

Seminar presented by the UIA Health Law Commission, UIA Insurance Law Commission, UIA Biotechnology Law Commission, UIA Privacy and Rights of the Digital Person Commission, with the support of the ABA Section of International Law, the ABA Tort Trial & Insurance Practice Section and the New York State Bar Association's International Section

# Welcome to the age of Big Health Data! Will it be a Cure or a Curse?

## NEW YORK NY, USA

Thursday, June 6 & Friday, June 7, 2019

#UIAHealthLaw





## Bringing Together the World's Lawyers

UIA is the global and multi-cultural organisation for the legal profession, established in 1927 and now with members in 110 countries. UIA facilitates professional development and international exchange of information and ideas, promotes the rule of law, defends the independence and freedom of lawyers worldwide, and emphasizes friendship, collegiality and networking among members.

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**Join the world's largest international network of lawyers**

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## ORGANISING COMMITTEE

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## Introduction

The promise of "precision medicine" is within reach due to new uses for voluminous electronic medical data and the expanding role of artificial intelligence. Rapid developments in technology are numerous and health law is struggling to keep pace with medical inventions and innovations: genetic engineering, stem cell therapy and other developments in biotechnology are promising prevention and cure for diseases that have long plagued the world. The latest pharmaceuticals have imbedded diagnostic chips that can communicate intimate personal data once ingested by the patient. Advancements in medical devices and smartphone apps herald a new era in consumerism never before seen in health care.

These quickly evolving changes are significantly impacting the practice of health law. **How can traditional health care law deal with these cutting edge issues? And at what price do these advancements come? Will the rise of the digital patient cause the demise of privacy?** Join us as we explore identify legal gaps and questions created by these changes. Using current laws and recent enactments as a baseline, speakers will delve into legal, ethical, insurance and operational business challenges that health care faces and explain **what health law attorneys need to know to best counsel their clients.**

Mark your calendars now, save the dates and **register NOW!** We look forward to welcoming you to New York City!



*The UIA would like to thank the following partners:*

**Pepper Hamilton LLP**  
Attorneys at Law

**WUERSCH & GERING**

  
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## SPEAKERS &amp; MODERATORS

- **Issouf BAADHIO**, *UIA President, Past President of the Burkina Faso Bar, Ouagadougou, Burkina Faso*
- **Jérémy BENSOUSSAN**, *President of the UIA Privacy and Rights of the Digital Person commission, Alain Bensoussan Avocats Lexing, Paris, France*
- **Kyle D. BLACK**, *Buchanan Ingersoll & Rooney, Pittsburgh, PA, USA*
- **Joshua R. COHEN**, *DeCorato Cohen Sheehan & Federico LLP, New York, NY, USA*
- **Ian DE FREITAS**, *UIA Deputy Director of Commissions, Farrer & CO., London, UK*
- **Joseph J. DEHNER**, *Frost Brown Todd LLC, Cincinnati, OH, USA*
- **Elise DUFOUR**, *Bignon Lebray, Paris, France*
- **Gregory M. FLISZAR, J.D., Ph.D.**, *Cozen O'Connor, Philadelphia, PA, USA*
- **Andrew GROSSO**, *Andrew Grosso & Associates Washington, DC, USA*
- **Delphine JAAFAR**, *UIA Deputy Director of Seminars, Partner at VATIER Law Firm, Paris, France*
- **Christopher B. KENDE**, *President of the UIA Insurance Law commission, Cozen O'Connor, New York, NY, USA*
- **Janice F. MULLIGAN**, *President of the UIA Health Law commission, Mulligan, Banham & Findley, San Diego, CA, USA*
- **João RIBEIRO DA COSTA**, *LRNG Advogados (Landi, Rodrigues, Nakano e Giovannetti), Sao Paulo, Brazil*
- **Diego SALUZZO**, *Grande Stevens Studio Legale, Turin, Italy*
- **Eliana SILVA DE MORAES**, *Silva De Moraes Advogados Associados, Sao Paulo, Brazil*
- **Rupinder SINGH SURI**, *President of the UIA Indian national committee, Former President of the Supreme Court Bar Association, New Delhi, India*
- **Prof. Wei SONG**, *President of the UIA Biotechnology Law commission, Law Institute - University of Science and Technology of China, Hefei, China*
- **Scott S. SPEARING**, *Hermes, Netburn, O'Connor & Spearing, P.C., Boston, MA, USA*
- **Shigeki TAKAHASHI, MD, PhD, LL.B.**, *Hamani-Takahashi LAW Offices, Tokyo, Japan*
- **Jay WOLFSON, DrPH, JD**, *Associate Vice President Health Law, Policy and Safety and Senior Associate Dean, Health Policy and Practice, Morsani College of Medicine at the, Distinguished Service Professor of Public Health, Medicine and Pharmacy, University of South Florida Tampa, FL, USA*

**For more information or if you are interested in joining the event as a speaker, please do not hesitate to contact us:**  
[uiacentre@uianet.org](mailto:uiacentre@uianet.org)

## Thursday, June 6

## 08:30 – 09:00 Registration of Participants

**Pepper Hamilton LLP**  
 The New York Times Building, 37<sup>th</sup> Floor  
 620 Eighth Avenue  
 New York, NY 10018

## 09:00 – 09:30 Welcome and Opening of the Seminar

- **Issouf BAADHIO**, *UIA President, Past President of the Burkina Faso Bar, Ouagadougou, Burkina Faso*
- **Delphine JAAFAR**, *UIA Deputy Director of Seminars, Partner at VATIER Law Firm, Paris, France*
- **Janice F. MULLIGAN**, *President of the UIA Health Law commission, Mulligan, Banham & Findley, San Diego, CA, USA*
- **Christopher B. KENDE**, *President of the UIA Insurance Law commission, Cozen O'Connor, New York, NY, USA*
- **Jérémy BENSOUSSAN**, *President of the UIA Privacy and Rights of the Digital Person commission, Alain Bensoussan Avocats Lexing, Paris, France*
- **Prof. Wei SONG**, *President of the UIA Biotechnology Law commission, Law Institute - University of Science and Technology of China, Hefei, China*

## 09:30 – 10:30 Introduction: Big Data, better Health?

**Keynote speaker:** • **Andrew GROSSO**, *Andrew Grosso & Associates Washington, DC, USA*

Andrew Grosso has a private law practice in Washington, D.C., emphasizing medical and electronic privacy. He is a former Assistant U.S. Attorney who founded the U.S. Department of Justice's first health care fraud task force, and he was a founding member of the Department's national Health Care Fraud Working Group.

**Moderator:** • **Delphine JAAFAR**, *UIA Deputy Director of Seminars, Partner at VATIER Law Firm, Paris, France*

## 10:30 – 10:45 Coffee Break

## 10:45 – 12:30 David and Goliath: Data Protection Laws in the Age of the Digital Person

- What is Big Data in Healthcare?
- Protecting Health Privacy in the World of Big Data HIPAA, GPRD and more
- Cybersecurity and HealthCare – HIPAA Obligations and Concerns for Covered Entities and Business Associates. This program will highlight the need for HIPAA compliance (including breach response and notification) for covered entities at a time of expanding enforcement and increased data breaches.

**Moderator:** • **Janice F. MULLIGAN**, *President of the UIA Health Law commission, Mulligan, Banham & Findley, San Diego, CA, USA*



## Speakers:

- **Delphine JAAFAR**, *UIA Deputy Director of Seminars, Partner at VATIER Law Firm, Paris, France*
- **Joseph J. DEHNER**, *Frost Brown Todd LLC, Cincinnati, OH, USA*
- **Gregory M. FLISZAR**, *J.D., Ph.D., Cozen O'Connor, Philadelphia, PA, USA*
- **Shigeki TAKAHASHI**, *MD, PhD, LL.B, Hamani-Takahashi Law Offices, Tokyo, Japan*
- **Rupinder Singh SURI**, *President of the UIA Indian national committee, Former President of the Supreme Court Bar Association, New Delhi, India*

## 12:30 – 14:00 Networking Lunch

## 14:00 – 15:30 Intellectual Property Rights for Big Health Data: are Data-Generating Patents a Game Changer?

**Moderator:** • **Jérémy BENSOUSSAN**, *President of the UIA Privacy and Rights of the Digital Person commission, Alain Bensoussan Avocats Lexing, Paris, France*

### Speakers:

- **Eliana SILVA DE MORAES**, *Silva De Moraes Advogados Associados, Sao Paulo, Brazil*
- **Prof. Wei SONG**, *President of the UIA Biotechnology Law commission, Law Institute - University of Science and Technology of China, Hefei, China*

## 15:30 – 15:45 Coffee Break

## 15:45 – 17:00 Insurance and Contract Considerations in the World of Big Health Data

- Adopting Outcomes-Based Contracts
- New Beginning of Insurance Issue: Protection on Protection to Overprotection?

**Moderator and Speaker:** • **Christopher B. KENDE**, *President of the UIA Insurance Law commission, Cozen O'Connor, New York, NY, USA*

### Speakers:

- **João RIBEIRO DA COSTA**, *LRNG Advogados (Landi, Rodrigues, Nakano e Giovannetti), Sao Paulo, Brazil*
- **Scott S. SPEARING**, *Hermes, Netburn, O'Connor & Spearing, P.C., Boston, MA, USA*

## 18:00 – 21:00 Cocktail & Art Reception

**Kindly offered by Wuersch & Gering LLP at:**  
**Wuersch & Gering LLP**  
 100 Wall Street, 10<sup>th</sup> Floor  
 New York, NY 10005

# Friday, June 7

## 09:00 – 09:15 Registration of Participants

### Pepper Hamilton LLP

The New York Times Building, 37<sup>th</sup> Floor  
 620 Eighth Avenue, New York, NY 10018

## 09:15 – 10:45 How Telemedicine, Artificial Intelligence and Robotics are Making Medicine Edgy and Existing Laws Archaic

**Moderator:** • **Ian DE FREITAS**, *UIA Deputy Director of Commissions, Farrer & CO., London, UK*

### Speakers:

- **Janice F. MULLIGAN**, *President of the UIA Health Law commission, Mulligan, Banham & Findley, San Diego, CA, USA*
- **Jérémy BENSOUSSAN**, *President of the UIA Privacy and Rights of the Digital Person commission, Alain Bensoussan Avocats Lexing, Paris, France*
- **Joshua R. COHEN**, *DeCorato Cohen Sheehan & Federico LLP, New York, NY, USA*
- **Diego SALUZZO**, *Grande Stevens Studio Legale, Turin, Italy*

## 10:45 – 11:00 Coffee Break

## 11:00 – 12:30 The Patient: A New Medical Device?

When the Medical Connection of the Body Stops ... and When the Patient's Rights Begin ...?

**Moderator:** • **Prof. Wei SONG**, *President of the UIA Biotechnology Law commission, Law Institute - University of Science and Technology of China, Hefei, China*

### Speakers:

- **Delphine JAAFAR**, *UIA Deputy Director of Seminars, Vatie Law Firm, Paris, France*
- **Elise DUFOUR**, *Bignon Lebray, Paris, France*
- **Kyle D. BLACK**, *Buchanan Ingersoll & Rooney, Pittsburgh, PA, USA*

## 12:30 – 13:00 Epilogue: what about Ethics?

**Keynote speaker:** • **Jay WOLFSON**, *DrPH, JD, Associate Vice President Health Law, Policy and Safety and Senior Associate Dean, Health Policy and Practice, Morsani College of Medicine, Distinguished Service Professor of Public Health, Medicine and Pharmacy, University of South Florida Tampa, FL, USA*

## 13:00 – 14:00 Optional Lunch

### Pepper Hamilton LLP

The New York Times Building, 37<sup>th</sup> Floor  
 620 Eighth Avenue, New York, NY 10018



All the information relative to our seminars is available on our Website  
**[www.uianet.org](http://www.uianet.org)**

# GENERAL INFORMATION

## SEMINAR VENUE

### PEPPER HAMILTON LLP

The New York Times Building  
37<sup>th</sup> Floor  
620 Eighth Avenue  
New York, NY 10018, USA  
T +1 212 808 2700

**Pepper Hamilton LLP**  
Attorneys at Law

## CONTINUING LEGAL EDUCATION

Every participant attending the seminar will receive a "Certificate of Participation" at the end of the event that may be used to obtain "Credits" for "Continuing Legal Education" – "Continuing Professional Development" purposes, depending on national rules. For more information, please contact the UIA.

## LANGUAGE

The working language will be **English**.

## HOTEL RESERVATION

We recommend the following nearby hotels for your stay in New York.

- **Hampton Inn Manhattan/Times Square Central** – 220 West 41<sup>st</sup>, New York, NY 10036 – .1 miles / 210 meters away from New York Times Building, 8<sup>th</sup> Avenue
- **Hilton Times Square** – 234 West 42<sup>nd</sup> Street, New York, NY 10036 – .1 miles / 240 meters away from New York Times Building, 8<sup>th</sup> Avenue
- **Fairfield Inn by Marriott New York Manhattan/Times Square** – 330 West 40<sup>th</sup> Street, New York, NY 10018 – .1 / 200 meters miles away from New York Times Building, 8<sup>th</sup> Avenue
- **Holiday Inn New York City/Times Square** – 585 8<sup>th</sup> Avenue, New York, NY 10018 – .1 miles / 150 meters away from New York Times Building, 8<sup>th</sup> Avenue
- **Four Points by Sheraton Midtown/Times Square** – 326 West 40<sup>th</sup> Street, New York, NY 10018 – .1 miles / 180 meters away from New York Times Building, 8<sup>th</sup> Avenue

## REGISTRATION FEES

	on or before May 6	From May 7
UIA / ABA MEMBER	<input type="checkbox"/> EUR 395/USD 450	<input type="checkbox"/> EUR 445/USD 500
UIA / ABA MEMBER - Young Lawyer (<35)*	<input type="checkbox"/> EUR 345/USD 400	<input type="checkbox"/> EUR 395/USD 450
NON-MEMBER	<input type="checkbox"/> EUR 445/USD 500	<input type="checkbox"/> EUR 495/USD 550
NON-MEMBER - Young Lawyer (<35)*	<input type="checkbox"/> EUR 395/USD 450	<input type="checkbox"/> EUR 445/USD 500

### Fees include:

- Attendance at all working sessions
- Seminar documentation
- Lunch on June 6
- Coffee breaks on June 6 & 7
- Cocktail reception on June 6

\* Please attach proof of age to the registration form to benefit from young lawyers' fee.

Please note that the number of places at the seminar is limited. The organizers reserve the right to refuse registrations in the event of excess applications.

In order for your name to appear in the **list of participants**, which will be distributed during the seminar, your registration form must be received by **May 23** at the latest. An updated electronic list will be sent by email to all the participants after the seminar.



# CANCELLATION AND GENERAL CONDITIONS

## CANCELLATION CONDITIONS

All cancellations will be subject to a 50% deduction and will have to be sent in writing, to be received by the Union Internationale des Avocats **no later than May 6, 2019**. No refund will be made for cancellations received after this date.

## VISAS

Anyone who requires a visa invitation letter in order to attend the seminar should register and pay their registration fees **no later than May 6, 2019** to ensure there is enough time to obtain a visa.

All cancellations will be refunded in full, minus €50 / \$60 to cover administrative costs, provided that the UIA has received the registration documents and **total registration fees no later than May 6, 2019**.

If you register after this date, only 50% of the amount paid minus €50 / \$60 to cover administrative costs will be refunded for cancellations due to visa refusals.

All cancellations due to a visa refusal must be sent in writing and reach the UIA **before the seminar**. Cancellations must be accompanied by a **proof of visa refusal**.

If your visa is issued after the seminar date or if you do not have proof of visa refusal, you will not be entitled to a refund.

## GENERAL CONDITIONS

All registrations received by the Union Internationale des Avocats (UIA) along with the full payment of fees corresponding to the events selected will be confirmed in writing.

The UIA reserves the right to cancel or postpone the seminar to a later date, change the seminar venue and/or program, make any corrections or modifications in the information published in the seminar program and cancel any invitation to participate in the seminar, at any time and at their entire discretion, without having to provide any reasons for the same.

Neither the UIA, nor any of its managers, employees, agents, members or representatives shall be held responsible for any loss or damage, of any nature, suffered (directly or indirectly) by a delegate, accompanying person or a third party following any cancellations, changes, postponements or modifications.

**The UIA strongly advises participants to subscribe to modifiable and/or refundable services, as well as to take out a cancellation insurance.**

Neither the UIA, nor any of its managers, employees, agents, members or representatives shall be held responsible for any loss or damage, of any nature whatever, suffered (directly or indirectly) by a delegate or accompanying person, except in case of death or personal injury due to gross negligence by the UIA.

The contractual relations between the UIA and each participant (delegate or accompanying person) in relation to the seminar are subject to French law and jurisdiction, to the exclusion of any other law. Paris is the city of jurisdiction.

## FORMALITIES

It is the responsibility of participants to ensure compliance with police, customs and health formalities for their journey. Participants unable to take part in the seminar because of their inability to take a flight or any other means of transportation due to being unable to provide the documents required (passport, visa, vaccination certificate, etc.) cannot claim any reimbursement.

## FORCE MAJEURE

“Force majeure” means any events external to the parties, of both an unforeseeable and insurmountable nature that prevents either the client or the participants, or the agency or service providers involved in organising the seminar, from executing all or part of the obligations provided for in the present agreement. By express agreement, such will be the case in the event of a strike affecting the means of transport, hotel staff, air traffic controllers, an

insurrection, a riot or any prohibition whatsoever decreed by governmental or public authorities.

It is expressly agreed that for the parties, a case of force majeure would suspend the execution of their reciprocal obligations. At the same time, each of the parties shall bear the burden of all the expenses incumbent upon them, resulting from the case of force majeure.

## HEALTH

The organizers decline any responsibility in case of any health problems existing prior to the seminar that may lead to complications or be aggravated during the entire period of the stay: pregnancy, cardio-vascular problems, any allergies, special diets, any disorders under treatment and not yet consolidated on the day the seminar starts, psychic or mental or depressive illness, etc. (Non exhaustive list).

## PERSONAL DATA PROTECTION

The personal data that you communicate to us shall be processed by the International Association of Lawyers (UIA – Union Internationale des Avocats), with its registered office at 20 rue Drouot, 75009 Paris (Tel: +33 1 44 88 55 66 - Fax: +33 1 44 88 55 77 - [privacy@uianet.org](mailto:privacy@uianet.org)), in accordance with Act No. 78-17 of January 6, 1978 relating to data, files and freedoms and Regulation No. 2016/679 on data protection, as of its entry into force on May 25, 2018. Your data will be managed by UIA's General Services, Events and Accounts Section:

- For the purpose of administering your registration for the event and your on-site access to the event;
- In order to pay for the selected services - your bank details will be deleted after receipt of your payment;
- In order to communicate information messages from UIA.

To the extent necessary for the execution of their respective tasks, our subcontractors in charge of our congress organisation, our IT infrastructure, our management, the production and maintenance of our website and extranet, are likely to gain access to your data from time to time. Their servers are located in the European Union.

Data relating to your participation in the event shall be stored for a period of 10 years. We are obliged to archive billing data until the end of the period required for our tax and accounting obligations, i.e. for 7 full tax years. We shall store your contact information to keep you informed until you ask us to stop. You have the right to access your data and have it corrected if necessary. You may object to any processing of your data undertaken by us for the purposes of our legitimate interests. If you wish for more information, or to lodge a complaint, please contact CNIL (French Data Protection Authority).



Union Internationale des Avocats  
International Association of Lawyers  
Unión Internacional de Abogados

# Welcome to the age of Big Health Data! Will it be a Cure or a Curse?

NEW YORK, NY, USA

THURSDAY, JUNE 6 & FRIDAY, JUNE 7, 2019

Register online at: [www.uianet.org](http://www.uianet.org)

or please complete and return this form, by email, fax or post, to:

**UIA (International Association of Lawyers)**

**20 rue Drouot, 75009 Paris, FRANCE**

**Tel: +33 1 44 88 55 66 ■ Fax: +33 1 44 88 55 77 ■ Email: [uiacentre@uianet.org](mailto:uiacentre@uianet.org)**

Family Name: .....

First Name: .....

UIA Identification number (if you already have one): M I \_ \_ \_ \_ \_

Firm: .....

Address: .....

Post Code: ..... City: .....

Country: .....

Tel: ..... Fax: .....

Email: .....

Date of Birth: .....

EU VAT ID-Number: .....

Special requests (special diet, allergies, handicap...): .....

Arrival/departure times & flight numbers: .....

Hotel: .....

## SEMINAR REGISTRATION FEES

	on or before May 6	From May 7
UIA / ABA MEMBER	<input type="checkbox"/> EUR 395/USD 450	<input type="checkbox"/> EUR 445/USD 500
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NON-MEMBER	<input type="checkbox"/> EUR 445/USD 500	<input type="checkbox"/> EUR 495/USD 550
NON-MEMBER - Young Lawyer (<35)*	<input type="checkbox"/> EUR 395/USD 450	<input type="checkbox"/> EUR 445/USD 500

\* Please attach proof of age to the registration form to benefit from young lawyers' fee.

## SEMINAR SOCIAL ACTIVITIES

Please indicate below whether you plan to attend the following events **included** in the cost of your registration.

- ☐ Lunch – Thursday, June 6
- ☐ Cocktail Reception – Thursday, June 6

## OPTIONAL LUNCH

(**not included** in the registration fees)

- ☐ Optional Lunch – **Friday, June 7**

• Please book ..... person(s) for the lunch

EUR 25 / USD 30 x \_\_\_ / pers .....

Total (C) EUR / USD .....

## TOTAL

TOTAL (A) Excl. VAT – Registration Fees EUR / USD .....

TOTAL (C) Excl. VAT – Optional Lunch EUR / USD .....

TOTAL (A + C) EUR / USD .....

## CANCELLATION CONDITIONS AND GENERAL CONDITIONS

I, the undersigned, confirm having read and accepted the cancellation policy and the general terms and conditions given on page 6 of the registration program. My registration will only be taken into account after receipt of my payment.

The participant is aware that his/her image and/or voice may be recorded or filmed during the entire duration of the seminar and, by signing this registration form, grants UIA the right to use, reproduce and distribute the concerned images and recordings by any known or unknown means and on all types of media, for an unlimited duration, completely free of charge.

The undersigned acknowledges having been informed of the processing of the personal data contained in this form by UIA, as detailed on page 6 of the registration program.

## METHOD OF PAYMENT

- ☐ By bank transfer in **EUR or USD**, without charges to the payee, in favour of the Union Internationale des Avocats, quoting **"2019 NYC Seminar"**, to the following bank and account:

**Société Générale – Paris Elysées Entreprise – 91 avenue des Champs Elysées – 75008 Paris – France**

**BIC / SWIFT N°: SOGEFRPP**

**IBAN: FR76 3000 3033 9200 0503 4165 164**

**Kindly attach a copy of your bank transfer order to your registration form**

- ☐ By credit card: ☐ Visa ☐ Mastercard

Card N°: \_\_\_\_\_

Expiry date: \_\_/\_\_/\_\_

3 digits: \_\_\_

Name of card holder: .....

I authorise the Union Internationale des Avocats to debit the above mentioned credit card in the amount of **€ (EUR) or \$ (USD)** .....

Date: ..... / ..... / .....

Signature: .....