



## **Heather L. Fields** Shareholder

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Heather L. Fields is a shareholder in the firm's Health Care Practice and chairs the firm's Hospitals and Health Care Systems group. She is also a member of the firm's Corporate Compliance and White Collar Litigation and Hospice and Palliative Care and Tax-Exempt Organizations groups.

For more than 25 years, Heather has assisted clients with a wide variety of regulatory, transactional and compliance-related matters. She has extensive experience conducting internal investigations and advising clients in connection with compliance and fraud and abuse issues that arise in the context of operations and various health care provider relationships and transactions. Heather also deals regularly with patient safety and quality-of-care issues, peer review matters and medical staff issues, including investigations, corrective actions, fair hearings and drafting and reviewing of medical staff bylaws and other governance documents. She advises clients on designing and implementing corporate compliance programs, assessing compliance program effectiveness, all aspects of HIPAA compliance, and clinical research compliance.

Heather also has served as interim associate general counsel on an in-house basis for extended periods for clients. With her operational experience working in-house, Heather understands not only the legal side of the issue but appreciates the operational complexities and the daily pressures and challenges facing her clients. Her holistic experience and approach to her practice enables her to understand the operational and legal facets of issues and provide practical solutions that take into account her client's specific needs, budgets, risk tolerance and ultimate goals.

Heather is Certified in Healthcare Compliance (CHC) and is a Certified Compliance and Ethics Professional (CCEP).

## **Education**

- J.D., with honors, DePaul University College of Law; Order of the Coif; Member, DePaul Law Review; Publishing Author, Journal of Health and Hospital Law
- B.B.A., with high distinction, University of Michigan



## Bar Admissions

Wisconsin, Illinois, Michigan

## Practices

- Health Care

## Services

- Data Privacy and Cybersecurity
- Health Care Litigation
- Health Care Technology and Innovation
- Health Care Transactions
- Hospice and Palliative Care
- Hospitals and Health Systems
- Physicians, Physician Groups and other Health Care Professionals
- Long Term Care, Assisted Living and Senior Independent Housing Services
- White Collar Litigation and Corporate Compliance
- Tax-Exempt Organizations
- Affordable Care Act

## Matters

- Investigating potential fraud and abuse issues arising out of physician relationships and, when necessary, assisting in the submission of self-disclosures to the Office of Inspector General and negotiating a settlement with respect to the disclosed conduct.
- Drafting and reviewing all types of physician contracts, including employment agreements, professional services agreements, medical director agreements, call-coverage agreements and medical office building leases.
- Assisting clients on designing, implementing and measuring effectiveness of corporate compliance programs.
- Assist clients in clinical research compliance including assisting in development of human subject protections programs and related policies and procedures.
- Counseling clients on a variety of quality-of-care issues, peer review matters, medical staff issues, including investigations, correctives action, fair hearings.
- Drafting and reviewing medical staff bylaws and other governance documents.

## Honors & Affiliations

### Honors

- *Best Lawyers*, "Lawyer of the Year" - Health Care Law (2014)
- *Best Lawyers in America* (Health Care Law)
- Selected for inclusion in *Wisconsin Super Lawyers* - Rising Stars Edition

### Affiliations

- HIPAA Collaborative of Wisconsin (Member, Board of Directors (since 2002))
  - Co-Chair, Preemption Workgroup
  - Co-Chair, Business Associate Agreement Workgroup
- TEMPO Milwaukee (Member, Board of Directors, since 2006)
  - Chair, Leadership Event (2006-2009)
  - Chair, Governance Committee (2011, 2014-present)
- Aurora Family Service (Member, Board of Directors (since 2011))
- American Health Lawyers Association (Life Member (since 1996))
  - Vice Chair of Research and Website for ACO Task Force, since 2015
  - PG Liaison, ACO Task Force (2010 to July 2015)
- Wisconsin Health Care Human Resources Association (Board Legal Liaison for 2014-2015)
- Association for Child Development (Member, Board of Directors 1998-2000)
- Erie Family Health Center (Member, Board of Directors 1998-2000)
- North Shore Congregational Church (Member, Board of Directors 2007-2009)
- Association for the Accreditation of Human Research Protection Programs, Inc. (Site Accreditation Auditor)
- Illinois Association of Health Care Attorneys (since 1996)
- Health Care Compliance Association (since 2006)
- National Association of Medical Staff Services (since 2011)
- Wisconsin Health Care Human Resources Association (Legal Liaison for 2014-2015)
- Milwaukee Bar Association

## Presentations

- Presenter, "Synergy Network Meeting on Compliance and Ethics," LeadingAge Wisconsin (April 17, 2019)
- Presenter, "Viewing Investigations from a Different Angle: Understanding the Varying Perspectives of Counsel, Compliance Officer and Prosecutor to Improve Your Internal Investigation Process," HCCA 23rd Annual Compliance Institute (April 7, 2019)
- Presenter, "Rethinking the 60-Day Repayment Analysis Process: Practical Strategies for Common Challenges from the Perspectives of Compliance Officer, Legal Counsel, and Reimbursement Consultant," AHLA Physicians and Hospitals Law Institute (February 5, 2019)
- Presenter, "Viewing Investigations from a Different Angle: Understanding the Various Perspectives of Counsel, Compliance Officer and Prosecutor to Improve Your Internal Investigation Process," HCCA Managed Care Compliance Institute (January 27, 2019)
- Presenter, "The 60-Day Rule in 60 Minutes: A Tour of the Medicare Repayment Rule-Obligations and Strategies for Compliance," Heartland Health Alliance Program (Nebraska Rural Hospital Association) (January 9, 2019)
- Presenter, "Medicare Managed Care Compliance Standards for FDRs: Is Your Organization's Compliance Program Adequate?," HCCA 22nd Annual Compliance Institute (April 17, 2018)
- Presenter, "Reinventing the Internal Investigation: Practical Strategies for Ensuring a Yates-Informed Process," HCCA 22nd Annual Compliance Institute (April 16, 2018)
- Presenter, "Expanding the Scope of Integrated Health Information Records into the Clinical Research Arena: Lessons Learned," AHLA 2018 Physicians & Hospitals Law Institute (February 2018)
- Presenter, "Cyber Risk Management and Best Practices," Reinhart Cybersecurity for Executives Seminar, presented with Associated Benefits and Risk Consulting (September 28, 2017)
- Presenter, "Learning From Others' Mistakes: Using CIA Implementation Challenges to Enhance Your Compliance Program's Effectiveness," NHPCO Management & Leadership Conference (September 19, 2017)
- Presenter, "OCR HIPAA Audit Program Update," HIPAA COW 2017 Spring Conference (April 7, 2017)
- Presenter, "Annual HR Legal Update," WisHHRA 2017 Annual Conference (April 6, 2017)
- Presenter, "Medicare FDRs and Compliance Programs: What the Feds Expect and Tips for Ensuring Your Organization Satisfies the Requirements," HCCA 2017 Compliance Institute (March 2017)
- Presenter, "Trends That Shape Industry: Keeping Biohealth Data Secure," Reinhart Cybersecurity Seminar, presented with BioForward, Inc. (March 14, 2017)

- Presenter, "The Role of the Corporate Internal Investigation in Addressing Compliance Issues," Marquette University Law School (March 8, 2017)
- Presenter, "Are You Keeping Your Medicare Managed Care Contract Promises? Understanding Federal "FDR" Compliance Obligations," Wisconsin Hospital Association (February 2017)
- Presenter, "Got Vendor Cybersecurity Risk Managed? Practical Strategies for Managing the Virtual Vortex of Vendor Security Compliance," AHLA 2017 Physicians & Hospitals Law Institute (February 2017)
- Presenter, "Peer Review Privilege Beyond Medical Staffs: ACOs, CINs, PHOs, and Physician Groups," AHLA 2017 Physicians & Hospitals Law Institute," (February 2017)
- Presenter, "Effective Business Presentations," Reinhart Associate Training Program (January 2017)
- Presenter, "Stark Law Updates & *Revenue Procedure 2016-44*," Reinhart University (January 2017)
- Moderator, "The Tail That Wags the Dog? How Different ACO Governance Structures Affect Operational Decision-Making Compliance," AHLA *Business Law and Governance Practice Group and the ACO Task Force* Webinar (January 2017)
- Presenter, "Technically Challenged by Cybersecurity Risk Management?" Wisconsin State Bar, State Bar Center (December 2016)
- Co-presenter, "Impact of Yates on Attorney-Client Privilege and Corporate Compliance" and "Technically Challenged by Cybersecurity Risk Management?" Reinhart CLE Seminar (November 2016)
- Presenter, "HIPAA and Clients: Understanding the Firm's Business Associate Obligations," Reinhart University (November 2016)
- Presenter, "Hospice Success: Seeing the Forest and the Trees," Reinhart Webinar (November 2016)
- Presenter, "Technically Challenged by Cybersecurity Risk Management? Practical Strategies for Implementing Security Compliance for You and Your Clients," State Bar of Wisconsin Health, Labor and Employment Law Institute (August 2016)
- Presenter, "Ready (or Not) to Repay in 60 Days? Proactive Strategies to Address 60-Day Repayment Risks," The Carolinas Center for Hospice & End of Life Care Webinar (July 2016)
- Presenter, HIPAA COW 2016 Spring Conference, "A Sleeping Giant-What OCR's Updated Access Guidance Means for Covered Entities (and Their Business Associates)" (April 2016)
- Presenter, WisHHRA Annual Conference, "Annual HR Legal Update" (April 2016)
- Presenter, NHPCO Management & Leadership Conference, "HIPAA Security Best Practices" (April 2016)
- Presenter, HCCA Compliance Institute, "Are You Doing What You Said You Would Do? Assessing Whether Your

Compliance Program Meets Federal Medicare Managed Care Contract Standards" (April 2016)

- Presenter, Reinhart University, "Ready to Repay in 60 Days? What the Final Repayment Rule Means for Health Care Clients" (March 2016)
- Presenter, Marquette University Law School, "The Role of the Internal Investigation in Addressing Compliance Issues: What Triggers Them and How Do We Conduct Them" (March 2016)
- Presenter, AHLA Physicians and Hospitals Law Institute, "Technically Challenged by Cybersecurity Risk Management? Practical Strategies for Integrating Best Practices into Your Compliance Efforts" (February 2016)
- Presenter, "Cybersecurity 101 for Health Care Providers," Reinhart University (February 2016)
- Presenter, Reinhart CLE Seminar, "Attorney-Client Privilege on Corporate Compliant Basics" (November 2015)
- Moderator, Health Insurance Portability and Accountability Act Collaborative of Wisconsin (HIPAA COW), "Cyber Liability and Data Breach Insurance for the Technically Challenged: Everything You Want to Know But Were Afraid to Ask" (October 2015)
- Presenter, 2015 CHAPCA Educational Program, "HIPAA Compliance for Your Daily Life: Thinking Twice Before You . . ." (September 2015)
- Presenter, Reinhart CLE Seminar, "Hot Topics in Health Law" (September 2015)
- Presenter, HCCA 19th Annual Compliance Institute, "Strategic Risk Management: Navigating the Intersection of Compliance and Legal" (April 2015)
- Presenter, WisHHRA, "Important Employment Law Issues to Watch in 2015" (April 2015)
- Moderator, WHA Webinar Series: Labor and Employment Issues for Wisconsin-Based Health Care Providers - Session 3 (March 2015)
- Moderator, WHA Webinar Series: Labor and Employment Issues for Wisconsin-Based Health Care Providers - Session 2 (February 2015)
- Presenter, Reinhart Webinar, Ebola Preparedness: Mission Critical for Hospitals and Health Systems (October 2014)
- Presenter, NAMSS 38th Annual Conference and Exhibition, "Navigating the Stormy Waters: Strategies for Medical Staff Professionals to Ensure Smoother Sailing" (October 2014)
- Presenter, HIPAA COW, "Strategies for Operationalizing Business Associate Relationships" (October 2014)
- Presenter, Health, Labor & Employment Law Institute, "Ethics When It Hurts" (August 2014)

- Presenter, WHA, "Health Law Manual Webinar Series: Mental Health Issues" (June 2014)
- Presenter, AHLA ACO Task Force, "Acute and Post-Acute Relationships in an ACO World: The Devilish Details" (May 2014)
- Presenter, Security Insurance Services, Reinhart Boerner Van Deuren s.c. and Rinehart, Scaffidi and Mathews, Seminar/Webinar "Hot Topics Relating to Senior Living Facilities" (March 2014)
- Presenter, HIPAA COW, "Don't Reinvent the Wheel: HIPAA COW Task Force Deliverables for Notices of Privacy Practice and the Business Associate Agreement" (October 2013)
- Presenter, IHA, "Indemnification Basics for Hospital Contracts: Managing Risk with Effective Drafting" (October 2013)
- Presenter, Reinhart Webinar, Don't Miss the HIPAA Omnibus! Strategies for Complying with HIPAA-HITECH Regulations, (September 2013)
- Presenter, Reinhart Webinar, The HIPAA "OMNIBUS" Is Leaving Soon! Practical Steps for a Smooth Departure For Your Hospice, (August 2013)
- Presenter, AHLA ACO Task Force, "Accountable Care Organizations Bootcamp Webinar Series, Part III: HIT and Data Sharing Issues for the ACO" (March 2013)

## Publications

- Co-author, "OCR Guidance on Access Rights Reveals Significant Clarifications to "Reasonable, Cost-Based" Fee Calculation and Other New Expectations," *AHLA Hospitals & Health Systems Rx Newsletter* (May 2016)
- Co-author, "DOL Final Persuader Rule Effective April 25; Lawsuit Challenging the Rule Seeks Preliminary Injunction," *AHLA Hospitals & Health Systems Rx Newsletter* (May 2016)
- [Nursing Homes and Social Media Related HIPAA Violations on Congressional Radar](#), Reinhart e-alert (March 2016)
- Co-author, "OIG Sounds the Alarm? Compliance "Fire Prevention" Strategies in Light of Increased Government Scrutiny of Physician Compensation," *AHLA Hospitals & Health Systems Rx Newsletter* (November 2015)
- [Are You Prepared to be Hacked? Anthem Premera B](#), Reinhart e-alert (April 2015)
- [Ebola Preparedness: Mission Critical for Hospitals and Health Systems](#), Reinhart e-alert (October 2014)
- [HIPAA Harvest? Be Prepared to be Picked by OCR for Round 2 HIPAA "Enforcement" Audits](#), Reinhart e-alert (October 2014)



- [Will You Be Out of Compliance With HIPAA on September 22, 2014?](#), Reinhart e-alert (August 2014)
- [Halifax: Employment Agreement](#), Reinhart e-alert (June 2014)