New York State Bar Association

Health Law Section Fall Meeting 2026

NYSBA, 1 Elk Street, Albany, NY 12207

Wednesday, October 21, 2026

9:00 a.m. – 5:00 p.m.

7.0 MCLE Credits: *7.0 Areas of Professional Practice*

Program Chair:
Gabriel S. Oberfield Esq., M.S.J., Bond, Schoeneck, and King, PLLC, New York, NY

Program Co-Chairs:
Roopa R. Chakkappan Esq., M.P.H, Partner, Hodgson Russ LLP, Buffalo, NY
Michael A. Paulsen, Esq., Manatt, Phelps & Phillips, LLP, Albany, NY

Health Law Section Chair:
James E. Dering, Esq., Garfunkel Wild PC, Albany, NY

This program is transitional and is suitable for all attorneys including those newly admitted.

Agenda

8:30 a.m. – 9:00 a.m.	**CLE Program Registration**
9:00 a.m. – 9:10 a.m.	**Welcome & Introduction**
9:10 a.m. – 10:00 a.m.	**I. 1115 Medicaid Waiver Amendment** ***Where is NYHER Now, and Where Is it Going?*** Roughly two years unto the implementation of New York Healthcare Equity Reform-an ambitious New York State effort under the auspices of its Medicaid program to address health related social needs-key progress has been achieved, but the clock is ticking on a Federal extension, which must come by March 2027 for the program to continue. Although discussion is underway between Federal and State authorities, the future of the work is uncertain; accordingly, Social Care Networks are undertaking efforts, now, to cement reforms that the waiver funding has spurred. The program will include a summary of the legal underpinnings of the Waiver Amendment, as well as reflections from SCN leaders, a healthcare strategist and an attorney involved in this work, all who will

consider where we are, what has been achieved, and what's to come.

Speakers:

Gabriel S. Oberfield, Esq., M.S.J.
Bond, Schoeneck and King, PLLC
New York, NY

Patricia McMahon
Chief
Executive Officer
Forward Leading Independent Provider Association ("FLIPA")
Syracuse, NY

Jonathan Miller, Esq.
The Bonadio Group
Rochester, NY

Mark Ropiecki
Executive Director
Care Compass Network
Binghamton, NY

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10:00 a.m. – 11:00 a.m.

II. When Software Becomes Medicine
The Evolving FDA Framework for AI and Apps

Artificial intelligence and software applications are rapidly transforming healthcare delivery, blurring the traditional boundaries between technology products and regulated medical devices. This presentation examines the FDA's evolving regulatory framework for AI-enabled tools and software as a medical device (SaMD), exploring key legal considerations, and the unique compliance challenges.

Speaker:

Gregory T. Measer, Esq.
Lippes Mathias, LLP
Buffalo, NY

1.0 MCLE Credit in Areas of Professional Practice

11:00 a.m. – 12:00 p.m.

III. The One Big Beautiful Bill Act: What Are the Implications for Healthcare Providers and for Their Clients?

On July 4, 2025, President Trump signed into law the One Big Beautiful Bill Act, which broadly reconstructed key aspects of the Federal Government's relationship to and funding Medicaid programming. This panel will be composed of two attorneys who will provide a breakdown of the changes-and the program implications as they are unfurling, with deadlines for key structural shifts such as work requirements to be implemented in 2027.

Speakers:

Elisabeth R. Benjamin, MSPH, JD
Vice President & Managing Director
The Community Service Society of New York
New York, NY

Michael A. Paulsen, Esq.
Manatt, Phelps & Phillips, LLP
Albany, NY

1.0 MCLE Credit in Areas of Professional Practice

12:00 p.m. – 12:45 p.m. **Lunch** (Provided)

12:45 p.m. – 2:45 p.m. **IV. Fraud, Waste and Abuse: Through the Lens of the White House Task Force to Eliminate Fraud**

With the White House Task Force to Eliminate Fraud as its compass, the two panels will address a) provider and vendor oversight, including moratoria involving Changes of Ownership applications and home health, durable medical equipment and hospice providers and Medicaid eligibility verification controls; b)funding controls; and c) oversight of state-administered federally funded programs; and d)impacts on enforcements.

Moderators:

Kaydeen Maitland, Esq.
Bond, Schoeneck and King, PLLC
Westchester, NY

Gabriel S. Oberfield, Esq., M.S.J.
Bond, Schoeneck and King, PLLC
New York, NY

Panel 1: The Pre-Expenditure Environment
12:45 p.m. – 1:45 p.m.

Speakers:

Elisabeth R. Benjamin, MSPH, JD
Vice President & Managing Director
The Community Service Society of New York
New York, NY

Roopa Chakkappan, Esq. M.P.H
Hodgson Russ LLP
Buffalo, NY

John Darling, Esq.
Bond, Schoeneck and King, PLLC
Rochester, NY

Panel #2: The Post-Expenditure Environment
1:45 p.m. – 2:45 p.m.

Speakers:

Michael D'Allaird
Deputy Medicaid Inspector General for Audit
New York State Office of the Medicaid Inspector General
Albany, NY

David E. Farber, Esq.
Aurelian Law
Pittsford, NY

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2:45 p.m. – 3:00 p.m. **Break**

3:00 p.m. – 4:00 p.m. **V. Immigration: What's New for Healthcare**

Healthcare systems across New York rely on immigrant workers at every level, including nurses, physicians, technicians, support staff, but federal immigration policy has created persistent uncertainty around visa availability, processing delays, and eligibility. New York State sits in tension with federal enforcement priorities and leaves employers navigating competing legal obligations. This presentation will explore how these dynamics are playing out in practice: the visa pathways that are

viable or blocked, that compliance risks employers face, and how attorneys can advise clients through these policy shifts. We'll also touch on what's likely ahead given the current federal landscape.

Speaker:

Cianna Freeman-Tolbert, Esq.
Whiteman, Osterman & Hanna LLP
Albany, NY

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4:00 p.m. – 5:00 p.m.

VI. Approvals for Nursing Home Transactions in New York State - Is Change on the Horizon?

A number of nursing home transactions have met increasing scrutiny at the Public Health and Health Planning Council in recent years as PHHPC grapples with the criteria attendant to its oversight authority while it adjudicates transfers of ownership and related transactions. To address this dynamic, an ad hoc committee developed recommendations and presented them to PHHPC for its consideration on September 17, 2026. (Scott LaRue and Thomas Holt, Co-Chairs, cosigned the report.) The New York State Department of Health played a key role in the ad-hoc Committee's deliberations and report drafting, and two attorneys involved in the effort will cover the scope of the recommendations, what motivated them, and what the proposed changes would be expected to accomplish.

Moderators:

Courtney Ryan, Esq.
Bond, Schoeneck & King PLLC
Syracuse, NY

Gabriel S. Oberfield, Esq. M.S.J.
Bond, Schoeneck and King, PLLC
New York, NY

Speakers:

Andrew Lebwohl
Director
Center for Long Term Care Licensure, Planning and Finance

Office of Aging and Long Term Care
New York State Department of Health
Albany, NY

Karen Lipson
Executive Vice President
LeadingAge NY
Latham, NY

Marthe JB Ngwashi
Senior Counsel for Planning and Development
Division of Legal Affairs
New York State Department of Health
Albany, NY

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5:00 p.m. **Adjourn**