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Healthcare Liens in Personal Injury Matters

DATED MATERIAL - PLEASE EXPEDITE!

Wednesday, August 22, 2012

Video replay dates available.



For more information

Scan code for more information
or to register for this course.



Minnesota State Bar Association
Continuing Legal Education

Your State Bar at Work for You

Faculty

Timothy P. Tobin

Course Chair

Gislason & Hunter LLP; Minneapolis

Wilbur W. Fluegel

Fluegel Law Office; Minneapolis

Robert J. Hauer, Jr.

Hauer Fargione Love Landy McEllistrem & Rorvig PA; Saint Louis Park

Andrew J. Rorvig

Hauer Fargione Love Landy McEllistrem & Rorvig PA; Saint Louis Park

Healthcare Liens in Personal Injury Matters

*Get It Right with Medicare
and More!* This practical
seminar features:

- NEW and updated sessions
- Dynamic teaching team
- Practical tips and strategies
- Sample releases
- And more!

Wednesday, August 22, 2012

Minnesota CLE Conference Center

Seventh Street & Nicollet Mall

Third Floor City Center, Minneapolis

Video replay details inside.

Course Information

LIVE PRESENTATION

Wednesday, August 22, 2012

Minnesota CLE Conference Center

Seventh Street & Nicollet Mall, Third Floor City Center, Minneapolis

VIDEO REPLAYS

*Schedule times may differ from the live program. Start times are as indicated below.
Please register at least one week in advance to secure your copy of the course materials
on the day of the seminar.*

Minneapolis - 9/5/12

(Reg. 8:30; Replay 9:00)

Minnesota CLE Conference Center

Seventh Street & Nicollet Mall

Third Floor City Center

Minneapolis - 9/25/12

(Reg. 8:30; Replay 9:00)

Minnesota CLE Conference Center

Seventh Street & Nicollet Mall

Third Floor City Center

CREDITS

Minnesota CLE is applying to the Minnesota State Board of Continuing Legal Education
for **5.0 standard CLE credits**.

NEW LAWYER SCHOLARSHIP PROGRAM

In recognition of the challenges facing lawyers entering the profession, Minnesota
Continuing Legal Education has established a scholarship program for unemployed and
underemployed lawyers admitted less than three years. Those wishing to apply for such
assistance should contact Grant at **651-254-2111** or **gdavies@minncle.org** for details.

CANCELLATION / NO-SHOW POLICY

Paid registrants who cancel their registration at least 3 business days before the
program will receive a full credit on their account; if fewer than 3 business days, a \$25
administrative fee will be deducted. Paid registrants who do not cancel, yet fail to attend,
will receive the written materials. Passholders may purchase the materials for 50% of
the full retail price.

ACCOMMODATION

If you have a disability and need an accommodation in order to attend this seminar,
please contact Minnesota CLE as soon as possible at 2550 University Avenue West,
Suite #160-S, Saint Paul, MN 55114 or call 651-227-8266 or 800-759-8840.

QUESTIONS?

For further information, please call Minnesota CLE at **651-227-8266** or **800-759-8840**.
Or, visit us on the web at **www.minncle.org**.

Wednesday, August 22, 2012
Minnesota CLE Conference Center 777-13 | Imp

8:30 – 8:55 a.m.
CHECK-IN &
CONTINENTAL BREAKFAST

8:55 – 9:00 a.m.
Welcome & Introduction

9:00 – 10:00 a.m.
The View Across the Minefield: A Practitioner’s Overview of How Healthcare Liens and Subrogation Interests Affect the Personal Injury Case

- A practical overview and refresher on key concepts:
- The difference between a lien and a subrogation interest;
 - A laundry list of the types of liens to keep in mind as affecting your personal injury cases;
 - An overview of the Medicare Secondary Payer Act and MMSEA – the statutory scheme and risks it presents for the practitioner involved in personal injury matters.
- *Timothy P. Tobin*

10:00 – 10:30 a.m.
New Developments – Including New Minnesota “Collateral Source” Cases

– *Wilbur W. Fluegel*
– *Timothy P. Tobin*

10:30 – 10:45 a.m.
BREAK

10:45 – 11:45 a.m.
How to Resolve Medicare Liens: Medicare Reimbursement and Set-Aside Agreements

- **Reimbursement:** This session describes the responsibility to reimburse Medicare for its conditional payments, and how to promptly resolve the issue of what is owed and how it is to be reimbursed. Additional topics include: whether Medicare may be named on a settlement check; whether a release may ethically call for the plaintiff’s attorney to “indemnify” the tortfeasor and their liability insurer for satisfaction of Medicare liens; and the protocol for applying to court for assistance in resolving these questions.
 - **Medicare Set-Asides:** There is a great deal of debate as to whether the obligation to set aside part of a settlement for future medical bills applies to personal injury settlements involving Medicare recipients. This session provides insight on that debate and describes the mechanics for a set-aside.
- *Wilbur W. Fluegel*

11:45 a.m. – 1:00 p.m.
LUNCH (on your own)

1:00 – 1:45 p.m.
ERISA and Medicaid Subrogation: Rules of the Game

The power of ERISA and the exposure it creates. Medical Assistance/Medicaid subrogation and how to handle MA liens.

– *Andrew J. Rorvig*

1:45 – 2:30 p.m.
Private Insurance Liens and Hospital Liens

So, it’s not an ERISA plan – what do I do now? Do all health insurance and disability plans operate the same way? Did you know there is a statutory hospital lien? Tips to navigate these confusing issues.

– *Robert J. Hauer, Jr.*

2:30 – 2:45 p.m.
BREAK

2:45 – 3:30 p.m.
What’s in the Tool Box? Effectively Resolving Healthcare Liens – Including Sample Releases

Experienced defense and plaintiffs’ counsel provide insights into handling healthcare liens in the personal injury context. Sample releases will be provided and analyzed.

– *Robert J. Hauer, Jr.*
– *Andrew J. Rorvig*
– *Timothy P. Tobin*

3:30 – 3:45 p.m.
Questions & Answers

PLEASE “✓” APPROPRIATE BOX BELOW:

LIVE (8/22/12):
 \$225 MSBA member \$225 paralegal \$275 standard rate

VIDEO REPLAY:
 \$195 MSBA member \$195 paralegal \$245 standard rate

Location: _____ Date: _____

NEW LAWYER DISCOUNT!
 I was first admitted to the bar after August 22, 2009, and have deducted \$60 from the registration fee marked above.

I have a MN CLE Season PassSM. Pass # _____
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Program Materials	COST OF BOOK(S)	S & H
I cannot attend. Please send me: _____ copy(ies) of the course materials at \$75 each. (available 8/30/12)	\$18.01 – 25	\$.55
	\$25.01 – 50	\$.66
	\$50.01 – 75	\$.77
	\$75.01 – 100	\$.88
	\$100.01 – 150	\$.99
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