



Agenda -- Wednesday, October 29, 2014

Cohen Auditorium

- 10:00 a.m. - 10:10 a.m. **Welcome and Introduction**
Nancy Griswold, Chief Administrative Law Judge, OMHA
- 10:10 a.m. - 10:40 a.m. **Departmental Perspective**
Bill Corr, Deputy Secretary, Department of Health and Human Services
- 10:40 a.m. - 10:50 a.m. **Administrative Comments**
Eileen McDaniel, Director, Office of Programs and Operations, OMHA
- 10:50 a.m. - 11:05 a.m. **Introduction of OMHA ACALJs and HODs**
C.F. Moore, Deputy Chief Administrative Law Judge, OMHA
- 11:05 a.m. - 12:00 p.m. **Update on Level III Medicare Appeals Workload**
Nancy Griswold, Chief Administrative Law Judge, OMHA
- 12:00 p.m. - 1:15 p.m. **Lunch at leisure**
- 1:15 p.m. - 1:30 p.m. **OMHA Initiatives**
Jason Green, Director, Program Evaluation and Policy Division, OMHA
- 1:30 p.m. - 2:00 p.m. **CMS Updates**
Latesha Walker, Provider Relations Coordinator
Arrah Tabe-Bedward, Director, Medicare Enrollment & Appeals Group
Centers for Medicare & Medicaid Services
- 2:00 p.m. - 2:30 p.m. **The Medicare Appeals Council—DAB Update**
Constance Tobias, Chair, Departmental Appeals Board
- 2:30 p.m. - 2:55 p.m. **Question & Answer Forum**
Constance Tobias, Chair, Departmental Appeals Board,
Nancy Griswold, Chief Administrative Law Judge, OMHA
Arrah Tabe-Bedward, Director, Medicare Enrollment & Appeals Group, CMS
- 2:55 p.m. - 3:00 p.m. **Closing Remarks**
Judge Griswold, Chief Administrative Law Judge, OMHA



About Our Presenters

NANCY J. GRISWOLD

*Chief Administrative Law Judge
Office of Medicare Hearings and Appeals
U.S. Department of Health and Human Services*



Judge Nancy Griswold was appointed Chief Administrative Law Judge for the Office of Medicare Hearings and Appeals on March 1, 2010. In this capacity, she oversees the third level review for Medicare appeals within the U.S. Department of Health and Human Services and has responsibility for the second largest Administrative Law Judge (ALJ) corps in the federal system.

Chief Judge Griswold graduated from Baylor University Law School then entered private practice as a labor lawyer in Dallas, Texas. She then moved to Shreveport, Louisiana where her general civil practice centered on personal injury, products liability and aircraft accident trial litigation. In 1990, she left private practice to work with the State of Louisiana where she assisted in the development of the Louisiana's worker's compensation administrative court system, established the Office of the Chief Judge, and created a Workers' Compensation Mediation Program. Judge Griswold became the first Chief Judge of the Louisiana Workers Compensation Court, a post she held for three years.

In June 1995, Judge Griswold was appointed as a federal Administrative Law Judge and served in the Social Security Office of Hearings and Appeals, Shreveport, Louisiana, becoming one of the youngest judges ever appointed to serve in this capacity. In January, 2002, she became the Hearing Office Chief Administrative Law Judge in Shreveport, Louisiana, where she continued to serve until her appointment as acting, and then permanent, Regional Chief Judge for the Boston Region in July of 2004. As Regional Chief Administrative Law Judge in Boston, Judge Griswold was the national lead for implementation of the Commissioner's Disability Service Improvement initiative where she oversaw the formulation of training, requirements development for computer enhancements, and formulation of procedural rules and templates for hearing operations. She also worked on the Medicare transition team, which effectuated the smooth transition of the Medicare workload to the Office of Medicare Hearings and Appeals in July, 2005. Judge Griswold continued to serve in Boston until her appointment as Deputy Chief Administrative Law Judge for the Social Security Administration in December, 2006. As Deputy Chief Administrative Law Judge for Social Security, she assisted in the management of over 8000 employees, including 1200 Administrative Law Judges and 142 hearing offices. In this capacity, she also worked on the formulation of Social Security's extremely successful backlog elimination plan, supervised the appointment of over 300 new Administrative Law Judges, and engineered the implementation of five new state of the art video conferencing offices, called the National Hearing Centers for Social Security's Office of Disability Adjudication and Review. Chief Judge Griswold is a member of the Texas, Louisiana and Colorado State Bar Associations.



About Our Presenters

BILL CORR

Deputy Secretary

U.S. Department of Health and Human Services



Bill Corr serves as Deputy Secretary of the Department of Health and Human Services. He was nominated by President Obama and confirmed by the Senate on May 6, 2009.

Bill returned to the Department after serving as executive director of the Campaign for Tobacco-Free Kids, a privately funded organization established to focus the nation's attention and action on reducing tobacco use among both kids and adults. Mr. Corr joined the Campaign in March 2000.

From March 1998 until 2000, Mr. Corr served as Chief Counsel and Policy Director for U.S. Senate Minority Leader Tom Daschle. His responsibilities for the Minority Leader included developing and coordinating policy positions for Senate Democrats, as well as with the White House and House Minority Leadership.

Before working for the Senate Minority Leader, Mr. Corr served as the Chief of Staff for the Department of Health and Human Services. In that capacity, he was principal advisor to Secretary Donna E. Shalala on all major policy and management issues and initiatives. He also was the Deputy Assistant Secretary for Health for the Department from 1993 to 1996 and Counselor to the Secretary from January 1996 until he became Chief of Staff.

From 1989 until 1993, Mr. Corr served as Chief Counsel and Staff Director for the Subcommittee on Antitrust, Monopolies and Business Rights of the U.S. Senate Committee on the Judiciary under Chairman Howard M. Metzenbaum. He also assisted Senator Metzenbaum as a member of the Senate Labor and Human Resources Committee. Mr. Corr's major legislative and oversight responsibilities included the Brady Bill, the Nutrition Labeling and Education Act, prescription drug and state insurance regulation, the S&L industry and several Supreme Court nominations.

Mr. Corr also served from 1977 to 1989 as Counsel to the Subcommittee on Health and the Environment of the U.S. House of Representatives Committee on Energy and Commerce under Chairmen Paul Rogers (1977 to 1978) and Henry A. Waxman. In that capacity his primary areas of responsibility included access to health care and food and drug regulation.

Before his career on Capitol Hill, Mr. Corr worked in the Appalachian Mountain area of Tennessee and Kentucky from 1974 to 1977. During that time, he directed four private, nonprofit, community-run primary health care centers and assisted other communities in establishing and operating similar centers.



About Our Presenters

EILEEN McDANIEL

*Director, Office of Programs and Operations
Office of Medicare Hearings and Appeals
U.S. Department of Health and Human Services*

Eileen McDaniel currently serves as the Director for the Office of Programs for the Office of Medicare Hearings and Appeals. In this role, Eileen serves as the principal advisor to the Chief ALJ and Deputy Chief ALJ on all OMHA programs. Eileen oversees critical OMHA functions including: budget and financial management, information technology, human capital, training, developing and executing policies, procedures and guidelines. As the Director for Programs, Eileen frequently serves as the senior OMHA representative for meetings involving the Secretary and/or Secretary's immediate staff, CMS, DAB/MAC staff, Congressional staff, GAO, OMB, Department officials, the press and the general public.

Prior to coming to OMHA, Eileen served as the Associate Commissioner for the Social Security Administration, Office of Disability Adjudication and Review (ODAR), Office of Executive Operations and Human Resources (OEOHR). In this role Ms. McDaniel was the Senior Executive responsible for directing and managing ODAR's nationwide human resource program, training and professional development, and labor and employee relations for more than 9,000 employees nationwide. Ms. McDaniel provided executive oversight for a staff of over 100 in carrying out OEOHR's mission with regards to audits, FOIA functions, congressional and public inquiries, equal employment opportunity, performance management, position management, recruitment, employee development programs, and ethics responsibilities.

During her tenure in ODAR Ms. McDaniel also served as the executive lead for finance and budget, information technology, audit and workload analysis, materiel resources, physical and systems security, executive services, electronic disability services, and the development of ODAR's strategic plan. She oversaw the development and implementation of an electronic processing system, new metric reports, an electronic disability case folder, digital recording of hearings, and video teleconferencing.

Prior to SSA, Ms. McDaniel worked for the Department of Health and Human Services, Administration for Children and Families (ACF), Office of Child Support Enforcement and the Office of Management/Financial Management, respectively. Her last position with ACF was as the Deputy Associate Commissioner for Central Office Operations, where she was responsible for implementing the child support enforcement provisions of welfare reform legislation, career development and training, developing annual strategic and performance plans and establishing program targets. Ms. McDaniel represented the Commissioner in meetings with White House Domestic Policy Council, state child support director associations and national advocacy groups. She also liaised with the Office of the Commissioner and five child support divisions.

Ms. McDaniel holds a Master of Social Work Administration degree from Fordham University and Bachelor degree from Salem State University.



About Our Presenters

C.F. "SPIKE" MOORE

*Deputy Chief Administrative Law Judge
Office of Medicare Hearings and Appeals
U.S. Department of Health and Human Services*



Judge C.F. Moore was appointed Deputy Chief Administrative Law Judge for the Office of Medicare Hearings and Appeals (OMHA) effective November 6, 2011. In this capacity, he serves as the alter-ego to Chief Administrative Nancy J. Griswold, OMHA's agency head and presides over the second largest federal administrative adjudicative system in the nation. OMHA's administrative law judges resolve disputes involving coverage and payment issues under the Medicare act and regulations.

Judge Moore has extensive management experience having served not only as a Hearing Office Chief ALJ, but also in acting capacities as the Associate Chief ALJ and Deputy Chief ALJ in the Office of the Chief ALJ, for the Social Security Administration (SSA). In these capacities, he was a key figure in SSA's ALJ hiring, designing the interview process as well as the background investigation process for administrative law judge candidates referred by the Office of Personnel Management. From 2004-2011, Judge Moore was involved in the selection of over 750 ALJs for SSA, over half of the SSA ALJ Corps. In his role as the acting Associate Chief ALJ, he developed and directed the program of service area realignment to transfer approximately 40,000 cases nationally, along with related service areas and their receipts from heavily backlogged hearing offices to hearing offices with better capacities to be held via video teleconferencing. He also designed the decision writer statistical index, a mechanism to enhance case assignments to SSA attorneys and paralegals. As the acting Deputy Chief ALJ from December 2003 through July 2004, Judge Moore was the alter-ego to SSA's Chief ALJ and presided over SSA's administrative adjudicative system. In addition to his other duties for SSA, Judge Moore served a course designer and instructor for the national hearing office chief ALJ training and national docket management training. He has also been an instructor for new ALJ training, decision writer training, as well as other management training classes and seminars for SSA.

Prior to his appointment as an Administrative Law Judge in 1994, Judge Moore served for 11 years as the District Attorney for the 156th Judicial District of Texas. In this capacity, he was the chief felony prosecutor for three rural counties in Texas.

Judge Moore was awarded a B.A. in Government with high honors from the University of Texas at Austin and was inducted into Phi Beta Kappa. He holds a J.D. from the University Of Texas School of Law and worked for most of the period of his graduate and undergraduate career as a Legislative Aide in the Texas House of Representatives.



About Our Presenters

CONSTANCE B. TOBIAS

Chair

Departmental Appeals Board

U.S. Department of Health and Human Services



Judge Constance B. Tobias was appointed as the Chair of the Departmental Appeals Board (DAB) at the U.S. Department of Health and Human Services on April 29, 2007. The DAB provides impartial, independent review of disputed decisions in a wide range of Department programs under more than 60 statutory provisions. The DAB has three adjudicatory divisions, each with its own set of judges and staff, as well as its own areas of jurisdiction. One of those divisions, the Medicare Operations Division, provides the legal and administrative support to the Administrative Appeals Judges of the Medicare Appeals Council. As the Chair of the DAB, Judge Tobias also serves as the designated Dispute Resolution Specialist for HHS under the Administrative Dispute Resolution Act of 1996. The DAB's leadership role in implementing Alternative Dispute Resolution across the Department is supported by the DAB Alternative Dispute Resolution Division.

Prior to her appointment in 2007, Judge Tobias served at the Department of Veterans Affairs as a Chief Veterans Law Judge of the Board of Veterans' Appeals, as Counsel to the Chairman, and as a staff attorney. She received her J.D. from Cornell University and a Bachelor's Degree from Saint Augustine's College.

ARRAH TABE-BEDWARD

Director

Medicare Enrollment & Appeals Group

Centers for Medicare & Medicaid Services

U.S. Department of Health and Human Services

Arrah Tabe-Bedward is the Director of the Medicare Enrollment and Appeals Group (MEAG) at the Centers for Medicare & Medicaid Services (CMS). As MEAG's Director, Ms. Tabe-Bedward is responsible for all enrollment and appeals policy under the Medicare Fee-for-Service (FFS), Medicare Advantage (MA), and Medicare Prescription Drug (Part D) programs, and has shared responsibility with the Social Security Administration on Medicare eligibility, enrollment and low-income subsidy issues. She also has oversight responsibility for all Medicare appeals operations for the FFS, MA and Part D Qualified Independent Contractors, the appeals units of the Medicare administrative contractors, and CMS' Beneficiary Notice Initiative, which includes provider-issued notices such as the Important Message from Medicare and the Advance Beneficiary Notices of Noncoverage. Ms. Tabe-Bedward has a JD from the University Of Maryland School Of Law and an MS in Public Service Management from DePaul University. In addition to MEAG, Ms. Tabe-Bedward worked in CMS' Program Integrity Group and Office of Legislation.



About Our Presenters

LATESHA WALKER

*Provider Relations Coordinator
Centers for Medicare & Medicaid Services
U.S. Department of Health and Human Services*

JASON GREEN

*Director, Program Evaluation and Policy Division
Office of Medicare Hearings and Appeals
U.S. Department of Health and Human Services*

Jason Green has been the Director of the Program Evaluation and Policy Division, within the Office of Medicare Hearings and Appeal since February 2013. The Program Evaluation and Policy Division develops internal guidance and business processes in coordination with the OMHA Office of Operations; works with the Centers for Medicare & Medicaid Services (CMS) and the Departmental Appeals Board (DAB) to coordinate appeals processing and to develop claims appeals policies; administers OMHA's internal program integrity initiatives; coordinates the OMHA ethics program and supports the OMHA Deputy Ethics Counselor; and provides advisory services on appeals adjudication issues to the OMHA senior leadership team and other divisions.

Jason graduated from The Ohio State University Moritz College of Law in 2003, and served as the Executive Editor of the Ohio State Law Journal. Jason worked at a staff attorney at Porter, Wright, Morris & Arthur LLP in Columbus, Ohio, before beginning with the OMHA Western Field Office as an attorney advisor in 2005. Jason moved to OMHA Program Operations in 2006, serving as an attorney advisor working on policy and business process matters. In 2010, Jason accepted a position with the I.R.S. Office of Chief Counsel, as an attorney in the Procedure and Administration section, providing advisory and review services to I.R.S. field staff on a range of tax policy related matters. At the end of 2010, Jason re-joined OMHA as the Special Advisor to the Chief Administrative Law Judge.

