

## Healthcare

The Healthcare Group has a well-earned reputation for handling high-stakes, high-risk cases, including complex medical malpractice litigation and professional liability claims. The group also provides general representation and counseling in various areas of healthcare law, including administrative and court proceedings involving licensure issues, staff privileges and credentialing, contracts for the exclusive provision of services, and potential antitrust implications. We have experience handling Medicare and Medicaid fraud cases and assisting clients in responding to compliance audits in civil and criminal investigations which may arise in defending malpractice claims.

Many of the complicated claims that we defend include those against pharmaceutical companies and makers of medical products and devices. We represent both insured and self-insured developers, manufacturers, distributors and patent-holders of pharmaceuticals, over-the-counter medications, prostheses, implants, hospital equipment and diagnostic devices.

We take a holistic approach to healthcare matters to understand not only the case at hand, but its potential implications for the organization. As such, we take pride in understanding a client's business objectives and provide counsel across a wide-range of healthcare-related matters. Our extensive experience in representing hospitals and healthcare institutions, as well as physicians and allied health professionals, gives us unique perspective on institutional issues, including hospital/medical staff relationships, personnel, privacy and data security, and insurance coverage and risk management. Members of the group also serve as outside general counsel to a variety of diverse health practice groups and hospital networks.

### Business and Corporate Transactions

We provide corporate, tax, regulatory and transactional advice on a wide range of business-related matters, including mergers and acquisitions, joint ventures and strategic alliances, debt and equity financings, licensing and outsourcing, IP protection, cybersecurity and data privacy, corporate structure and governance matters and general contract matters. We collaborate with clients to provide strategic solutions to the complex legal and business issues they face, while helping them achieve their business objections.

Our work encompasses acquisition issues, third-party contracts and general contract needs, which have included:

- merger and acquisition agreements

### PRACTICE CONTACT

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215.864.7108  
cottonek@whiteandwilliams.com

### RELATED PRACTICES

Appellate  
Catastrophic/Excess Liability  
Commercial Litigation  
Corporate and Securities  
Cyber Law and Data Protection  
Intellectual Property  
Labor and Employment  
Life, Health, Disability and ERISA  
Litigation  
Product Liability  
Professional Liability  
Trusts and Estates  
Workers' Compensation

### RELATED INDUSTRIES

Healthcare  
Insurance  
Technology

- joint venture and strategic alliance agreements
- shareholders agreements
- employment agreements
- non-compete agreements
- clinical trial agreements
- confidentiality agreements
- independent contractor agreements
- practice management and billing agreements
- technology license and outsourcing agreements
- affiliation agreements

### **Health Insurance and ERISA**

The healthcare industry has been experiencing enormous upheaval for several years. With the passing of the Affordable Care Act, and its uncertain future, the healthcare system had been under extreme pressure to change, with the ripple effect foisting untold duress upon health insurers, plan administrators, employers and providers. Our group has the experience to help clients navigate through this healthcare minefield.

Recent changes in the law, as well as decisions by State and Federal courts, are shifting the way healthcare is being delivered and paid for, which exposes payers to liability, while eroding existing protections. We have extensive experience in representing and counseling health insurers in the establishment of new healthcare networks, out-of-coverage disputes, antitrust claims, Medicare and Medicaid fraud and abuse and compliance under ERISA and other Federal regulations.

We have extensive experience representing and counseling in various areas of healthcare law, including:

- Establishment of new healthcare networks
- Out-of-network coverage disputes
- Healthcare network contractual disputes
- Provider litigation
- Benefit entitlement
- Compliance Issues under ERISA, PPACA, fraud and abuse laws and pertinent regulations
- Healthcare antitrust claims
- Fraud
- Medicare and Medicaid fraud and abuse
- RICO
- HIPAA analysis and implementation
- Coverage issues

- Counseling third-party administrators
- Bad faith
- Breach of fiduciary duty
- Plan interpretation

### **Labor and Employment**

We counsel clients in their role as employers, dealing with all of the regulatory and common law issues that arise in the workplace, including leave policies, progressive discipline policy design and implementation and litigation avoidance. We regularly provide advice regarding bylaws and related corporate documents for healthcare institutions and have drafted medical staff guidelines, rules and regulations, bylaws and similar hospital policies. Our extensive experience in representing hospitals, as well as physicians and allied health professionals, gives us unique experience in terms of institutional issues, including hospital/medical staff relationships, physician group structure, personnel and insurance coverage and risk management issues.

### **Litigation and Dispute Resolution**

The Healthcare Group has a well-earned reputation for handling high-stakes, high-risk cases, including disputes ranging from the effects of tiered and narrow health plans, out-of-network coverage litigation, fraud and abuse claims, HIPAA and privacy matters, professional liability and medical malpractice claims and medical products liability. We have experience handling ERISA claims litigation, healthcare coverage litigation and the administration of health plans, as well as assisting clients in responding to compliance audits in civil and criminal investigations. We also provide general representation and counseling in various areas of healthcare law, including administrative and court proceedings involving licensure issues, staff privileges and credentialing, contracts for the exclusive providing of services, payment disputes and potential antitrust implications.

Whether a case involves a single plaintiff or myriad multi-district parties, we have the strategic focus and attention to detail demanded for successful outcomes. We use a team approach to defending clients in these complex cases, maximizing experience and strengths to provide a thorough, economical defense. The group includes a number of attorneys who have worked as healthcare professionals themselves, which provides an enhanced knowledge base for the representation of our clients. In addition, our appellate lawyers are involved at each stage of the litigation process to provide assistance with developing litigation strategy, drafting dispositive motions, monitoring trials and crafting post-trial motions.

### **Long-Term Care, Managed Care and Assisted Living**

We provide advice and representation for home health agencies and have considerable experience in representing personal and continuing care communities, as well as traditional nursing homes. We are involved with Departments of Insurance, Aging and Health, and other regulatory agencies having jurisdiction over the development and operation of facilities. We assist in the development and implementation of clinical programs, regulatory compliance (State, Federal, JCAHO) and risk management, and, in general, help skilled nursing facilities, assisted living communities, home health companies, active adult communities and independent living communities manage their business, regulatory, employment and litigation needs. Our attorneys take pride in providing creative, aggressive, yet practical and cost effective defense of personal injury litigation.

## Regulatory and Compliance

We ensure that our clients are compliant with all federal and multi-state healthcare laws and regulations, including Medicare/Medicaid, HIPAA, the CURES Act, Stark Law, the Anti-Kickback Statute and the False Claims Act, among others. We also represent clients in investigations, audits and litigation or disputes arising from regulatory and compliance issues.

Additionally, we prepare and present emergency medical petitions for court approval, provide advice to hospital administration and staff members concerning HIPAA/CURES Act compliance, DNR orders, AIDS testing, guardianship and similar legal and medical issues.

## REPRESENTATIVE MATTERS

Represented physician practice group in matter involving information blocking of electronic health records (EHR) by a health information technology vendor and obtained multiple temporary restraining orders maintaining EHR access and a comprehensive plan for migration of EHR data (approximately 100 terabytes) from prior EHR vendor to new EHR vendor

Represented a privately held medical device development firm in the licensing of a patent-pending drug delivery instrument from a publicly traded pharmaceutical company

Advised founding physician shareholder in connection with restructuring of diagnostic imaging practice, including recapitalization by private equity investors

Advised and negotiated employment agreement and practice support agreement in connection with cross country relocation of a surgeon to an existing private practice

Represented company developing platform for interface among various electronic health record technologies

Represented company developing digital health mobile application in connection with strategic relationship and ongoing corporate transactional work

Obtained a published opinion from the New Jersey Appellate Division granting a protective order in a matter wherein several hospitals were seeking intrusive discovery concerning the creation and implementation of a health plan. (*Capital Health System Inc., v. Horizon Healthcare Services Inc.*, NJ App. Div. A-2913-15 (June 23, 2016))

Successfully argued for the reinstatement of a surgeon in a health network following a credentialing committee's decision to terminate; presented the appeal to a credentialing committee comprised of multiple physicians from varying specialties; following the presentation, a decision was made to reinstate the surgeon back into the health network

Obtained a trial verdict in a breach of contract claim brought by a physician against a large healthcare network

Successful defense on motion to dismiss of medical doctor accused of repeatedly offering fraudulent expert testimony. Dismissal affirmed by Delaware Supreme Court.

Represented emergency room physician in a case involving an alleged failure to diagnose bacterial meningitis; tried to a defense verdict after seven days of trial

Numerous defense verdicts in catastrophic injury cases involving professional, product and premises liability, on behalf of individual providers, health care systems, hospitals and other health care institutions

## **CASES & DEALS**

White and Williams Trial Team Secures Defense Verdict for Philadelphia-Area Hospital in a Case Alleging Delayed Diagnosis of Bone Cancer  
6.3.22

White and Williams Wins Summary Judgment for Geisinger Clinic in Nursing Home Failure-to-Diagnose Case  
3.16.22

White and Williams Defeats Emergency Injunction Requests To Force Use of Ivermectin To Treat COVID-19 Patient  
12.20.21

White and Williams' Defense Prevails for Employer Client Against ADA, FMLA and PHRA Claims  
1.14.21

Healthcare Practice Group Wins Issue of First Impression in the Superior Court of New Jersey, Appellate Division  
8.14.20

White and Williams Delivers Trial Victory for Horizon Healthcare Services, Inc.  
6.5.19

White and Williams Obtains Defense Verdict Following Arbitration in Case Alleging Wrongful Death Due to Improper Administration of Anesthesia  
4.10.18

White and Williams Obtains Dismissal of Civil Rights Claims Against Medical Providers Arising From A Child Abuse Evaluation  
4.2.18

Litigation Team Secures Dismissal of Claims Alleging Health Coverage Plan Creates Unfair Business Advantage  
9.14.17

White and Williams Secures Reversal of Critical Ruling Involving Confidential and Proprietary Business Information  
7.7.16

Defendant Hospitalist Prevails In Wrongful Death Case  
9.21.15

## **NEWS**

White and Williams Proudly Supports the Girl Scouts of Eastern Pennsylvania Take the Lead  
4.21.22

White and Williams Announces 15 Lawyer Promotions  
1.3.22

White and Williams Ranked in Top Tiers of "Best Law Firms"

11.5.21

White and Williams Welcomes Ten New Associates

11.4.21

White and Williams Lawyers Recognized as Super Lawyers and Rising Stars

11.1.21

Best Lawyers® Recognizes 38 White and Williams Lawyers

8.19.21

Anthony Miscioscia Recognized by JD Supra 2021 Readers' Choice Awards

3.31.21

White And Williams Announces Lawyer Promotions

Three Lawyers Elected to Partnership and Eight Associates Promoted To Counsel

1.4.21

Congratulations 2020 DE, MA, NY and PA Super Lawyers and Rising Stars

11.5.20

Best Lawyers® Recognizes 43 White and Williams Lawyers

8.20.20

Edward Beitz and William Taylor Recognized by US News – Best Lawyers as a "Lawyer of the Year"

8.20.20

White and Williams Participates in Two Robotics and AI Conferences Focused on Surgical Applications in the Healthcare Industry

8.18.20

Kevin Cottone Provides Insight on Inconclusive PA Med Mal Venue Report

*Law360*, 2.5.20

William Kennedy Appointed to Institute for Surgical Excellence Executive Board

1.21.20

Trio of White and Williams Attorneys Named Top Lawyers by Delaware Today

11.5.19

White and Williams Earns Tier 1 Rankings from U.S. News "Best Law Firms" 2020

11.1.19

Congratulations 2019 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars

10.17.19

White and Williams Sponsors DRI Nursing Home/ALF Litigation Seminar

8.20.19

*Best Lawyers*® Recognizes 29 White and Williams Lawyers

8.15.19

Kevin Cottone Comments on PA Medical Malpractice Venue Rule Verdict Data

*Law360*, 3.1.19

Kevin Cottone Appears Before PA House Majority Committee on Proposed Repeal of Medical Malpractice Venue Rule

2.15.19

John Balaguer and Stephen Milewski Named Top Lawyers by Delaware Today

11.1.18

Congratulations 2018 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars

10.18.18

White and Williams Hosts NYC Healthy.Connect

9.25.18

*Best Lawyers* Recognizes Twenty White and Williams Lawyers

8.15.18

Andy Ralston to Serve as Chair of the Northampton County Bar Association's Medical/Legal Committee

1.18.18

White and Williams Announces Lawyer Promotions

Two Lawyers Elected to Partnership and Six Associates Promoted to Counsel

1.4.18

Congratulations 2017 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars

11.11.17

White and Williams Elects Four Lawyers to Partnership, Promotes Six Associates to Counsel

1.6.17

Congratulations 2016 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars

10.18.16

White and Williams Announces the Election of Five Lawyers to the Partnership and the Promotion of Five Associates to Counsel

1.14.16

Congratulations 2015 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars

10.21.15

White and Williams Lawyers Recognized by *Best Lawyers*

8.17.15

## **PUBLICATIONS**

Information Blocking: What Providers and Programmers Need to Know

Part One: Ramped Up Enforcement Against Healthcare Providers

*Healthcare Alert*, 4.22.22

Superior Court of Pennsylvania to Address Requirements for Application of the MCARE Patient Safety Privilege

*Healthcare Alert*, 4.12.22

The Superior Court of Pennsylvania Clarifies the Discoverability of Mental Health Records in Personal Injury Lawsuits

*Healthcare Alert*, 1.18.22

'Non-Charitable' Nonprofit Hospital Ordered to Start Paying Property Taxes

*Bloomberg Tax*, 1.7.22

New York Now Requires Defendants To Provide Automatic, Early Disclosure of Insurance Information

*Litigation Alert*, 1.4.22

Non-Profit Hospital Ordered to Pay Property Taxes: A Shot Across the Bow

*Healthcare Alert*, 10.26.21

PA Supreme Court Protects Hospital Credentialing Files and Data Bank Disclosures From Discovery

*Healthcare Alert*, 8.19.21

Medical Device Update: Third Circuit Certifies Questions Concerning Device Manufacturers' Liability Under Pennsylvania Law

*Litigation Alert*, 7.16.21

New Jersey Disallows Private Causes of Action Against Assisted Living Facilities for Breach of the Statutory Bill of Rights

*Healthcare Alert*, 6.23.21

Are Telehealth Laws Here to Stay? A Survey of Legislation in NJ, DE, NY, PA and MA

*Healthcare Alert*, 3.30.21

Recent Case Impacts HIPAA and HITECH Act Penalties

*Healthcare Industry Alert*, 2.1.21

Protecting Access to Post-COVID-19 Telehealth Act Reintroduced to Congress

*Healthcare Alert*, 1.28.21

HITECH Act Amendment Offers New Incentive to Reduce Fines and Other Remedies

*Cyber Law and Data Protection and Healthcare Alert*, 1.8.21

No Trial Credit in NJ Appellate Decision for Non-Settling Successive Tortfeasors – Must Demonstrate Proof of Initial Tortfeasor Negligence and Proximate Cause

*Healthcare Alert*, 1.4.21

PA Issues New Detailed, Comprehensive Guidelines for SNF Visitation and Activities

*Healthcare Alert*, 9.8.20



"The Devil Is in the Details": Delaware Supreme Court Affirms Decision Demanding Strict Compliance for Notices of Intent to Investigate Medical Negligence Claims to Toll Statute of Limitations

*Healthcare Alert*, 7.17.20

CMS 2021 Proposed Home Health Payment Rule May Make Certain Telehealth Changes Introduced During COVID-19 Pandemic Permanent

*Healthcare Alert*, 6.30.20

Telehealth and Medical Liability

*MDedge Med Tech Report*, 6.24.20

Liability in the Telehealth Era

*Healthcare Alert*, 6.18.20

A National Registry of COVID-19 Patients: The Legal Implications

*Privacy & Cybersecurity Law Report*, 6.5.20

CMS Announces New COVID-19 Surveys and Enforcement

*Healthcare Alert*, 6.2.20

New Jersey Wants You to Return to Your Doctor's Office

*Healthcare Alert*, 5.22.20

Return to Work: Guidance for Workplace Reopening

5.21.20

COVID-19 Testing At Skilled Nursing Facilities: Guidance Based on PA DOH Advice

*Healthcare Alert*, 5.14.20

Department of Labor Guidance Could Have Major Impact

*Labor and Employment Alert*, 5.13.20

CMS Issues New COVID-19 Reporting Requirements for Long-Term Care Facilities

*Healthcare Alert*, 5.12.20

Governor Wolf Signs Executive Order Providing Limited Immunity to Healthcare Providers

*Healthcare Alert*, 5.8.20

Understanding the Affidavit of Merit Statute and the Rare Application of the Common Knowledge Exception

*Healthcare Alert*, 5.7.20

COVID-19 CMS Blanket Waivers

*Healthcare Alert*, 5.4.20

PA Superior Court Continues to Heighten the Bar on Establishing Evidentiary Privileges Under the Patient Safety Quality Improvement Act and Peer Review Protection Act

*Healthcare Alert*, 5.1.20

Healthcare Goes Viral: Guidelines for Returning to the Front Lines

*Healthcare Alert*, 4.24.20

Human Research in the COVID-19 World: Boundaries, Obligations and Guidance

*Healthcare Alert*, 4.20.20

A Framework for Mitigating Liability Claims for Eldercare Facilities

*Healthcare Alert*, 4.20.20

Multi-Agency Guidance Clarifies Statutory Impact on Employer Health Plans

*Labor and Employment Alert*, 4.16.20

Will Pennsylvania Join Other States and Provide Immunity for Healthcare Workers Treating COVID-19 Patients?

*Healthcare Alert*, 4.15.20

What Is a 'Fair' Venue for Medical Malpractice Litigation?

*The Legal Intelligencer*, 4.9.20

Nursing Homes and Long-Term Care Facilities: The Next Front Line

*Healthcare Alert*, 4.9.20

HHS Office of Civil Rights Reinforces Preclusion of Discriminatory Treatment Denials

*Healthcare Alert*, 3.31.20

CMS Suspends Standard Facility Surveys to Prioritize Immediate Jeopardy and Targeted Infection Surveys

*Healthcare Alert*, 3.25.20

COVID-19 Pandemic Relief for Healthcare Providers Participating in Quality Reporting Programs

*Healthcare Alert*, 3.25.20

Fighting COVID-19 Across State Lines: Relaxing Provider Licensure and Renewal Requirements

*Healthcare Alert*, 3.25.20

To Combat COVID-19, Delaware Opens Its Doors to Out-of-State and Retired Healthcare Providers (and Limits Their Liability, Too)

*Healthcare Alert*, 3.24.20

HHS Finalizes New Rules Seeking Interoperability for Electronic Health Information

*Taking Care of Business*, 3.13.20

Making the Stars Align in Your Healthcare System: The Growing Importance of Transparency in Patient Experiences

*Healthcare Bulletin*, 3.12.20

Mere Disagreement or Knowing Falsehood: The Circuit Split on False Claims Act "Falsity"

*Healthcare Alert*, 3.11.20

FTC Acts to Block Jefferson/Einstein Hospital Merger

*Taking Care of Business*, 3.2.20

Peer Review Privilege Continues to Weaken

*Healthcare Alert*, 2.17.20

PA Legislature Cannot Determine the Anticipated Impact of the Proposed Repeal of the Medical Malpractice Venue Rule

*Healthcare Alert*, 2.4.20

Pennsylvania Senate Report on the Anticipated Impact of the Proposed Repeal of the Medical Malpractice Venue Rule Delayed by One Month

*Healthcare Alert*, 1.3.20

Individual Mandate Ruled Unconstitutional

*Healthcare Alert*, 12.20.19

Spending Bill Expected to Eliminate Certain Taxes

*Healthcare Alert*, 12.17.19

White and Williams Files Amicus Brief in Pennsylvania Medical Malpractice Time-Limit Ruling

*Healthcare Alert*, 11.18.19

Pennsylvania MCARE's Statute of Repose Declared Unconstitutional

*Healthcare Alert*, 11.7.19

PA Superior Court Holds Attorney-Client Communications in Divorce Records are Discoverable in Medical Malpractice Case

*Healthcare Alert*, 10.4.19

Are You Your Brother's Keeper? CMS Finalizes Rule to Reduce Fraud in Federal Health Insurance Programs

*Healthcare Alert*, 9.13.19

Nursing Homes Defending NY Lawsuits Brought by an Estate Should Scrutinize Whether the Plaintiff has Legal Capacity to Assert Claims

*Healthcare Alert*, 9.9.19

New Jersey Enacts Aid in Dying Act

*Tax and Estates Alert*, 8.5.19

What SNF Providers Should Know About Arbitration

*McKnight's Long-Term Care News*, 8.2.19

CMS Issues Final Rule Repealing Prohibition on Nursing Home Arbitration Agreements

*Healthcare Alert*, 7.23.19

Healthcare Executive Order Suggests Changes Are Coming

*Taking Care of Business*, 6.25.19

PA Supreme Court Announces New Work Product Doctrine Waiver Analysis with Regard to Dissemination of Information to Third Parties

*Healthcare Alert*, 6.24.19

PA Senate Bill 761 Introduced to Address the Task of Obtaining a Patient's Informed Consent

*Healthcare Alert*, 6.20.19

PA Supreme Court Confirms Risk/Complication Evidence Is Admissible for Standard of Care and Causation in Med Mal Cases

*Healthcare Alert*, 6.19.19

Rules Finalized Permitting Employees to Buy Individual Health Insurance Plans through HRAs

*Healthcare Alert*, 6.18.19

Supreme Court Victory for Hospitals in Medicare Billing Dispute

*Healthcare Alert*, 6.7.19

Pennsylvania House Bill Introduced to Protect Venue Rule in Medical Professional Liability Cases

*Healthcare Alert*, 5.15.19

"Magic Arms": The Future of 3D Printing and Its Impact on Healthcare

*Healthcare Alert*, 4.22.19

Through the Eyes of a Surgeon: Interview with Dr. Matthew Finnegan

*Healthcare Alert*, 4.12.19

Digital Twin Technology in Healthcare

*Healthcare Alert*, 4.10.19

CMS Finalizes Policies to Expand Telehealth Access for Patients

*Healthcare Alert*, 4.9.19

Proposal to Cut Venue Rule in Medical Malpractice Cases Sparks Debate

*The Legal Intelligencer*, 4.9.19

The Integration of eICU Technology and Telehealth

*Healthcare Alert*, 3.20.19

Legislation Introduced in Pennsylvania to Provide Nurse Practitioners Full Practice Authority

*Healthcare Alert*, 3.8.19

Pennsylvania Supreme Court Postpones Consideration of Proposed Repeal of Medical Malpractice Venue Rule

*Healthcare Alert*, 2.15.19

Pennsylvania Senate Urges Supreme Court to Delay Considering Repeal of Venue Rule in Medical Professional Liability Cases Pending Further Study

*Healthcare Alert*, 2.7.19

Pennsylvania Supreme Court Considering Repeal of the Venue Rule in Medical Professional Liability Cases

*Healthcare Alert*, 1.7.19

PA Supreme Court Declines to Consider Constitutional Challenge to Statutory Damages Cap Applicable to Commonwealth Agencies

*Litigation Alert*, 10.25.18

Delaware Court Rejects Contract Liability Theory in Medical Negligence Case

*Healthcare Alert*, 9.25.18

PA Supreme Court Dramatically Changes Scope of Qualified Immunity for Government Entities for Torts Related to "Operation of a Motor Vehicle"

*Litigation Alert*, 9.6.18

Supreme Court of Pennsylvania to Evaluate Seminal *Roverano* Decision

*Litigation Alert*, 8.20.18

Dentistry Talks: Dental Industry and Health in America

*Healthcare Talks*, 8.14.18

Pennsylvania Federal District Court Grants Summary Judgment on NIED Claim Involving an Alleged Negligent Diagnosis

*Healthcare Alert*, 5.24.18

Patient Safety Protections Require Hospitals to Comply With Mandated Protocols

*The Legal Intelligencer*, 4.10.18

Social Media in Litigation: The Increasing Impact and Evolving Standards for Discoverability and Admissibility

*Litigation Alert*, 3.28.18

FDA Releases Draft Guidances to Enhance Drug Supply Chain Security

*Healthcare Alert*, 3.2.18

2019 Medicare Advantage and Part D Advance Notice Part II and Draft Call Letter

*Healthcare Alert*, 2.7.18

The "Hungry Tapeworm" of Healthcare the New Joint Focus of Amazon, Berkshire Hathaway, JP Morgan

*Healthcare Alert*, 1.30.18

Pennsylvania's Fair Share Act: Reshaping Apportionment in Strict Liability Cases

*Litigation Alert*, 1.9.18

With No Informed Consent Claim, Are Risks and Complications of a Surgical Procedure Admissible?

*Healthcare Alert*, 11.22.17

Healthcare Reform Progress or More Fits and Starts?

*Healthcare Alert*, 10.19.17

Fall 2017 Healthcare Update: If at First You Don't Succeed, Try, Try Again

*Healthcare Alert*, 9.21.17

Ten Considerations for Financing Medical Office Buildings

An Intersection of Real Estate and Healthcare

*Real Estate Alert*, 9.21.17

Third Circuit Upholds Dismissal of Civil Rights Claims Arising from Report of Suspected Child Neglect

*Healthcare Alert*, 7.21.17

BCRA Update: McCain Health Scare Delays Senate Vote; Newly Added "Consumer Freedom Option" is Criticized

*Healthcare Alert*, 7.17.17

Providing Informed Consent to a Patient Must be Done by the Physician Only

*Healthcare Alert*, 7.7.17

Doc, You're Addicted (to prescribing): Going Opioid Free in the ED

*Healthcare Talks*, 7.6.17

The Better Care Reconciliation Act: Overview of CBO Analysis and Healthcare Industry Reactions

*Healthcare Alert*, 6.29.17

Superior Court Provides Road Map for Enforceability of Arbitration Provisions in Assisted Living Residency Agreements

*Healthcare Alert*, 4.25.17

Evolution or Revolution: How Technology Partnerships Drive Value Based Care, Part 1

*Healthcare Talks*, 4.25.17

The Peer Review Privilege May Not Extend to Independent Contractor Physicians

*Healthcare Alert*, 4.10.17

Delaware High Court Rejects Effort to Target Defense IME Physician

Doctor, You're (NOT) a Fraud!

*Healthcare Alert*, 1.24.17

Federal Court Enjoins CMS Ban on Pre-Dispute Arbitration Agreements in Long-Term Care Facilities

*Healthcare Alert*, 11.7.16

CMS Bans Pre-Dispute Arbitration Agreements for Long-Term Care Facilities

*Healthcare Alert*, 9.30.16

What Obama's Precision Medicine Initiative May Mean for Risk Management

*Healthcare Alert*, 5.25.16

Plaintiff's Past Medical History Should Be Deemed Relevant

*The Legal Intelligencer*, 4.25.16

U.S. Department of Health and Human Services Issues New "Guidance" on Mobile Health Applications

*Healthcare Alert*, 3.18.16

Hospital Pays Ransom to Hacker in Response to Malware Attack: An Eye-Opening Reality

*Cyber Law and Data Protection Alert*, 3.9.16

Medical Document Reviewer Hired by an Insurer Does Not Owe a Duty to an Insured, Says the Third Circuit Court of Appeals

*Healthcare Alert*, 9.29.15

Healthcare Providers Face Potential Civil Liability for Failing to Report Child Abuse

*Healthcare Alert*, 9.4.15

Securing Electronic Medical Records on Mobile Devices

*Healthcare Alert*, 8.26.15

Delaware Supreme Court Affirms Huge Loophole in Collateral Source Rule, Leading to Drastic Reduction in Tort Damages

*Healthcare Alert*, 6.26.15

New Jersey Judge Calls for Retrial in Case of Nursing Home Act

*Healthcare Alert*, 6.19.15

Delaware Court Finds Family Doctor Has No Duty to Prevent Patient's Suicide

*Healthcare Alert*, 4.13.15

Precision Medicine's Impact on Standard of Care

*The Legal Intelligencer*, *Health Care Supplement*, 2.15

## EVENTS

Non-Profit Healthcare Organizations: How to Keep Your Property Tax Exemption

Webinar, 3.23.22

MEDx Talks 2021

Webinar, 3.23.21

Wound Documentation: Avoiding the "Pressure" and Litigation "Injuries"

Caring Communities/Peace Church Risk Retention Group and ECRI Webinar, 8.18.20

COVID-19 Insurance Program

Webinar, 8.11.20

Digital Health: Navigating the Reimbursement Landscape

PBI Health Law Institute 2020 (Philadelphia, PA), 3.12.20

Hot Topics in Civil Litigation

Pennsylvania Bar Association 2020 Midyear Meeting, 1.30.20

The Anatomy of a Malpractice Case

Physicians Legal Issues Conference (Carlisle, PA), 9.14.19

Real and Present Danger: Legal Issues and the Wound Care Provider

Wound Healing Society's "Symposium on Advanced Wound Care Spring" (San Antonio, TX), 5.11.19

MEDx Talks 2019

World Cafe Live (Philadelphia, PA), 4.30.19

Risky Behaviors: How They Can Lead to Being Sued

Legal Challenges in Healthcare

Children's Hospital of Philadelphia, 11.17.18

Legal Issues and the Wound Care Provider

Rutgers University School of Nursing (Camden, NJ), 10.29.18

Documentation Can Save the Day

Philadelphia Area Society for Healthcare Risk Management (Plymouth Meeting, PA), 6.28.18

Overcoming the Challenges Associated with Electronic Medical Records, Patient Portals and Audit Trails in Obstetrics Practice

17th Annual Advanced Forum on Obstetric Malpractice Claims (Philadelphia, PA), 6.26.18

Selecting a Jury for a Birth Injury Case: Plaintiff and Defense Perspectives and Strategies

17th Annual Advanced Forum on Obstetric Malpractice Claims (Philadelphia, PA), 6.26.18

Protecting Your Present and Future: Legal Issues, Being a Witness, EMR Documentation

Wound, Ostomy and Continence Nurses Society Annual Conference (Philadelphia, PA), 6.5.18

The Legal Impact of the Patient Experience

2018 Geisinger Patient Experience Conference, 4.27.18

Physician Navigation of the Opioid Crisis

LHS Health Network Physicians Business Meeting (Cherry Hill, NJ), 4.26.18

Best Practices for Litigation Avoidance

4.23.18

Outsmarting Cancer: How New Technologies are Tackling a Cure

5.22.17

MEDx Talks

WHYY Studios (Philadelphia, PA), 5.10.17

What Obama's Precision Medicine Initiative May Mean for Health Information Managers and Professionals

Lorman Webinar, 3.29.17

Legal Hot Topics: Technology and Social Media – Evolving Issues for Healthcare

The Graham Company's Executive Healthcare Risk Forum (Galloway, NJ), 10.6.16

Managing Cybersecurity in the Healthcare Industry: Best Practices Every Healthcare Organization Needs to Know

The Knowledge Group Webinar, 5.3.16

Are You Ready for Tech "Savvy" Providers and Patients?

2015 Healthcare Summit, 5.7.15

Emerging Developments in Healthcare Litigation from the Courts and Legislature

2015 Healthcare Summit, 5.7.15



Healthcare and Data Breaches - Vulnerability and Consequences  
2015 Healthcare Summit, 5.7.15

Litigation Management for Risk Managers: Guidance for Risk Management Professionals to Avoid Depositions, Other Discovery and Trial Testimony in Civil Litigation  
2015 Healthcare Summit, 5.7.15

"Can I Get Your Thoughts On This?" – A Look at Informal "Curbside" Consultations and Their Potential Medical and Legal Implications  
2015 Healthcare Summit, 5.7.15

2015 Healthcare Summit  
Penn Museum (Philadelphia, PA), 5.7.15

Digital Health Workshop  
University of Pennsylvania, 3.19.15