



# **23rd Annual FARB Regulatory Law Seminar**

(formerly the Attorney Certification Seminar or ACS)



## **DENVER, CO**

## **October 1–4, 2015**

Join fellow regulatory agency professionals for an in-depth analysis of current legal issues affecting regulatory boards.

# CONFERENCE CONTENT

The 2015 FARB Regulatory Law Seminar (RLS) will address relevant topics related to administrative law and representing regulatory boards. FARB's conferences are intended to improve the effectiveness and efficiency of boards by giving board staff, board members and attorneys the tools and information they need to fulfill their duties as protectors of the public. A four hour Thursday evening Comprehensive Regulatory Training (CRT) has been added as a NEW optional session.

The RLS is always interactive and will open with remarks on why economists are meddling in professional licensing. The *Friday Morning Focus* will take an in-depth look at what is a state actor, discuss the United States Supreme Court ruling in the *North Carolina State Board of Dental Examiners v. FTC*, and provide an overview of antitrust. We will conclude the day with new legislation affecting the regulatory community. On Saturday, sessions will address when a policy becomes a rule/regulation, the Americans with Disabilities Act, and exam security. To complete Saturday, the popular Top Regulatory Cases session will be presented by Dale Atkinson. The RLS Sunday will include sessions on FOIA, administrative sanctions, and the FARB Model Consent Agreement. As always, throughout the conference, relevant videos and news stories will be presented.



## CONTINUING EDUCATION

FARB is an approved Illinois Minimum Continuing Legal Education (CLE) course provider. We anticipate attendees will earn 12 CLE credit hours at the RLS. Attendees can anticipate an additional 4 hours of CLE credit if attending the CRT. Other professions may be able to use FARB courses as continuing education. Attendees must submit required information to their appropriate jurisdictions as necessary.

## COMPREHENSIVE REGULATORY TRAINING (CRT)

This interactive session will be presented by Dale Atkinson and Mark Brengelman and is designed to provide comprehensive training for board members, staff, investigators, attorneys and other stakeholders in the professional regulatory licensing system. The CRT course has been developed to cover all aspects of regulation and board operations, including scope of authority, responsibilities, conflicts of interest, immunity, discipline and outreach.

## OPEN TO ALL

Although the FARB RLS agenda focuses on legal issues and cases, board attorneys are not the only ones who benefit from the sessions. Regulatory board members, Executive Directors, board staff, investigators, and others in the regulatory community consistently comment that the FARB RLS is the most valuable conference they attend!

## MEETING MATERIALS

Prior to the conference, all attendees will receive an email with instructions on how to access the meeting materials online. The meeting website with the materials will be accessible during the conference via Wi-Fi.

## FARB MISSION

**To promote excellence in regulation for public protection by providing expertise and innovation from a multi-professional perspective.**

In keeping with its mission statement, FARB provides a forum for interaction among individuals and agencies involved in regulatory law and the licensing of professionals with the goal of protecting the public. Member associations, individuals, and other organizations that participate in FARB and seek to strengthen and uphold the standards of licensed professionals are invited to attend. We look forward to seeing you!

Visit the FARB website at [www.FARB.org](http://www.FARB.org) for more information about FARB and its programs.

# REGULATORY LAW SEMINAR AGENDA

## THURSDAY, OCTOBER 1, 2015

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2:30 pm – 7:00 pm Early Registration

### THURSDAY OPTIONAL SESSION

Comprehensive Regulatory Training (CRT)

3:00 pm – 5:00 pm An Analysis of the Law, Role of the Board,  
Role of the Board Member

5:00 pm – 5:30 pm Break

5:30 pm – 7:30 pm Discipline, Appeals, Outreach and Immunity

## FRIDAY, OCTOBER 2, 2015

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7:30 am – 5:00 pm Registration Open

7:30 am – 8:30 am Breakfast

8:30 am – 8:45 am Introduction and Welcoming Remarks

8:45 am – 9:00 am What's New with FARB

9:00 am – 9:45 am Why are the Economists Meddling in  
Professional Licensing? Lauren Larson (CO)

### FRIDAY MORNING FOCUS

An Overview of Antitrust Liability to Regulatory Boards

9:45 am – 10:30 am Top Takeaways from the FTC Decision

10:30 am – 11:00 am Break

11:00 am – 11:30 am State Actor Defense: An Evolution

11:30 am – 12:15 pm Private Actor:  
What is Active State Oversight

12:15 pm – 1:30 pm Lunch

1:30 pm – 2:15 pm 11th Amendment Immunity:  
An Affirmative Defense

2:15 pm – 3:00 pm Immigration Status: What is Relevant?

3:00 pm – 3:30 pm Break

3:30 pm – 4:15 pm Implementation of a Regulatory Structure:  
Cannabis

4:15 pm – 5:00 pm New Legislation Affecting the  
Regulatory Community

5:00 pm Recess

5:00 pm – 6:00 pm FARB Reception

## SATURDAY, OCTOBER 3, 2015

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7:30 am – 12:00 pm Registration Open

7:30 am – 8:30 am Breakfast

8:30 am – 9:15 am When Does a Policy Become a  
Rule/Regulation?

9:15 am – 10:00 am DOJ and ADA: Recent Developments

10:00 am – 10:15 am Break

10:15 am – 11:00 am Exam Security: Score Invalidation and  
Consequences to State Boards

11:00 am – 12:00 pm Top Regulatory Cases

12:00 pm Recess

## SUNDAY, OCTOBER 4, 2015

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7:30 am – 8:30 am Breakfast

8:30 am – 9:15 am FOIA: A Legal and Practical Guide to  
Records Requests

9:15 am – 10:00 am Administrative Sanction Options

10:00 am – 10:15 am Break

10:15 am – 11:00 am FARB Model Consent Agreement

11:00 am – 11:45 am Regulation in the News/Videos

11:45 am Recess

Many thanks to our annual sponsors:

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ASSESSMENT SERVICES LLC

[www.ebas.org](http://www.ebas.org)

AEQUO INTERNATIONAL

[www.aequointernational.com](http://www.aequointernational.com)



# REGISTRATION FORM

## 23rd Annual FARB Regulatory Law Seminar

(formerly the Attorney Certification Seminar or ACS)

**October 1-4, 2015**

Space is limited — Please register by Monday, September 23, 2015

**I will attend the Thursday Comprehensive Regulatory Training in addition to the FARB Regulatory Law Seminar**

- Payment of \$975 enclosed.  Payment of \$975 to follow.

**I will attend the FARB Regulatory Law Seminar only**

- Payment of \$700 enclosed.  Payment of \$700 to follow.

**I will attend the Thursday Comprehensive Regulatory Training only**

- Payment of \$275 enclosed.  Payment of \$275 to follow.

You may also register and pay by credit card on our website, [www.FARB.org](http://www.FARB.org).  
(Please read our Cancellation Policy)

For purposes of Continuing Legal Education credit, are you licensed to practice law?  Yes  No

If yes, please identify the state(s) or jurisdiction(s) in which you are currently licensed. \_\_\_\_\_

ATTENDEE NAME \_\_\_\_\_

ATTENDEE TITLE \_\_\_\_\_

ATTENDEE FIRST NAME ON IDENTIFICATION BADGE \_\_\_\_\_

ATTENDEE BOARD/FIRM/AGENCY \_\_\_\_\_

ATTENDEE MAILING ADDRESS \_\_\_\_\_  
\_\_\_\_\_

ATTENDEE CITY/STATE/ZIP \_\_\_\_\_

ATTENDEE TELEPHONE \_\_\_\_\_

ATTENDEE E-MAIL ADDRESS \_\_\_\_\_

(CERTIFICATES OF ATTENDANCE WILL BE E-MAILED TO THIS ADDRESS)

FARB FEDERAL I.D.# IS 23-7375992.

**Return this form with your payment to:**

Federation of Associations of Regulatory Boards (FARB)

1466 Techny Road

Northbrook, IL 60062

Phone: 847-559-FARB (3272)

Fax: 847-714-9796 • E-mail: [FARB@FARB.org](mailto:FARB@FARB.org)



## HOTEL ACCOMMODATIONS & LOCATION

Join FARB in Denver, where 300 days of sunshine, a thriving cultural scene, diverse neighborhoods, and natural beauty combine for the world's most spectacular playground. Urban sophistication meets outdoor adventure in Denver.

FARB has reserved a block of rooms at the JW Marriott Cherry Creek specifically for RLS attendees, yet rooms sell out quickly. Please make your hotel reservations promptly.

**Attendees are responsible for securing their own hotel reservations.** Reservations may be made by contacting the JW Marriott directly:

JW Marriott Denver at Cherry Creek  
150 Clayton Lane  
Denver, Colorado 80206  
Reservations: 866-706-7814 or 303-316-2700  
Visit [www.FARB.org](http://www.FARB.org) for a link to online reservations

Please refer to the FARB group when making your reservations to ensure you get the reduced room rate of \$199.00 per night plus tax.

The hotel reservation deadline is Wednesday, September 9, 2015. Hotel reservations made after this date are subject to availability and rate increase.

## FEES

Registration fee for the Thursday Comprehensive Regulatory Training session is \$275.00 and includes beverages and light snacks. Registration fee for the RLS is \$700.00 and includes daily breakfast, lunch on Friday, and a reception Friday evening.

Please forward the registration fee to FARB as soon as possible. If the fee is not available at the time of registration, it may be sent later or paid upon arrival at the conference.

## CANCELLATION POLICY

Notification of cancellation MUST be made in writing and sent to FARB via U.S. mail, e-mail ([FARB@FARB.org](mailto:FARB@FARB.org)), or fax.

### Refunds:

If a cancellation is received in writing on or before Wednesday, September 23, 2015, FARB will:

1. Refund the paid registration fee less a \$50 processing charge
2. Charge the registrant a \$50 processing charge if the registration fee has not been paid

Any registrants cancelling after Wednesday, September 23, 2015, will be charged the full registration fee but will receive access to all meeting materials.