators, billing staff, compliance officers, dispatch or communications center managers, privacy officers, etc.)

C. The Final Security Rule: Meeting HIPAA's Next Big Challenge

The HIPAA security rule, which is completely separate from the privacy rule, goes into effect in April, 2005. Is your ambulance service ready to implement all of the new requirements dealing with the physical and technical security of your patient information? Does your software offer sufficient security to comply with HIPAA? Is your patient information stored appropriately? Are your EMS personnel properly trained on their data security obligations? This session will review the new HIPAA security rule and bring you up to speed on what you need to know to tackle this newest HIPAA challenge.

Estimated time: 1.5 hours
Audience: All

VII. PERSONNEL/WORKPLACE PRESENTATIONS

A. Writing the Bullet-Proof EMS Personnel Handbook

Whether your ambulance service or EMS organization is paid or volunteer, you need a bullet-proof personnel handbook to set the rules, promote fairness, handle discipline effectively and, sometimes, make defensible termination decisions. We have written dozens of EMS personnel handbooks, reviewed hundreds more, and compiled all of the must-know and must-have information we have learned over the years into one 90-minute seminar. We will review the 10 things you absolutely MUST have in your personnel handbook, and warn you of some serious pitfalls that await if your handbook is not properly written.

Estimated time: 1.5 hours
Audience: Managers, officers, owners, administrators, compliance officers, human resources personnel

B. Wage and Hour Law Overtime Rules for EMS and Public Safety

There are an increasing number of claims brought by volunteers, employees and former employees challenging your pay practices. These claims, if not defended properly, can cost your ambulance organization thousands of dollars and subject you to other civil and criminal penalties. Properly meandering through the complicated Fair Labor Standards Act can be tricky business, and this session will give you the “must have” information on how the FLSA applies to the ambulance industry and the exceptions to the various overtime rules that may be properly used to help reduce your personnel expenses and keep your people happy as well. Learn the top Pay Practice Problems in EMS and the steps you need to take when the wage and hour investigator knocks on your door.

Estimated time: 1.5 hours
Audience: Managers, officers, owners, administrators, compliance officers, human resources personnel

C. Paid, Volunteer or Both? The Legal Aspects of Compensating Your EMS Workforce

Today’s ambulance services utilize a variety of manpower – volunteer, paid personnel, or a combination of both. Some organizations are also utilizing “volunteer incentive programs,” or VIPs, where volunteers are paid “points” toward merchandise, cash or other valuable items or services in an effort to attract and retain members. This session will review the law as it pertains to these “compensated volunteers,” as well as explore some of the common pitfalls under the Fair Labor Standards Act that can trap the unwary ambulance service, like overtime exemptions, sleep and meal time deductions and more.

Estimated time: 1.5 hours
Audience: Managers, volunteer EMS officers, administrators, etc.

D. Legal Landmines in the EMS Workplace

Whether your ambulance service is paid or volunteer, public or private, the EMS workplace is changing. Ambulance services now face a variety of workplace challenges, from harassment and discrimination claims to union organizing, and virtually everything in between. Issues with proper wage payment practices are also prevalent in EMS; the Fair Labor Standards Act can be a landmine, particularly for all-paid and combination paid-volunteer services. This session will review the basics of workplace law specific to the challenges faced by EMS organizations, in a down-to-earth and entertaining way.

Estimated time: 1.5 hours
Audience: Managers, officers, owners, administrators, compliance officers, human resources personnel

E. Pssst...Did You Hear Anyone Use the "U" Word?

In this era of declining ambulance reimbursement and streamlined EMS budgets, now more than ever EMS field providers are turning to others for help in gaining a "voice" in the EMS workplace. Labor unions are extremely active now in organizing EMS employees, and there is a delicate balance under the law as to just what unions and management can do when employees start talking about organizing a union and the organizing "campaign" begins. This seminar will provide you with the "basics" of the law under the National Labor Relations Act, what you need to know to deal effectively with this hot issue. The session will also address the root causes of union organizing from both the employer and employee perspective. What you can say and do legally are also important topics for this seminar. This dynamic and interactive session will be capped with a "point and counterpoint" debate of the pros and cons of unions in EMS from both a management and a labor representative.

Estimated time: 1.5 hours
Audience: Managers, officers, owners, administrators, compliance officers, human resources personnel

F. Criticism and Discipline Skills: The Positive and Legal Approach

Do you have employees or volunteers who cause conflict? Make excuses? Refuse to learn new skills? Don't "respect" you or challenge your authority? Well, cry me a river, build a bridge and get over it---because you can! This seminar will provide you with proven steps to bring about positive change in people without causing resentment or destroying relationships or careers. Steps to effectively implement corrective counseling---from identification of the problem to legal review of the actions to be taken---will be the foundation of this informative seminar. Proper documentation of "bad behavior" and the steps to conduct a legal workplace incident investigation will also be covered in this workshop session with actual employment law cases as the foundation.

Estimated time: 1.5 hours
Audience: Managers, officers, owners, administrators, compliance officers, human resources personnel

G. Managing the Labor Contract: The Aftermath of Negotiations

So, you have a union and just finished grueling contract negotiations...now what? Well, now it's a whole new ball game! This seminar will cover the essential aspects of "managing a labor contract" from both the union and employer perspective. How to effectively handle grievances and arbitration hearings, and the rights of management and labor under the "law of the statute and the contract" will be covered in this dynamic session presented by labor law experts with extensive EMS labor law experience. Model labor agreement language and real life examples of labor law at its finest will be used in the workshop phase of this session which will give you hands on experience you need---whether you are a manager, union representative, steward, or employee.

Estimated time: 1.5 hours
Audience: Managers, officers, owners, administrators, compliance officers, human resources personnel

H. Sexual Harassment and Discrimination in EMS: We Still Don't Get It!

A major aspect of EMS organization liability comes from within, before a wheel is even turned! EMS is riddled with workplace issues that can cost the service big bucks and worse yet, result in the loss of quality staff members. This seminar will address the Top 5 EMS workplace lawsuits---from sexual harassment to national origin discrimination---with real life case law examples and practical workshops. And now, under a brand new landmark U.S. Supreme Court case---*Desert Palace vs. Costa*---it is now easier than ever before for a plaintiff (employee, former employee, or volunteer) to win a sexual harassment lawsuit against an EMS organization. Understand the lessons to be learned from this case, and from the experience of attorneys who deal with these issues on a daily basis.

Estimated time: 1.5 hours
Audience: Managers, officers, owners, administrators, compliance officers, human resources personnel

I. Discipline with Due Process: Preventive Practices in the EMS Workplace

The ambulance service workplace is unique and presents numerous challenges, especially in this era of shortages of field personnel. Today, lawyers who practice employment law on behalf of individuals have "morphed" into experts in very specialized areas, such as wage and hour law, sexual harassment law, and "whistleblower" claims. Ambulance service managers need to take preventive steps to not only prevent litigation in these potentially costly areas, but to create a workplace where employees come to YOU with their complaints and concerns, because you handle them effectively and fairly. This session will cover these key workplace management issues and other "hot topics" that are part of the employment and labor law litigation explosion in the ambulance industry.

Estimated time: 1.5 hours
Audience: Managers, officers, owners, administrators, compliance officers, human resources personnel

J. Motivating the Generation X-er and Y-er in Today's EMS Workplace

Having trouble getting and keeping good people? The typical EMS provider of today may expect more of you than you are able to give. They may jump ship when you least expect it, leaving you and your service in the lurch. In this age of the employees' market and the age of entitlement, managers need to know what motivates our new generation of workers. Understanding the fundamentals of the Generation-Xer and Generation Y-er can help you do the right things to prepare you and your service to attract and keep the brightest and best staff.

Estimated time: 1.5 hours
Audience: All (Providers, managers, officers, owners, administrators, compliance officers, human resources personnel)

K. Conducting the EMS Workplace Investigation: Ten Steps to Success

The increasing volume of employment-related litigation has focused on the response of the organization to a complaint about unlawful activity, like sexual harassment or age, race, or sex discrimination. A delayed or unfinished investigation and failure to identify and stop unlawful staff member conduct can end with liability to the organization. Taking fair and proper action to avoid potential litigation is the first step. But when you do get a complaint about a personnel issue, regardless of where it comes from, it is absolutely imperative that the organization respond promptly and properly, treating every complaint as a possible lawsuit in the works. Even if the complaint does not evolve into litigation (and most don't) failure to give a workplace complaint proper attention can bring down morale, lower job satisfaction, and eat away at management's credibility. This session will address these topics and provide you with 10 practical steps to guide you in conducting a legal and effective workplace investigation that can help your organization minimize the risk of a lawsuit.

Estimated time: 1.5 hours
Audience: Managers, officers, owners, administrators, compliance officers, human resources personnel

L. Spending Too Much Time on Personnel Issues? Ten Steps to Effectively Dealing With the "Problem" Staff Member

Are you spending 80 % of your management time dealing with 20% of your staff members? Are you sick and tired of cry babies? Having trouble keeping one or two "troubled" staff members in line? Well, you're not alone! This session will provide you with specific techniques on how to deal early and deal directly with the problem staff member to help prevent the problem from getting out of control. Critical incident documentation, progressive discipline and steps to take when it is time to "cut the cord" to stay out of the courthouses will be discussed in this very practical session that addresses a very common management concern.

Estimated time: 1.5 hours
Audience: Managers, officers, owners, administrators, compliance officers, human resources personnel

VIII. EMS ORGANIZATIONAL AND BUSINESS PRESENTATIONS

A. Going from Volunteer to Paid: The ABCs of Expanding Your Service as a Business

There is a national shortage of volunteer EMS personnel, especially during the weekday hours. As ambulance services struggle to keep units available during the day, many volunteer companies have had to hire staff or contract with other agencies to cover times when volunteer coverage is weak. There are huge legal implications when an EMS organization goes from becoming a “volunteer” service to an “employer” or a “joint employer” with another agency. This session will cover all the basics of becoming an employer and the many laws that must be followed in the process, and how you can deal with them easily and effectively.

Estimated time: 1.5 hours
Audience: Volunteer EMS officers, administrators, etc.

B. Bylaws, Boards, Members & More: Pitfalls in Managing the Non-Profit EMS Organization

Most EMS organizations in the U.S. are non-profit organizations that must adhere to a variety of laws, including state non-profit corporation laws. Corporate “theft” by those in charge of non-profit organizations is one of many significant issues today. Serving as a director, officer, or manager of a non-profit organization brings with it a wide range of legal and ethical responsibilities, as you are truly “custodians of a public trust.” That trust can be eroded away or called into question unless you have in place a process to ensure compliance with sound business practices and the legal duties that you have as a director, officer or manager. This session will provide the nuts and bolts of Non-Profit Corporation Law and a practical checklist of things you need to do to maintain that sacred public trust you have in your community.

Estimated time: 1.5 hours
Audience: Nonprofit EMS organization officers, administrators, compliance officers, etc.

C. Writing and Negotiating Rock-Solid EMS Contracts

No matter if your ambulance service is private, public or non-profit; paid, volunteer or both, you need to make sure that your legal contracts are rock solid. You’d be surprised at how many contracts the typical ambulance service has -- or should have -- and it's important to make sure those agreements are well-written, fair and rock-solid in case there is a dispute down the road. There are many common types of EMS contracts where overlooking the details can be very costly -- such as contracts with billing companies, nursing homes, hospitals, HMOs, other ambulance services, and more! This session will give you invaluable information, tips, and model contract language to help you negotiate and execute better contracts that protect your position!

Estimated time: 1.5 hours
Audience: Managers, officers, owners, administrators, compliance officers, etc.

D. Effective ALS-BLS Joint Billing Agreements

One problem that often arises between ALS and BLS services in neighboring areas is the negotiation of “joint billing agreements” between them. There are many ways these agreements can be effectively written and negotiated to reduce the chance of problems, and this session will provide plenty of recommendations for dealing with this issue before it becomes a problem! This session will explain the need for joint billing agreements and, based on past experience, will educate you how to avoid litigation and get your money more quickly by properly structuring your agreements.

Estimated time: 1.5 hours
Audience: Managers, officers, owners, administrators, compliance officers, etc.

E. Public-Private Partnerships in EMS: The Legal Cutting Edge

Many communities are served by public-private EMS partnerships. These partnerships often have varying degrees of formality. Sometimes the arrangements are formal, with competitive procurements, performance standards, and subsidies. Other times, they are less formal, and include simple contracts, shared resources, joint responses or other types of arrangements. Regardless of which end of the spectrum your arrangements may fall, this session will bring you up-to-date on the ever changing compliance issues that surround all types of public-private partnerships, whether they involve waiving copayments, paying dispatch or first response fees, subsidies, “high bid” contracts, or others. This session will review all of the relevant OIG advisory opinions and other compliance issues you need to know.

Estimated time: 2 hours
Audience: Managers, officers, owners, administrators, compliance officers, etc.

IX. EMS Education Law Presentations

A. Avoiding Discrimination in EMS Education

The EMS classroom can be a powder keg. Everything from inappropriate horseplay to outright sexual harassment to race, ethnic or gender discrimination can undercut the educational process and lead to liability for the training institution, the instructors, students or others. This session will explore the basis of educational law as applied to EMS training, and present strategies for minimizing these risks.

Estimated time: 1.5 hours

Audience: EMS educators, training institute personnel, instructors, course coordinators, training coordinators, etc.

B. Classroom Law: Instructional Liability in EMS Education

Can EMS training programs face liability if their students commit malpractice? What legal standard of care, if any, is applicable to EMS training and education? Can instructors, course coordinators, educational administrators and others be held liable for acts of negligence in their duties? Can flawed instructional curricula create liability? What obligation to instructors and others have if their teaching does not keep up with the latest EMS techniques and standards? What is the liability if the instructor “deviates” from the curriculum or the textbook? This session will explore all of these important issues, and more, that pertain to liability issues in EMS education.

Estimated time: 1.5 hours

Audience: EMS educators, training institute personnel, instructors, course coordinators, training coordinators, etc.

X. DISPATCH LAW PRESENTATIONS

A. Dispatch Law: What You Don't Know CAN Hurt You!

Dispatch and EMS communications centers are the front lines in ambulance response, and may face unique liability risks. This session will explore the concepts of negligence in the dispatch context, and examine cases regarding delayed responses, bad directions, lost crews, dropped calls and more.

Estimated time: 1 - 1.5 hours

Audience: Managers, officers, owners, administrators, dispatch or communications center managers, dispatch personnel

B. When You Don't Need to Send an Ambulance: The Legal Aspects of Access Management and Differential EMS Response

As EMS and health care evolve, dispatch and communications practices are evolving as well. This session will explore the cutting-edge of dispatch law, and examine the legal aspects of "differential EMS response" – determining those instances in which it might be appropriate *not* to send an ambulance.

Estimated time: 1- 1.5 hours

Audience: Managers, officers, owners, administrators, dispatch or communications center managers, dispatch personnel

Other Dispatch-Related Presentations:

Effective Call Intake: The Link Between Dispatch and Billing" (p. 17)

From the Console to the Courtroom: An Emergency Dispatch Mock Trial Program (p. 28)

XI. FULL DAY EMS LAW/MANAGEMENT WORKSHOPS

Our attorneys and consultants are available to present customized, half-day or full-day EMS law and/or EMS management workshops. You can mix or match any of our presentation topics to suit the interests of your audience. Typically, we are able to comfortably present 4-5 topics in a full-day seminar, depending upon the expected number of attendees. Full-day workshops typically run from 8:30 a.m. – 4:00 p.m., including morning and afternoon breaks, as well as a lunch break, and plenty of time for questions & answers and participant dialogue. Please contact us if you would like samples of program flyers or brochures from other sponsors of our full-day EMS law workshops.

XII. MOCK TRIAL PROGRAMS

Mock trial programs are an educational and entertaining way to present important information to the participants of your conference, seminar or event. The ideal time for each Mock Trial program is 3-4 hours. We have found that Mock Trials work especially well as morning “general sessions” of a conference. We can then present individual general sessions or break-out sessions at your event in the afternoon as well. Mock trial fees include a full day of our time, so feel free to schedule us for other sessions at your conference, seminar or event. Please note: there are special set-up and audio/visual equipment requirements for Mock Trial programs, and the program sponsor is asked to recruit “actors” to play the various non-attorney roles in the program. Contact us for details.

A. From Trip Sheet to Trial: An EMS Mock Trial Program

Join the attorneys of Page, Wolfberg & Wirth, LLC, the National EMS, Ambulance and Medical Transportation Industry Law Firm, as they conduct a real live EMS lawsuit trial! You are the jury in this entertaining and interactive program that takes a “refusal of care” scenario – a common EMS situation that everyone has had to deal with in the field – where you can watch the case from opening statements to direct and cross examination of key witnesses and then to closing arguments. Then you decide! This session will help prepare you for that dreaded day in court, and give you practical insight into what to expect. Don’t miss this serious, yet entertaining general session!

Estimated time: 3-4 hours
Audience: All (Providers, managers, officers, owners, administrators, etc.)

B. The Elusive Pot of Gold at the End of the Rainbow: A False Claims Act Mock Trial for Ambulance Services

Join the attorneys of Page, Wolfberg & Wirth, LLC, the National EMS, Ambulance and Medical Transportation Industry Law Firm, serving as defense and plaintiff’s counsel, in a case where an ambulance service and its managers “go on trial.” You’ll see a real live courtroom drama unfold and sit as jurors to decide the fate of the ambulance service and its managers in a case brought under the Federal False Claims Act. The trial will demonstrate the importance of accurate documentation and a functioning corporate compliance program. After the trial, the attorneys will review major risk factors and tips on how you can keep the “business side” of your operation out of court.

Estimated time: 3 - 4 hours
Audience: Managers, officers, owners, administrators, billing personnel, etc.

C. From the Console to the Courtroom: An Emergency Dispatch Mock Trial Program

Join the attorneys of Page, Wolfberg & Wirth, LLC, the National EMS, Ambulance and Medical Transportation Industry Law Firm, who will present a courtroom trial of an emergency medical dispatch case in an entertaining and informative way! The trial features opening statements, direct and cross examination of witnesses, tape-recorded evidence, and closing arguments! Then the audience gets to act as the jury and vote on the outcome of the trial! After the verdict, the attorneys will review major emergency dispatch liability areas and explain the law of negligence as applied to dispatch agencies.

Estimated time: 3 - 4 hours
Audience: Dispatchers, dispatch or communications center managers, ambulance service administrators, managers, etc.

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