

2012 NATIONAL HEALTH LAW TRANSACTIONAL COMPETITION

hosted by

*The Beazley Institute for Health Law and Policy at
Loyola University Chicago School of Law*

PURPOSE

The National Health Law Transactional Competition is a cutting-edge competition that seeks to expose law students to the core competencies of the corporate and regulatory practice of healthcare law. Styled after moot court competitions, the National Health Law Transactional Competition asks students to apply corporate lawyering skills by providing legal advice on a potential business opportunity to a hypothetical healthcare client. This Competition allows students to engage in meaningful dialogue with practitioners in a real-world setting about legal issues currently affecting health care providers.

OVERVIEW

Three-person teams of J.D. students are asked to offer guidance to a hypothetical healthcare client regarding a specific strategic challenge faced by the client. Similar to other legal advocacy competitions, students will be evaluated on both a written submission and an oral presentation. Based on the information the students are given from the client, the teams will reduce their analysis to a legal memorandum that summarizes their legal and business advice for the client. The memoranda will be graded on both substance and writing style. Students then appear before the client's "Executive Management Team" in a boardroom environment to present their analysis of the client's position and recommendations on how their client should proceed. During the presentation, members of the Executive Management Team will ask questions of the teams to test team members' comprehension of the legal issues and to evaluate their skills as oral advocates.

Sample legal and business issues that may arise in the Competition include:

- Whether compensation paid to physicians as part of a physician-hospital joint venture violates the federal Anti-Kickback Statute;
- Whether a hospital's clinical integration program would withstand Federal Trade Commission scrutiny;
- Whether offering incentive-based compensation to one physician group would alienate other physicians on the hospital's medical staff;
- Whether establishing a Federally Qualified Health Center is a realistic solution for addressing a hospital's high percentage of uninsured and/or self-pay patients.

A panel of practicing health law attorneys will grade the written memoranda on an anonymous basis and will designate one written submission as the "Best Memorandum." Panels of practicing attorneys from the Chicago area will serve as the Executive Management Committee for the oral presentations that will be given at Loyola University Chicago. The problem will be released in December 2011, with written memoranda due February 24, 2012, and oral presentations on Friday, March 23, 2012.

Space is limited, so please contact Megan Bess, Beazley Institute Assistant Director, at mbess@luc.edu or (312) 915-7177 if your school is interested in fielding a team for the 2012 Transactional Competition.