

Health Law Certificate Expands Brandeis Law's Mission and Reach

Dean Colin Crawford

It is both an exciting and a challenging time to be in legal education. Law school applications are up across the country and law schools continue to explore new ways to provide the next generation of lawyers with the best training possible.

One major shift this year comes from the American Bar Association. In May, the ABA's Section of Legal Education and Admissions revised Standard 306 to allow law schools to give students the opportunity to earn up to one-third of their credit hours via distance learning. Up to 10 of those credits can be during the first year of law school.

The faculty and I are in discussion about how this change could play out at the University of Louisville School of Law, but one thing is certain: legal education will continue to adapt to social and technological change.

As part of this changing landscape and the need for law schools to be entrepreneurial, we have launched a Certificate in Health Law. This new, non-degree program is intended for non-lawyers who work in health care and are confronted with legal questions and regulations daily.

We are proud to partner with iLaw, which works with law schools to offer online learning, in this certificate. iLaw is the brain child of Ken Randall who was, for

20 years, a legendary and transformative Dean at the University of Alabama School of Law. For our health law certificate, students enroll in courses such as Healthcare Payment Systems and HIPAA and Security to learn practical information at their own pace and in their own time. Courses are taught by practitioners, including many local attorneys and counsel for health care companies. And courses are competency-based, with assessments during each course to test students' comprehension.

We're excited to offer this program as a way to engage in our community and to connect with people we might never have been in contact with otherwise.

As a law school, we're in the business of legal education. With this certificate, we can be part of a future that uses technology to teach lawyers and others who demand legal knowledge.

I spoke with Tad Myre, co-chair of the Health Care Service Team at Wyatt Tarrant & Combs. Tad has been invaluable in getting this program off the ground. His expertise and connections have helped us make this program strong and we are incredibly grateful for his guidance. You might be interested to hear his perspective on what the Certificate in Health brings to the table.

Why does it make sense for the University of Louisville to offer a health law certificate?

These days, educational institutions are less confined than ever before to the confines of a campus and a ticking clock. While the first priority will always be the full-time student, the University's resources can be leveraged to go far beyond that. The health law certificate is just part of that, another example of the University's willingness to expand its mission and reach. This particular endeavor does so in a community that is a health care mecca, through its diverse providers, leaders, employees, board members, vendors and advisors.

Why are the courses well-suited for professional learners?

The rules are complex, pervasive and granular, and for that reason there's no way compliance can begin and end with the lawyer and the corporate compliance officer; it requires an all-hands-on-deck mentality. For in-house counsel and CCOs, it is always a comfort to know that the people on the front lines have some basic understanding of and respect for the law, for the front line is usually where the problem begins. Education is what puts the "effective" in an effective corporate compliance program.

What are three common legal issues that you see faced by people in the health care industry?

HIPAA, the Stark law and everything else.

HIPAA because it is so pervasive and because the use of electronic medical records and the growing threat of cyberattacks have multiplied the potential for disaster exponentially.

Stark law because it is incredibly complex and often counterintuitive and because many confuse it with its angry cousin, the Medicare anti-kickback statute.

Everything else because it's just a big boiling pot of laws and regulations and preambles and special bulletins and billing manuals, any one of which can jump up at any time and grab you by the throat. And leave behind a mixed metaphor.

What are some of the professions that could benefit from enrolling in individual courses?

Just about anybody who's got both feet in the industry. Executives, managers, individual providers, corporate compliance officers, board members, accountants, consultants and even lawyers new to the area who need a quick way to get up to speed.

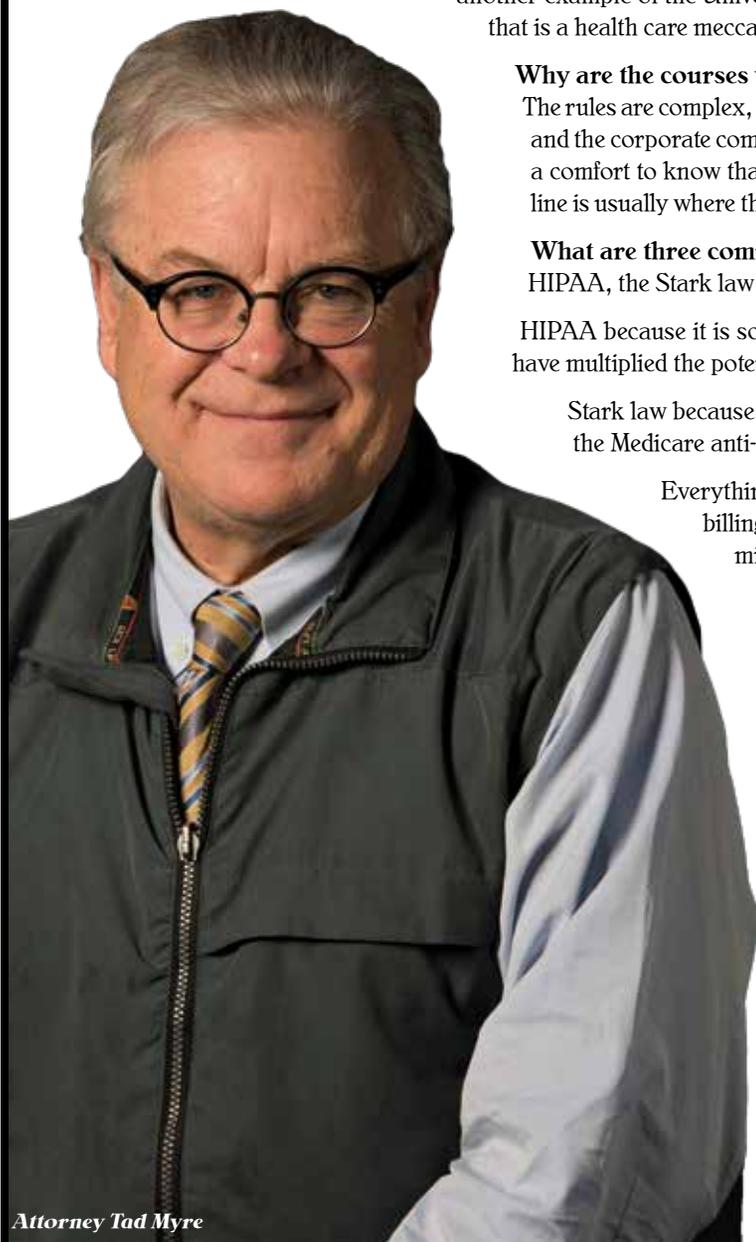
What regulations do you wish that more health care employees knew about?

That depends on what the employee does. Just about everyone should know what a corporate compliance plan is and how he or she fits into the big picture. Everybody should be aware that the government is now focused on individuals and not just organizations. That means you! If you've never heard of the Yates memo, find it online and read it.

After that, employees should know the laws that apply to their service area, intricately. That knowledge is not a substitute for seeking legal advice when it's needed, but it helps those good people stay on the straight and narrow and know when to consult legal counsel.

To learn more about our Health Care Certificate, please visit louisville.edu/law/healthlaw.

Colin Crawford, dean of the University of Louisville School of Law, serves on the boards of both the Louisville Bar Association and the Louisville Bar Foundation. ■



Attorney Tad Myre

