

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

Mark P. Broderick
Partner

Bailee Brown
Associate

Christopher Congeni
Partner

Caroline Mazurek Cozzi
Associate

Dennis DeMarco
Senior Counsel

Terese A. Drew
Partner

Christopher R. Green
Partner

Callan Heurung
Paralegal

Matthew Horn
Partner

Jorie R. Johnson
Associate

Rebekah A. Jones
Paralegal

Matthew Kees
Partner

Craig A. Kubiak
Partner

Jamie S. Lane
Partner

Patrick J. Lubenow
Of Counsel

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

Shannon McKeon
Associate

Edna McLain
Partner

Jeffrey A. Risch
Partner

Timm W. Schowalter
Partner

Jennifer K. Stuart
Partner

Jennifer H. Vu
Associate

Mary Hamilton Watts
Partner

Gaius G. Webb
Associate

Ryan P. Wellington
Nurse Paralegal

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

Successfully Represented Medicaid Providers in Draft Audit Findings

Health Care

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

Successful Dismissal of Medical Scheduling Company in High-Stakes Case

Defense Verdict Secured for Emergency Physician in Medical Negligence 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 Compliant

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

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

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

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

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

Health Care

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

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

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

Zoning Approval in Hospital Expansion

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 Health Care Facility Against an American with Disabilities Act Claim

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

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

Defense of Religious and Nonprofit Institutions in Sexual Abuse Claims

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

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

Favorable Settlement for an Outpatient Center in a Premises Liability Case

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

Health Care

Health Care

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

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

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

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

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

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

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

Tried a 2 Week Medical Malpractice Jury Trial

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

Defended an ER Doctor in a Medical Malpractice Jury Trial

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

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

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

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

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

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

Firm News

Several Amundsen Davis Service Groups Named in the 2026 Edition of Best Law Firms®

Firm News, November 6, 2025

130 Amundsen Davis Attorneys Recognized by Best Lawyers® in 2026 in America

Firm News, August 21, 2025

Amundsen Davis Welcomes Jorie R. Johnson

Firm News, August 11, 2025

Senior Counsel Dennis DeMarco Joins Health Care Team

Firm News, August 11, 2025

Amundsen Davis Welcomes Jennifer H. Vu to Health Care Service Group

Firm News, July 28, 2025

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

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

Health Care

Amundsen Davis Welcomes Attorney Baillee Brown
Firm News, May 27, 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

93 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 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

77 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

Health Care

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

36 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

25 Amundsen Davis Attorneys Included on 2022 Illinois Super Lawyers and Rising
Stars Lists
Firm News, 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

28 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

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

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

Health Care

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

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

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

Amundsen Davis Promotes Four 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

17 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

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

Health Care

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

Ed Management Quotes Moses Suarez in "Malpractice Lawsuits Allege ED Missed Intracranial Aneurysms"
Media Mention, *Ed Management*, June 1, 2023

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

Health Care

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

Is Your Jail Ready for 2026? Five Critical Health Care Compliance Changes You Need to Know

Article, *Amundsen Davis Health Care Alert*, December 18, 2025

AI in Health Care: What Privacy Officers Need to Know to Remain HIPAA Compliant

Article, *Amundsen Davis Health Care Alert*, December 2, 2025

Federal Public Benefits and Immigration Status: What HHS's Guidance Means for Mental Health Providers

Article, *Amundsen Davis Health Care Alert*, August 13, 2025

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

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 Scienter 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)?
Article, *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
Article, *Amundsen Davis Health Care Alert and COVID-19 Alert*, December 1, 2021

Judge Temporarily Blocks CMS Vaccine Mandate in 10 States
Article, *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
Article, *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
Article, *Amundsen Davis Health Care Alert*, October 18, 2021

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
Article, *Amundsen Davis Health Care Alert*, June 21, 2021

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

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

Patience Required: New Federal Court Opinion on the Application of COVID-19 Immunities
Article, *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
Article, *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 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

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

Health Care

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

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

Case Law Update
Speaking Engagement, Chicagoland Healthcare Risk Management Society;
Lombard, IL, February 20, 2026

Health Care

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 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

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

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

CHRMS 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

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

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

Health Care Noncompete Agreements: The FTC Is Watching
Labor & Employment Law Update, November 4, 2025

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

Health Care

State Bill Would Limit Restrictive Covenants With Physicians
Labor & Employment Law Update, May 11, 2021

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