

The Florida Bar Continuing Legal Education Committee and
The Health Law Section present



7th Annual FUNdamentals: Lawyers at the Bedside: The intersection of legal and medical ethics

Helping healthcare lawyers and medical professionals better understand legal and medical ethics issues that arise when the legal profession, the medical profession, patients, and patients' families encounter conflicts involving patient care.



COURSE CLASSIFICATION: ADVANCED LEVEL
LEGAL ETHICS CREDIT:

One Location: Friday, September 18, 2015

**Orlando Airport Marriott, 7499 Augusta National Drive, Orlando, Florida 32822
(407) 851-9000**

Course Number: _____

Back by popular demand and certain to be a sell-out, this annual don't-miss FUNdamentals of Florida healthcare law CLE program focuses this year on lawyers at the bedside - the intersection of legal and medical ethics. This lively and fast-paced program features ___ hours of legal ethics credit and is designed to be immediately useful to attorneys, medical professionals and healthcare consultants needing to better understand legal and medical ethics issues that arise when interests of the legal profession, the medical profession, patients and patients' families collide. Morning and afternoon sessions will be followed by interactive panel discussions among faculty. Questions for panel members from on-site and internet attendees are welcome and encouraged. Comprehensive program materials include Legal and Medical Ethics resources such as Chapter 4, *Rules of The Florida Bar*, 2008 Professional Guidelines, and Ethics Opinions Subject Index. Because our theme is lawyers at the bedside and the program involves legal and medical ethics issues, speakers and attendees are encouraged to wear "scrubs".

7:15 a.m. – 7:45 a.m.

Late Registration

7:45 a.m. - 8:00 a.m.

Introduction and welcome

Chet Barclay, Tallahassee

8:00 a.m. – 10:00 a.m.

Addressing legal and medical ethics when conflicts arise among medical staff, patients, and healthcare institutions

Ed Carbone, Tampa Mr. Carbone will discuss the intersection of legal principles and medical ethics primarily in the context of hospital ethics committees. The discussion will include issues when what is legally permissible or legally required diverges from what is medically ethical, as well as situations where interests of patients, providers and facilities conflict.

Barry Herrin, Atlanta Mr. Herrin will address legal and medical ethics issues involved when medical professionals use social media such as Facebook, Twitter or Instagram in the course of their work, how doing so can raise issues involving physician-patient issues, and a comparison of these issues to those faced by the legal profession when using similar technology.

Kirk Davis, Tampa Mr. Davis will discuss resolution of legal and medical ethics conflicts that arise between the legal profession, medical administration, medical professionals, and patients and their families.

Jillian Estes, Tampa Ms. Estes will address differing roles faced by physicians, healthcare executives and the legal profession in resolving legal and medical ethics issues that arise in False Claims Act and *qui tam* cases, highlighting common mistakes and how to avoid them.

10:00 a.m. – 10:15 a.m.

Networking break

10:15 a.m. – 11:15

Interactive panel discussion

Barry Herrin will moderate a panel discussion between attendees and among Ed Carbone, Kirk Davis and Jillian Estes.

11:15 a.m. – noon

Legal and Medical Ethics - The Year in Review

Cynthia Mikos, Tampa Ms. Mikos will discuss current and governing baseline legal and medical ethics court cases involving attorneys, medical professionals and the healthcare industry.

Noon – 12:45 p.m.

Buffet Lunch (included in Registration)

12:45 p.m. – 1:45 p.m.

Addressing legal and medical ethics conflicts involving end-of-life decision-making

Panagiota Caralis, Miami Dr. Caralis' discussion of selected medical and legal issue case studies involving end of life will include issues concerning use of advance directives and surrogate decision-making and addressing whether withdrawing artificial sustenance and pacemakers is euthanasia.

Jay Wolfson, Tampa Dr. Wolfson will tackle legal and medical ethics issues facing families, the legal profession, and medical professionals as patients near end of life, to include religious, personal, legal, and moral issues involved with autopsies, involuntary treatment decisions, and lessons learned from the Terri Schiavo case.

1:45 p.m. – 2:45 p.m.

Legal and medical issues involving nurses and healthcare extenders

Rawsi Williams, Miami; Cynthia Mikos, Tampa Ms. Williams and Ms. Mikos will address legal and medical ethics issues encountered by nurses and healthcare extenders in a variety of

treatment locations such as home health, assisted living facilities, hospice and hospitals and how their roles in ethical situations substantively impact the lawyer's ultimate advocacy, outcome and results on behalf of clients.

2:45 p.m. –3:00 p.m.

Networking break

3:00 p.m. – 4:00 p.m.

The Physician Orders for Life Sustaining Treatment (POLST) paradigm and Protected Health Information (PHI) in litigation

Marshall Kapp, Tallahassee Marshall Kapp will describe the POLST paradigm, what it is, how POLST's may be used in Florida and how they can help reduce or mitigate issues arising from medical and legal ethics conflicts.

Ann St. Peter-Griffith, Miami Ann St. Peter-Griffith will cover legal and medical ethics issues and nuts and bolts of obtaining consents and then using PHI in administrative, civil and criminal litigation, particularly in end-of-life circumstances.

4:00 p.m. – 4:30 p.m.

Interactive panel discussion

Rawsi Williams will moderate a panel discussion between attendees and among Jay Wolfson, Panagiota Caralis, Cynthia Mikos, Marshall Kapp and Ann St. Peter-Griffith.