

# Health Care

Health care has been rapidly changing for many years, and our attorneys have been advising health care providers to help them succeed in navigating these changes while addressing the shifting and expanding risks they face. Advising health care clients in this legal and regulatory landscape requires a familiarity with the organization's mission and operations as well as the technicalities of changing laws and enforcement practices.

Our health care attorneys have been working closely with providers across the care continuum for over thirty years. We have worked with hospitals, long term care providers, physicians, mental health centers and a variety of other providers and ancillary vendors to our health care system. As a result, we understand the important role played by different providers, and this provides a deeper appreciation for the business objectives as well as legal landscape for each health care client.

## BUSINESS AND REGULATORY REPRESENTATIVE SERVICES

- Compliance with federal and state regulations (e.g., False Claims Act, Stark, Anti-Kickback, EMTALA)
- Assisting with regulatory investigations (e.g., MFCU)
- Internal investigations and self-reporting
- Federal and state licensure and certification surveys (preparing, responding and appealing)
- Compliance program development and support
- Third party payer audits and appeals
- Medical group organization and operations
- Mergers, joint ventures and special partnering agreements
- Labor, employment, and employee benefits
- Physician recruitment, employment and contracting
- Patient privacy and confidentiality (e.g., HIPAA, HITECH, and Health IT)
- Medical staff credentialing, privileges, and governance
- Drug and alcohol treatment confidentiality
- Medical ethics and legal liability (e.g., informed consent, end of life, clinical trials, and IRB)
- Advising on duties to report adverse incidents

## PROFESSIONALS

Suzannah Wilson Overholt  
Partner

Moses Suarez  
Partner

Heather A. Bailey  
Partner

Betsy Ballek  
Senior Counsel

Mark P. Broderick  
Partner

Bailee Brown  
Associate

Christopher Congeni  
Partner

Caroline Mazurek Cozzi  
Associate

Mary Cruser  
Paralegal

Terese A. Drew  
Partner

Christopher R. Green  
Partner

Callan Heurung  
Paralegal

Matthew Horn  
Partner

Rebekah A. Jones  
Paralegal

Matthew Kees  
Partner

Jessica Keyes  
Partner

Craig A. Kubiak  
Partner

Jamie S. Lane  
Partner

We work with our health care clients and other professional advisors to handle complicated corporate transactions as well as more routine employment and commercial contracting. We advise and represent our clients in serious survey or enforcement investigations or audit appeals as well as the development and implementation of effective compliance programs. Our health care clients view us as valued business as well as legal advisors. They recognize that our goal is to bring our breadth of experience to assist our clients in navigating the legal, regulatory, and reimbursement challenges so that they can reach their goals.

## HEALTH CARE PROVIDER CLIENTS

- Hospitals (general acute and specialty)
- Mental health (hospitals and community mental health centers)
- Long term care (nursing, assisted living and independent living facilities)
- Medical groups and individual physicians
- Home health and hospice
- Substance abuse treatment centers
- Federal qualified health centers
- Managed care networks
- Credentialing organizations
- Dialysis service providers

## LITIGATION SERVICES

- Hospital liability
- Post-acute and long term care liability
- Home health and hospice liability
- Mental health center liability
- Professional liability (e.g., physicians, dentists, nurses, physical/occupational therapists, mental health therapists, and other mid-level and allied health professionals)
- Defense of claims brought pursuant to the False Claims Act, Stark Law, Anti-kickback Statute and related statutes and regulations
- Product and medical device liability
- Professional medical staff and licensure disciplinary actions
- Subpoena assistance and deposition preparation
- Probate (e.g., involuntary commitment proceedings, guardianship, health care powers of attorney)
- General premises liability

## Health Care

Olivia LaPorta  
Associate

Patrick J. Lubenow  
Special Counsel

Thomas J. Lyman, III  
Special Counsel

Jarrold A. Malone  
Partner

Shannon McKeon  
Associate

Edna McLain  
Partner

Jeffrey A. Risch  
Partner

Ruth E. Robinson  
Partner

Timm W. Schowalter  
Partner

Lee Strausberg  
Nurse Analyst

Jennifer K. Stuart  
Partner

Mary Hamilton Watts  
Partner

Gaius G. Webb  
Associate

Brandi White  
Nurse Analyst

## AREAS OF CONCENTRATION

Behavioral Health Care  
Providers

- Dialysis service providers
- Medical records production and confidentiality
- Commercial litigation stemming from business operations

Amundsen Davis has a proven track record of high caliber representation of health care entities and professionals in litigation and prelitigation matters. We regularly advise health care clients regarding risk avoidance strategies in a variety of settings that implicate complicated legal, medical, financial and risk management issues. While vigorously defending our clients, we also understand the financial impact of litigation. As a result, we utilize innovative practices to reduce litigation costs without sacrificing results.

We value technology as a tool that enhances work quality and improves our service to clients. We have developed document management systems to organize and summarize documents, while also fulfilling our obligations as a business associate. We employ the latest technology to organize documents produced during discovery and trial technology, such as computer generated reconstruction video to aid in the presentation of evidence at trial.

Our attorneys are experienced in handling the most complex medical litigation and we understand the value of working closely with clients and, when necessary, outside consultants. We have adapted our knowledge and experience with medicine and the law to effectively represent a variety of health care providers including for profit and not-for-profit health care systems, managed care entities, nursing homes, individual health care providers, and product manufacturers.

We communicate frequently with our clients to advise them of significant developments and to solicit their input. Our litigation services include comprehensive fact investigation and liability analysis, objective negotiation, and aggressive litigation. Our paralegals and nurse analysts are capable of organizing, synthesizing, and analyzing medical records to assist us in mounting an efficient vigorous defense. Before going to trial, we explore mediation and other cost efficient manners of alternative dispute resolution.

## Experience

Successfully Represented Nonprofit Health Care Provider Before City Council to Obtain Zoning Approvals

Negotiated and Led Merger of a Nonprofit Health Care Provider

Obtained Summary Judgment in Favor of a Hospital in a Delayed Diagnosis Case

Successful Defense of a Hospital in Premises Liability Case

## Health Care

## Health Care

Successfully Represented Medicaid Providers in Draft Audit Findings

Successful Defense of Client During Investigation of Alleged HIPAA Violations

Obtained Dismissal of a False Claims Act Complaint Involving a Health Care Entity's Medicaid Billing Practices

Successful Defense of a Skilled Nursing Facility in a False Claims Act Complaint

Secured Dismissal With Prejudice in COVID-19 Vaccine Mandate Religious Exemption Case

Defense Verdict Secured for Emergency Physician in Medical Negligence Case

Successful Dismissal of Medical Scheduling Company in High-Stakes Case

Police Social Work Memorandum of Understanding and Services Agreement for Crisis Intervention

Comprehensive Legal Counsel for Behavioral Health Providers

Defended University and Counseling Student Intern in Medical Malpractice Allegations

Rapid Response Legal Counsel Regarding Emergency Inpatient Admission for Mental Health Services

Successfully Defended a Physical Therapist Accused of Being Indifferent to an Inmate's Medical Condition

Successfully Defended a Nursing Home Operator and a Pharmacy Against a False Claims Act Complaint

Obtained a Seven-Figure Settlement for a Physician in a Wrongful Termination Case

Provides Advice to Various Health Care Practice Groups on ACO Issues, Including Maximizing the Practice Groups' Share of Financial Incentives

Represented a Regional Health Care System for all Labor and Employment Issues

Provided Advice and Counsel to Specialty Physician Groups Regarding Compliance, Stark and Anti-Kickback Issues

Won a Defense Verdict for Eight Obstetricians and a Vascular Surgeon in a Wrongful Death Suit

Won a Defense Verdict for Two Neurologist in a Jury Trial

Successfully Defended an Emergency Medicine Physician in a Wrongful Death Suit

## Health Care

Won a Motion to Dismiss in a Qui Tam Case Alleging False Claims Act Violations in Federal Court

Represented a Dermatology Practice in Various Aspects of its Startup Operations

Defeated a Laborer Local Union in its Organizing Efforts Directed at a Nursing Home

Evaluate Health Care Billing Practices to Determine Compliance with the Anti-Kickback Statute and Stark Law

Defended Staff at a Long Term Care Facility

Defended a Dentist in a Dental Malpractice Jury Trial

Defended an Oral Surgeon in a Dental Malpractice Jury Trial

Defended a Large Hospital System as Well as a Cardiologist Accused of Failing to Diagnose a Heart Attack

Defended a Homecare and Hospice Company in Wisconsin Against a Class Action Lawsuit Claim for Unpaid Wages

Zoning Approval in Hospital Expansion

Defended a Physician and a Large Health Care System Against a Plaintiff's Claim Alleging medical Malpractice in a Failure to Diagnose a Tumor

Successfully Vacated a \$500,000 Plus Default Judgment Entered Against a Health Care Company

Defended a Health Care Facility Against an American with Disabilities Act Claim

Defended Physical Therapists and a Large Hospital System against the Plaintiff's Claim Alleging Medical Malpractice

Obtained Ruling in Favor of Hospital in Contract Dispute

Defense of Religious and Nonprofit Institutions in Sexual Abuse Claims

Obtained a Defense Verdict for a Hospital in an Emergency Department Case Involving Alleged Wrongful Death from Delay in Triage, Diagnosis and Treatment

Defended a Hospital Against an Employee's Claims of Race Discrimination in Cook County Circuit Court

Obtained a Favorable Defense Settlement for a Hospital in a Catastrophic Birth Injury Case

Defended a Hospital Against an Employee's Claims of Retaliation and Sexual Harassment

## Health Care

Successfully Represented a Primary Care Physician Before the Various Illinois Disciplinary Boards of the Illinois Department of Financial and Professional Regulation

Favorable Settlement for an Outpatient Center in a Premises Liability Case

Defended a Hospital Against a Former Employee's Claims of FMLA Interference, FMLA Retaliation, and ADA Discrimination

Obtained Summary Judgment to Bar Family Expense Act Medical Bills on the Basis the Claim was Time Barred by the Statute of Limitation

Obtained a Favorable Settlement at Pretrial on Behalf of a Hospital in a Medical Malpractice Case

Defended a Hospital Against a Former Employee's Claims that the Hospital Violated Title VII and ADA

Defended a Physician Group and Practitioners in Alleged Failure to Monitor and Manage Outpatient Coumadin Therapy

Defended a Hospital System Accused of Failing to Timely Diagnose a Patient's Cancer

Won Summary Judgment in a Race Discrimination, Defamation Claim Under IHRA and Title VII

Defended a Physician and Medical Group Alleged to Have Negligently Prescribed Trazodone for Sleep

Represented an On-call Physician Accused of Failing to Diagnose a Cardiac Condition

Obtained a Motion to Dismiss with Prejudice for Claims of Breach of Employment Contract, Defamation and Infliction of Emotional Distress on Behalf of a Health Care Employer

Defended a Hospital from a Class Action Arising from a Data Breach

Represented a Nurse Practitioner in an Action Involving the Alleged Failure to Prevent a Patient's Death at a Long Term Care Facility

Won Summary Judgment on a Race Discrimination Complaint for a Hospital had a Legitimate, Nondiscrimination Reason for Termination

Represented a Hospital System Alleged of Negligently Administering a Tube Feeding to which the Patient was Known to be Allergic

Won a Motion to Dismiss in a Common Law Retaliatory Discharge Case Under the Workers' Compensation Act

## Health Care

Defended a Hospital and a Nurse in a Medical Negligence Case

Tried a 2 Week Medical Malpractice Jury Trial

Defended a School Nurse Accused of Failure to Provide Care

Defended an ER Doctor in a Medical Malpractice Jury Trial

Obtained Denial of Motion for Class Certification in a Wage and Hour Class Action Lawsuit Brought By Home Health Care Workers

Advised Mental Health Provider on Practice Policies, State Reporting Requirements, Billing, and Patient Conflict Resolution

Obtained Dismissal and Compelled Arbitration for Nursing Home Consultant and Facility Operator

Drafted a Settlement Agreement on Behalf of a Health Care Provider

Defense Verdict Achieved for Oral Surgeon in Dental Malpractice Case Over Alleged Faulty Wisdom Tooth Extraction

Defense Verdict Secured for Orthopedic Surgeon in Medical Negligence Case Involving Complications from Hip Replacement Surgery

Defense Verdict Achieved for Hospital in Medical Negligence Case Involving Intubation Complications

Defense Verdict Secured for Oral Surgeon in Dental Malpractice Case Over Alleged Informed Consent Failure

Summary Judgment for Hospital on Provider Responsibility Issue

Advised a Medical Group on Handling Online Reviews and Creating Policies for Employee Social Media Use

### Firm News

Craig Kubiak Included on *Wisconsin Law Journal's* 2025 Powerlist – Health Care Law

Firm News, *Wisconsin Law Journal*, June 2, 2025

Amundsen Davis Welcomes Attorney Baillee Brown

Firm News, May 27, 2025

Jessica Keyes Joins Amundsen Davis as Senior Counsel

Firm News, May 5, 2025

Several Amundsen Davis Service Groups Named in the 2025 Edition of Best Law Firms®

Firm News, November 7, 2024

Subscribe to Amundsen Davis's Litigation Nation Podcast for the latest legal updates!

Firm News

100 Amundsen Davis Attorneys Recognized by Best Lawyers® in 2025 in America  
Firm News, August 15, 2024

Attorney Gaius G. Webb Joins Indianapolis Office  
Firm News, June 3, 2024

Amundsen Davis Welcomes Attorney Jarrod Malone to Indiana Office  
Firm News, May 20, 2024

Amundsen Davis Attorneys Included in the 2024 Illinois Super Lawyers and Rising Stars List  
Firm News, January 25, 2024

Amundsen Davis Attorneys Included in 2023 Missouri Super Lawyers and Rising Stars Lists  
Firm News, November 14, 2023

Shannon McKeon Joins Amundsen Davis Health Care Service Group  
Firm News, November 9, 2023

Amundsen Davis Named in the 2024 Edition of Best Law Firms®  
Firm News, November 2, 2023

82 Amundsen Davis Attorneys Recognized by Best Lawyers® in 2024 in America  
Firm News, August 17, 2023

New Partner Terese Drew Joins Amundsen Davis's St. Louis Office  
Firm News, May 15, 2023

Attorney Craig Kubiak Joins Amundsen Davis's Appleton Office  
Firm News, March 20, 2023

Congratulations to the Amundsen Davis Attorneys Included on the 2023 Indiana Super Lawyers and Rising Stars Lists  
Firm News, *Amundsen Davis*, February 28, 2023

Amundsen Davis Promotes Three Attorneys to Partner  
Firm News, February 21, 2023

Amundsen Davis Attorneys Included in the 2023 Illinois Super Lawyers and Rising Stars List  
Firm News, *Amundsen Davis*, January 23, 2023

U.S. News & World Report – Best Lawyers® “Best Law Firms” 2023  
Firm News, November 3, 2022

## Health Care



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Amundsen Davis Welcomes Attorney Courtney Oliver to Health Care Service Group  
Firm News, October 31, 2022

37 Amundsen Davis Attorneys Recognized by *Best Lawyers in America*© 2023  
Firm News, August 18, 2022

Heather Bailey Recognized as a Top Author of 2021 by JD Supra for Employer Liability Issues  
Firm News, *Automatic Merchandiser*, June 20, 2022

5 Amundsen Davis Attorneys Included on 2022 Indiana Super Lawyers and Rising Stars Lists  
February 24, 2022

29 Amundsen Davis Attorneys Included on 2022 Illinois Super Lawyers and Rising Stars Lists  
January 28, 2022

Moses Suarez Appointed to Illinois Supreme Court Committee of Jury Instructions - Civil Cases  
January 1, 2022

Amundsen Davis Welcomes Labor & Employment Attorney Timm W. Schowalter as Partner in St. Louis  
December 27, 2021

Amundsen Davis Attorneys Included in the 2021 Wisconsin Super Lawyers and Rising Stars List  
*Amundsen Davis*, November 18, 2021

U.S. News & World Report – Best Lawyers® “Best Law Firms” 2022  
November 4, 2021

29 Amundsen Davis Attorneys Recognized by *Best Lawyers in America*© 2022  
Firm News, August 19, 2021

Chicagoland Healthcare Risk Management Society Elects Moses Suarez as President-Elect for 2021-2022  
May 2021

Edna McLain Recognized as Top Author on JD Supra for Health Care  
Firm News, *JD Supra*, April 6, 2021

4 Amundsen Davis Attorneys Included on 2021 Indiana Super Lawyers and Rising Stars Lists  
Firm News, February 25, 2021

## Health Care

26 Amundsen Davis Attorneys Included on 2021 Illinois Super Lawyers and Rising Stars Lists  
January 29, 2021

Amundsen Davis Attorneys Included on the 2020 Wisconsin Super Lawyers and Rising Stars Lists  
*Amundsen Davis*, November 17, 2020

U.S. News & World Report – Best Lawyers® “Best Law Firms” 2021  
November 5, 2020

Moses Suarez Receives 2020 "Best LGBTQ+ Lawyers Under 40" Award by the National LGBT Bar Association & Foundation  
*National LGBT Bar Association & Foundation*, March 3, 2020

Amundsen Davis Promotes Three to Partner  
February 24, 2020

7 Amundsen Davis Attorneys Included on 2020 Indiana Super Lawyers and Rising Stars Lists  
*Amundsen Davis*, February 14, 2020

Moses Suarez Receives the 2020 Hispanic National Bar Association Top Lawyers Under 40 Award  
Firm News, February 5, 2020

23 Amundsen Davis Attorneys Included on 2020 Illinois Super Lawyers and Rising Stars Lists  
January 29, 2020

Attorney Edna McLain Joins Amundsen Davis's Health Care Practice Group  
July 2019

Amundsen Davis Promotes Five Attorneys to Partner  
February 26, 2019

5 Amundsen Davis Attorneys Included on 2019 Indiana Super Lawyers and Rising Stars Lists  
Firm News, January 31, 2019

Moses Suarez Sworn in as First Latino president of the Lesbian and Gay Bar Association of Chicago  
January 25, 2019

28 Amundsen Davis Attorneys Included on 2019 Illinois Super Lawyers and Rising Stars Lists  
Firm News, January 24, 2019

Amundsen Davis Ranks on Crain's Chicago Business' 2018 Largest Law Firms List  
*Crain's Chicago Business*, October 25, 2018

## Health Care

12 Amundsen Davis Attorneys Included in Best Lawyers in America© 2019  
Firm News, August 15, 2018

5 Amundsen Davis Attorneys Included on 2018 Indiana Super Lawyers and Rising Stars Lists  
Firm News, February 20, 2018

Amundsen Davis Ranks on Crain's Chicago Business' Largest Law Firms List  
*Crain's Chicago Business*, September 15, 2017

9 Amundsen Davis Attorneys Included in Best Lawyers in America© 2018  
Firm News, August 15, 2017

Attorney Suzannah Wilson Overholt Joins Amundsen Davis's Health Care Practice Group in Indianapolis  
April 20, 2017

Heather Bailey and her Team Raise Nearly \$16,000 for the 2017 Chicago Polar Plunge Benefitting the Special Olympics Chicago  
*Chicago Tribune*; *Chicago Sun Times*, March 5, 2017

4 Amundsen Davis Attorneys Included on 2017 Indiana Super Lawyers and Rising Stars Lists  
Firm News, February 2017

5 Attorneys Join Our Indianapolis Office  
Firm News, September 2016

Amundsen Davis Ranks on Crain's Chicago Business' Chicago Largest Law Firms List  
Firm News, *Crain's Chicago Business*, September 10, 2016

3 Amundsen Davis Attorneys Included on 2016 Indiana Super Lawyers and 2016 Indiana Rising Stars Lists  
Firm News, February 12, 2016

Cook County Jury Verdict Reporter Awards Larry Smith With Lifetime Achievement Award  
*Cook County Jury Verdict Reporter*, October 21, 2015

Chicagoland Healthcare Risk Management Society Elects Jennifer Stuart as President-Elect  
May 2015

### In the Media

Edna McLain Quoted By *ED Management* on Unified Defenses in Malpractice Claims  
Media Mention, *ED Management*, June 1, 2023

## Health Care

*Ed Management* Quotes Moses Suarez in "Malpractice Lawsuits Allege ED Missed Intracranial Aneurysms"

Media Mention, *Ed Management*, June 1, 2023

Suzannah Overholt Comments on Hyde Amendment to *Federal Times*

Media Mention, *Federal Times*, January 19, 2023

*ED Management* Quotes Edna McLain in Article About Patient Handoffs

Media Mention, *ED Management*, May 1, 2022

Edna McLain Quoted in *ED Management* Article Regarding Test Order Mistakes in ED Malpractice Claims

Media Mention, *ED Management*, September 2021

Copay Collection Cannot Delay Care, or Hospital Risks EMTALA Violation --

*Hospital Access Management* Interviews and Quotes Edna McLain

Media Mention, *Hospital Access Management*, May 2021

LAGBAC Gets a New Leader -- Moses Suarez Featured in *Chicago Daily Law Bulletin*

Media Mention, *Chicago Daily Law Bulletin*, January 4, 2019

### Alerts

Developing Effective Workplace Violence Programs in Health Care: Protecting Those Who Care for Us

Article, *Amundsen Davis Health Care Alert*, May 27, 2025

Indiana Lawmakers Pass Bill Prohibiting Noncompete Agreements Between Hospitals and Physicians

Article, *Amundsen Davis Health Care Alert*, April 28, 2025

ICE at Health Care Facilities: Immigration Enforcement and Patient Privacy

Article, *Amundsen Davis Health Care Alert*, February 7, 2025

Impact of Strengthened Mental Health Parity Laws: What Employers and Health Care Providers Need to Know

Article, *Amundsen Davis Health Care Alert*, November 5, 2024

Understanding the Impact of Federal Conscience Rights on Health Care

Employers: Navigating Legal Protections and the 2023 Final Rule

Article, *Amundsen Davis Health Care Alert*, February 26, 2024

Hospitals Beware: What to Expect During an EMTALA Investigation

Article, *Amundsen Davis Health Care Alert*, November 20, 2023

The Impact of Indiana's Restrictions on Physician Non-Compete Agreements

Article, *Amundsen Davis Health Care Alert*, November 9, 2023

## Health Care

Nursing Homes May Face First-Ever Federal Staffing Mandate

Article, *Amundsen Davis Health Care Alert*, September 8, 2023

Uncertainty of State Abortion Laws Leads to CMS Investigations of Hospitals Denying Emergency Care

Article, *Amundsen Davis Health Care Alert*, August 23, 2023

Access to Mental Health Care in Indiana: Diverting Some of Most Vulnerable From Criminal Legal System by Emergency Detention

Article, *Amundsen Davis Health Care Alert*, July 6, 2023

FCA'S Scienster Standard: To Change or Not To Change, That is the Question

Article, *Amundsen Davis Health Care Alert*, February 23, 2023

Keeping an Eye on PHI: OCR Guidance Concerning Permissible Disclosures of Reproductive Health PHI following *Dobbs*

Article, *Amundsen Davis Health Care Alert*, July 14, 2022

*Dobbs*, Trigger Laws and Injunctions: The Changing Landscape of Reproductive Health Care for Providers

Article, *Amundsen Davis Health Care Alert*, July 12, 2022

Illinois Pre-Judgment Interest Statute Declared Unconstitutional

Article, *Amundsen Davis Health Care Alert*, May 27, 2022

CMS Health Care Vaccine Mandate Allowed by U.S. Supreme Court

Article, *Amundsen Davis Health Care Alert & COVID-19 Alert*, January 13, 2022

U.S. Supreme Court Allows Nursing Home Vaccination Mandate

Article, January 13, 2022

CMS Vaccine Mandate – On Again (Sort Of)?

*Amundsen Davis Health Care Alert & COVID-19 Alert*, December 16, 2021

Vaccination Mandate for Nursing Homes is Revived, for Now, in Wisconsin

Article, December 16, 2021

CMS Vaccine Mandate Enjoined Nationwide

*Amundsen Davis Health Care Alert and COVID-19 Alert*, December 1, 2021

Judge Temporarily Blocks CMS Vaccine Mandate in 10 States

*Amundsen Davis Health Care Alert and COVID-19 Alert*, November 30, 2021

The New Normal: GAO 21-3 Mandates New HIPAA QPO In All Cook County Law Division Cases

*Amundsen Davis Health Care Alert*, November 17, 2021

Courts Expand the Indiana Medical Malpractice Act: A "Patient" is No Longer Limited to Recipients of Care

*Amundsen Davis Health Care Alert*, October 18, 2021

## Health Care

U.S. Bill Would Require More Staffing and Curtail Arbitration in Nursing Homes  
Article, 2021

CMS Reinstates Per-Day Fines for Noncompliance in Long-Term Care  
Article, August 2, 2021

Payment for Access to Patient Data May be a Violation of the AKS  
*Amundsen Davis Health Care Alert*, June 21, 2021

OSHA ETS: What Health Care Providers Need to Know  
*Amundsen Davis Labor & Employment Alert*, June 18, 2021

Indiana General Assembly Expands COVID-19 Immunity Protections  
*Amundsen Davis Health Care Alert*, April 28, 2021

Patience Required: New Federal Court Opinion on the Application of COVID-19 Immunities  
*Amundsen Davis Health Care Alert*, April 12, 2021

CDC Updates COVID Guidelines for Nursing Homes  
Article, April 1, 2021

UPDATE: Prejudgment Interest Could Impact Personal Injury and Wrongful Death Actions in Illinois  
*Amundsen Davis Health Care Alert*, March 19, 2021

State Law Provides Broad Immunity for COVID-19 Liability  
Article, February 25, 2021

New House Bill Could Impact Personal Injury and Wrongful Death Actions in Illinois  
*Amundsen Davis Health Care Alert*, January 18, 2021

State Will Disclose Nursing Homes with COVID Cases  
Article, May 8, 2020

CMS Recommendations on Reopening Facilities to Provide Non-Emergent Health Care Services  
*Amundsen Davis Health Care Alert*, April 27, 2020

CMS Issues Telehealth Toolkit  
*Amundsen Davis Health Care Alert*, April 27, 2020

Consent Issues During a Pandemic: What to Do if a Patient Refuses COVID-19 Testing  
*Amundsen Davis Health Care Alert*, April 20, 2020

Wisconsin Expands Immunity for Health Care Providers and Health Care Manufacturers, Distributors & Sellers Amidst COVID-19  
*Amundsen Davis Health Care Alert*, April 17, 2020

## Health Care

Health Care Providers Get Limited Immunity Under State Coronavirus Law  
Article, April 16, 2020

A Review of Illinois Statutory Immunities for Health Care Providers: A Discussion  
of the Case Law And Application of the Defense  
*Amundsen Davis Health Care Alert*, April 15, 2020

State Sets Emergency Training Rules to Help Nursing Home Staffing Amid  
COVID-19  
Article, April 13, 2020

OCR Finds State Hospital Has Discriminatory Ventilator Triage Guidelines – Early  
Resolution Reached  
*Amundsen Davis Health Care Alert*, April 9, 2020

Liability Immunity under the PREP Act for Medical Device Manufacturers for  
Qualified Medical Countermeasures against COVID-19  
*Amundsen Davis Health Care Alert*, April 9, 2020

HHS Office of Civil Rights Announces Guidance to Assist Providers in Navigating  
HIPAA During the COVID-19 Public Health Emergency  
*Amundsen Davis Health Care Alert*, April 7, 2020

Indiana State Department of Health Issues Guidance on Liability for Health Care  
Providers and Facilities Responding to an Emergency  
*Amundsen Davis Health Care Alert*, April 6, 2020

Battlefield Triage During a Public Health Emergency or Infectious Disease  
Outbreak  
*Amundsen Davis Health Care Alert*, April 6, 2020

Hospital Guidance for Meeting EMTALA Requirements in Light of COVID-19  
*Amundsen Davis Health Care Alert*, April 2, 2020

Liability Immunity for Health Care Providers During the COVID-19 Crisis  
*Amundsen Davis Health Care Alert*, April 2, 2020

CARES Act Includes Financial Support for Nursing Homes  
Article, March 27, 2020

The CARES Act – Highlights for Health Care Providers: Telehealth, Regulatory  
Relief, Reimbursement & Program Support  
*Amundsen Davis Health Care Alert*, March 26, 2020

Health Care Providers May Now Use Apple FaceTime, Facebook Messenger Video  
Chat, Google Hangouts Video and Skype to Provide Telehealth to Patients During  
COVID-19 Public Emergency  
Article, March 19, 2020

## Health Care

Secretary Azar Waives Certain HIPAA Sanctions and Penalties Against Covered Hospitals

Article, March 17, 2020

CMS Suspends Nursing Home Inspections, Offers Guidance in Wake of Coronavirus

Article, March 6, 2020

U.S. Launches Crackdown on Substandard Nursing Home Care

Article, March 5, 2020

Indiana Medical Malpractice Act Damage Caps Set to Go Up July 1

*Amundsen Davis Health Care Alert*, June 27, 2019

The Intersection between Mental Illness and Opioid-Related Substance Use Disorder

*Amundsen Davis Health Care Alert*, May 23, 2019

Safeguarding Patient Privacy—HIPAA and the Police Body Camera

*Amundsen Davis Health Care Alert*, April 4, 2019

The Importance of Documenting the Failure to Document

*Amundsen Davis Health Care Alert*, February 20, 2019

New Requirements for Hospitals and Care Facilities Treating Sexual Assault in Illinois

*Amundsen Davis Health Care Alert*, February 6, 2019

Request for Public Input on HIPAA Shines Light on New Health Information Trend, but HIPAA Enforcement and Fines Still Loom

*Amundsen Davis Health Care Alert*, December 27, 2018

New Law Requires Hospitals to Address Workplace Violence

*Amundsen Davis OSHA and Health Care Alert*, December 12, 2018

Dispositive Motions: Timing is Everything, Even in Death

*Amundsen Davis Health Care Alert*, November 9, 2018

Assisted Living Facilities, Beware: Fair Housing Act May Soon Knock at Your Door

*Amundsen Davis Health Care Alert*, October 26, 2018

Hospitals Successfully Assert Peer Review Privileges Under Two Different Statutes

*Amundsen Davis Health Care Alert*, August 22, 2018

Why Should Nursing Homes Care About Senior-to-Senior Bullying?

*Amundsen Davis Health Care Alert*, May 31, 2018

Guidance on the Proof Necessary to Impose Special Conditions as Part of Involuntary Commitments in Indiana

*Amundsen Davis Health Care Alert*, March 26, 2018



## Health Care

Who Let the Dogs Out? Ensuring Your Therapy Dog Handlers Keep HIPAA Protected Information on a Tight Leash

*Amundsen Davis Health Care Alert*, February 23, 2018

New Year, New Resolution: Build a Stronger Compliance Program

*Amundsen Davis Health Care Alert*, January 26, 2018

Sign on the Dotted Line: New Cook County HIPAA Order Requires Patient Signature

*Amundsen Davis Health Care Alert*, January 5, 2018

U.S. Abandons Ban On Nursing Home Arbitration Agreements

Article, June 6, 2017

U.S. Supreme Court Rebuffs Challenge to Nursing Home Arbitration Agreements

Article, May 15, 2017

A Flaw in Apology Laws?

*Amundsen Davis Health Care Alert*, December 16, 2016

How Write-offs Affect Jury Awards: Fourth Circuit Decision Creates the Ultimate Paradox

*Amundsen Davis's Health Care Alert*, September 30, 2016

Be Wary of Court-Ordered Settlement Apportionment

*Amundsen Davis Health Care Alert*, September 30, 2016

Knock, Knock ... It's OSHA

*Amundsen Davis Health Care Alert*, March 25, 2016

Learned Treatises and Apparent Agency

*Amundsen Davis Health Care Alert*, February 29, 2016

### Events

Creating a Safer Workplace: Addressing Violence in Rural Healthcare Settings

Speaking Engagement, Indiana Rural Health Association (IRHA), 27th Annual IRHA Rural Health Conference; French Lick, IN, June 10, 2025

Addressing Workplace Violence in Health Care: Protecting Those Who Care for Us

Event, Amundsen Davis, Webcast, May 8, 2025

Safeguarding Health Care Employees: Strategies to Combat Workplace Violence

Speaking Engagement, Leading Age Indiana, Spring Conference 2025; Indianapolis, IN, May 2, 2025

Safeguarding Health Care Employees: Strategies to Combat Workplace Violence

Speaking Engagement, Indiana Health Care Association (IHCA), 2025 Spring Conference; Indianapolis, IN, April 29, 2025

## Health Care

Health Care Workplace Violence: Strategies for Mitigation  
Speaking Engagement, University of Southern Indiana, Ascension of St. Vincent  
Evansville & Deaconess Health System, 2024 Professional Ethics Seminar;  
Evansville, IN, November 14, 2024

Health Care Compliance: Developing and Implementing an Effective Program  
Event, Amundsen Davis; Webcast, July 23, 2024

Addressing Mental Health Issues in the Workplace  
Speaking Engagement, Indianapolis, Indiana, May 2, 2024

Navigating Patient Privacy Against the Backdrop of Court Rulings, New Privacy  
Laws, and a Sophisticated Threat Landscape  
Speaking Engagement, Hilton Chicago; Chicago, IL, November 18, 2022

Recruiting and Retaining Employees: Attracting Top Candidates While Avoiding  
Legal Pitfalls  
Speaking Engagement, IARF Educational Conference & Expo; Springfield, IL,  
September 1, 2022

Documenting Discipline Without Amplifying a Legal Claim or Lawsuit  
Complimentary Webcast for the Health Care Industry  
Event, Amundsen Davis, Webcast, May 20, 2021

Long Term Care Litigation & Enforcement – ‘Legal Distancing’ from COVID-19 Risk  
Indiana Health Care Association Annual Conference, August 2020

BACK IN BUSINESS: Returning Workers to the Workplace  
Event, Amundsen Davis, Webcast, May 29, 2020

Employment and Labor Law for Returning Workers to the Workplace – Part 1  
National Automatic Merchandising Association, Webcast, May 19, 2020

Re-Opening the Economy --- Preparing to Return Workers to the Workplace  
Speaking Engagement, Illinois Chamber of Commerce, Webcast, May 15, 2020

COVID-19 in Skilled Care and Assisted Living: What You Must Do Now to Manage  
Risk and Impact  
Event, Amundsen Davis, Webcast, May 15, 2020

CHRM Spring Webinar: Liability Protections for Health Care Providers during  
COVID-19  
Chicagoland Healthcare Risk Management Society, Webcast, April 24, 2020

Covid-19 Updates for CMHCs: Paid Leave, Work Rules and Telemedicine  
Event, Amundsen Davis, Webcast; Indianapolis, IN, March 27, 2020

An Employer's Guide to the Coronavirus & Ill Employees in the Workplace  
Event, Amundsen Davis, Webcast, March 12, 2020

## Health Care

How to Document and Terminate in YOUR Industry  
Event, Amundsen Davis, Webcast, August 21, 2019

Preparing Your CMHCs for the Future  
Speaking Engagement, Friends of Indiana Mental Health Centers, December 6, 2018

Risk Management for New Advanced Practice Providers  
Northwestern Medical School; Chicago, IL, December 4, 2018

EMTALA in 2018  
Oak Brook, IL, April 27, 2018

Hiring, Background Checks, and Medical Credentialing in Health Care  
Organizations: What You Must Know in 2018  
Amundsen Davis, Seminar; Chicago, IL, March 7, 2018

Informed Consent & 4th Amendment Rights  
National Association of Hispanic Nurses Meeting; Maywood, IL, November 16, 2017

To Disclose or Not to Disclose - That is the Question!  
Valle Vista Health System; Greenwood, IN, July 20, 2017

Health Care Reform  
Webinar, September 13, 2016

Hispanic National Bar Association Hosts 41st Annual Conference in Chicago  
Hispanic National Bar Association, Seminar; Chicago, IL, September 9, 2016

Warnings and Termination of Patients: To Dismiss or Not to Dismiss?  
Advocate Medical Group, Webinar, August 3, 2016

Litigating Legal Issues Common to Assisted Living Facilities  
Webinar, June 3, 2016

Infectious Diseases in the Workplace  
Illinois Chamber of Commerce, Webinar, March 15, 2016

### Published Works

*Less v. Mercy Hosp. & Med. Ctr.*: Less Protection Under the Illinois Medical Studies Act  
Publication, *Illinois Defense Counsel Quarterly*, 2023, 2023

The Challenge of Serving in Black Robes, Not White Coats: The Second District Affirms the Denial of Patients' Requests for Ivermectin  
*Illinois Defense Counsel Quarterly*, 2022

## Health Care

May a Health Care Provider Refuse to Treat an Unvaccinated Patient?

Publication, *USLAW Magazine*, Summer 2022

State of Indiana Force Majeure Law Compendium (during COVID-19 pandemic)

*USLAW*, June 5, 2020

Health Care Immunity Laws: 50 State Compendium

*Amundsen Davis*, April 30, 2020

What's So Special About Mental Health Records?

*Indiana Council Behavioral Health Newsletter*, May 23, 2017

### Blog Posts

ICE at Health Care Facilities: Immigration Enforcement and Patient Privacy

*Labor & Employment Law Update*, February 6, 2025

CMS's Final Minimum Staffing Standard for Nursing Homes to Go into Effect on June 21

*Labor & Employment Law Update*, May 13, 2024

CMS Rolls Back COVID-19 Related Waivers – What that Means for Nursing Aides

*Labor & Employment Law Update*, June 3, 2022

Filling Vacancies During the Great Resignation – Special Considerations for Health Care Entities

*Labor & Employment Law Update*, May 24, 2022

Updated Deadlines for COVID-19 Vaccine Mandate for Health Care Workers

*Labor & Employment Law Update*, January 17, 2022

CMS Health Care Vaccine Mandate Allowed by U.S. Supreme Court

*Labor & Employment Law Update*, January 13, 2022

CMS Vaccine Mandate – On Again (Sort Of)?

*Labor & Employment Law Update*, December 16, 2021

CMS Vaccine Mandate Enjoined Nationwide

*Labor & Employment Law Update*, December 1, 2021

CMS Releases Interim Final Rule Requiring COVID-19 Vaccination for Employees and Suppliers

*Labor & Employment Law Update*, November 4, 2021

OSHA ETS: What Health Care Providers Need to Know

*Labor & Employment Law Update*, June 18, 2021

State Bill Would Limit Restrictive Covenants With Physicians

*Labor & Employment Law Update*, May 11, 2021

## Health Care

Health Care Workers and Labor Unions: The COVID “Bump” and the New Administration’s Efforts to Unionize More Workers  
*Labor & Employment Law Update*, April 28, 2021

U.S. DOL Issues Guidance on “Health Care Provider” and “Emergency Responder” Definitions for FFCRA Exclusions  
*Labor & Employment Law Update*, March 30, 2020

Combatting the Opioid Crisis from Within  
*Labor & Employment Law Update*, December 27, 2019

The Doctor is In – At Amazon  
*Labor & Employment Law Update*, October 30, 2019

What You Don’t Know Can Hurt You: Employee Background Checks at Skilled Nursing Facilities  
*Labor & Employment Law Update*, March 13, 2019

The Importance of Documenting the Failure to Document  
*Labor & Employment Law Update*, February 20, 2019

Amazon, Berkshire Hathaway and JP Morgan Name CEO in New Venture that Could Change Health Care for Employers  
*Labor & Employment Law Update*, June 20, 2018

Will Amazon, Berkshire Hathaway and JP Morgan Change Health Care for Employers?  
*Labor & Employment Law Update*, February 19, 2018

Hospital’s Second Bite at the Apple Violated Unionized Employees’ Rights for Open Positions Between Facilities  
*Labor & Employment Law Update*, September 29, 2015

Another Supreme Court Challenge to Health Care Reform? Why It May Matter to an Employer...  
*Labor & Employment Law Update*, November 20, 2014

Union’s “Fair Share” Found Unfair  
*Labor & Employment Law Update*, July 14, 2014