

# Ebola Preparedness: Mission Critical for Hospitals and Health Systems Webinar

Reinhart hosted a webinar presentation on **Ebola Preparedness: Mission Critical for Hospitals and Health Systems** on Tuesday, October 28, 2014.

The lesson of recent events is that a hospital's emergency preparedness, or lack thereof, can directly affect its ability to serve the health care needs of its community and, ultimately, to continue to fulfill its mission. The Texas experience demonstrates that community-based facilities face significant challenges in treating Ebola. Although the quarantine period has now ended for the first group of exposed persons, Ebola has forever changed how infection control and health care worker protection will be viewed by the public. Much needs to be done to counteract the erosion of public trust that has occurred in recent days—is your organization ready to meet the challenge?

[Recording](#) / [Handout](#)

## Audiences Who May Be Interested:

- Health System Board Members
- Senior Leadership and Medical Staff Leaders
- Human Resources Executives and Managers
- Compliance Officers and Analysts
- Risk Management Personnel
- Quality Assurance Executive and Managers
- In-house Legal Counsel

## Program:

This important webinar will identify preparation strategies and the legal requirements that must be considered in developing an Ebola response plan, including the following:

- **The Role of the Board of Directors in Ebola-Preparedness.** State licensing provisions, the Medicare Conditions of Participation and The Joint Commission hospital accreditation standards, each, identify the governing body as being legally responsible for the overall conduct of the hospital as an institution and

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require it to oversee the organization's quality and patient safety activities.

What information does the Board need to discharge this fiduciary duty?

- **Health Care Worker Protection.** Our attorneys will review new CDC guidelines, with a focus on the interplay between CDC protocols and an employer's requirements under the Occupational Safety and Health Act (OSHA). We will discuss key OSHA issues, including OSHA's General Duty Clause, OSHA's Personal Protective Equipment (PPE)/Respiratory Protection Standard, OSHA's Bloodborne Pathogen Standard, OSHA's Hazard Communication Standard, OSHA's Whistleblower Protection Program, OSHA Guidance and other information addressing Ebola.
- **EMTALA Implications and Review of Transfer Protocols and Arrangements.** In addition to reviewing the application of EMTALA requirements to Ebola-preparedness strategies, we will discuss strategies for reviewing the adequacy of current transfer protocols and arrangements.
- **Key Employment Policies and Procedures.** We will identify key policies impacted by a response plan, including the application of the National Labor Relations Act (NLRA), the Americans With Disabilities Act (ADA), and the Family and Medical Leave Act (FMLA). We will also identify various options for addressing employment challenges.
- **HIPAA Compliance.** We will identify and discuss strategies and special procedures that would be deployed if a patient presents with Ebola symptoms to proactively ensure compliance with HIPAA privacy and security requirements.

## About Our Presenters:

Jeffrey P. Clark is a shareholder in the firm's Litigation, Labor and Employment Law, Real Estate and Environmental Law Practices. His practice encompasses civil litigation, employment discrimination, personal injury, worker's compensation, environmental, health and safety litigation, administrative proceedings and audits, business disaster prevention and crisis management. In addition to practicing law for more than 35 years, Mr. Clark actively participates in professional organizations that work to prevent and manage community emergencies and disasters.

[Heather L. Fields](#) is a shareholder in the firm's Health Care Practice and chairs the firm's Hospitals and Health Care Systems group. She is also a member of the firm's Hospice and Palliative Care group and the Tax-Exempt Organizations group. She routinely serves as counsel to acute-care hospitals, multi-provider health care systems, multi-specialty clinics, hospices and long-term care providers, assisting



them with a wide variety of regulatory, transactional, and compliance-related matters. She has extensive experience advising clients in connection with fraud and abuse issues that arise in the context of various health care provider relationships and transactions. She also advises clients on designing and implementing corporate compliance programs and assessing compliance program effectiveness, all aspects of HIPAA compliance, clinical research compliance, and 340B compliance. She is Certified in Healthcare Compliance (CHC) and is a Certified Compliance and Ethics Professional (CCEP).

[Katie D. Triska](#) is a shareholder in the firm's Labor and Employment Practice. She routinely advises employers on a wide range of employment issues, including successful hiring, employee performance management and termination strategies; development and implementation of anti-harassment and other personnel policies; evaluating reasonable accommodation obligations under ADA and state disability laws; and achieving compliance with the FMLA and state leave laws.

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