

**Robert A. Anderson****Partner**

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Robert A. Anderson is a skilled attorney with over 25 years of experience in healthcare, litigation, and property tax issues. His diverse practice gives him a unique and practical understanding of the relationship between legal, compliance, and operational issues and the challenges faced by in-house legal teams in healthcare organizations. He has advised and represented healthcare providers, including hospitals, medical groups, skilled nursing facilities, physicians, residents, nurses, and others in a broad array of compliance, regulatory, and litigation matters. He served as general counsel for a hospital system and multi-specialty physician group for several years, drafted or reviewed hundreds of contracts on behalf of healthcare providers, tried numerous cases to verdict before judges and juries, and appeared before regulators, trial courts, and appellate courts at both the state and federal levels in Indiana and Illinois.

Mr. Anderson assists clients with property tax assessments, abatements, and exemptions. He has obtained exemptions for clients relating to hospitals, physician office buildings owned by not-for-profit healthcare systems, independent living villas for senior citizens, and multi-family housing projects for low and moderate income individuals. He has appealed denials to the Indiana Tax Court, where necessary.

Mr. Anderson serves on the firm's Executive, Diversity and Inclusion, Innovation, and Information Technology Committees.

**PRACTICE AND INDUSTRY TEAMS**

- Health Care
- Health Care Litigation
- Hospitals and Health Systems
- Litigation & Dispute Resolution
- Long-Term Care Providers

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- Municipal and Governmental Law
- Nonprofit and Exempt Organizations
- Stark Act Compliance

#### REPRESENTATIVE EXPERIENCE

- Served as outside General Counsel to multi-hospital system and large, multi-specialty physician group
- Successfully appealed denial of property tax exemptions for independent living villas for senior citizens through the Indiana Board of Tax Review to the Indiana Tax Court
- Successfully appealed denial of property tax exemptions for physician office buildings to the Indiana Board of Tax Review following full evidentiary hearing
- Obtained numerous preliminary injunctions enforcing restrictive covenants against multiple physicians
- Defended physicians in restrictive covenant enforcement actions
- Served as hearing officer in hospital medical staff dispute
- Tried numerous medical professional liability cases to jury verdict
- Provided advice to hospital system regarding migration of electronic medical record data to cloud-based storage system
- Reviewed and prepared hundreds of healthcare-related supply agreements, contracts, employment agreements, and leases
- Successfully represented hospital system in multiple landlord-tenant disputes and eviction actions
- Successfully represented hospital system in putative class action case asserting violations of Federal Telephone Consumer Protection Act
- Provides ongoing general advice and representation to not-for-profit volunteer advocate program for incapacitated adults
- Successfully represented healthcare system in False Claims Act qui tam action
- Successfully represented not-for-profit in Indiana property tax exemption dispute
- Successfully represented physician in appeal of a denial of hospital medical staff privileges

#### EDUCATION

- University of Notre Dame Law School, Notre Dame, Indiana (J.D., *magna cum laude*, 1990)
- Indiana University, Gary, Indiana (B.S., *Highest Distinction*, 1986)

#### BAR & COURT ADMISSIONS

- Indiana, 1990
- U.S. District Court for the Northern District of Indiana, 1990
- U.S. District Court for the Southern District of Indiana, 1990
- Illinois, 2009

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### AREAS OF PRACTICE CONCENTRATION

- General Healthcare Litigation
- Restrictive Covenants
- HIPAA Privacy & Security matters
- Mental Health Law and Drug & Alcohol Rehabilitation Regulations
- Medical Professional Liability
- Healthcare Compliance, including Stark, Anti-Kickback, and False Claims Act
- Not-For-Profit law
- Medical Staff Hearings and Disputes

### PROFESSIONAL ASSOCIATIONS

- American Health Lawyers Association, Member
- Indiana Bar Association, Member
- Lake County Bar Association, Member

### PUBLICATIONS AND PRESENTATIONS

- Court Finds Restrictive Covenant Unenforceable Against Hospital-Based CRNA's
- To Treat, or Not to Treat ... Decisional Capacity
- Indiana Legislature Modifies Medical Consent and POST Statutes
- Keys to Successful Admission of Exhibits into Evidence
- Consents/HIPAA & Surrogate Decision Makers
- Nursing Documentation
- Legal E-Holds and E-Discovery
- Depositions for Healthcare Providers
- Avoiding Collisions at the Intersection of Healthcare and Law Enforcement
- Informed Consent: Who, What, When, Where & Why? (Not Necessarily In That Order)
- Basics of Informed Consent
- Confidentiality, Privilege, and Risk Management
- Mental Health and the Law in Indiana
- Restrictive Covenants and the Progression of the Law in Indiana
- The Facts, Just the Facts: Best Practices for Responding to Medical Credentialing Requests after Kadlec

### PUBLICATIONS

- [Co-Author, "Students, Consultants and Other Business Visitors...Important Safeguards", Krieg DeVault Health Care Newsletter \(May 2019\)](#)
- [Co-Author, "Medical Record Documentation: Is it a "No" or a "Not Completed"?, Krieg DeVault Health Care Newsletter \(April 2019\)](#)
- [Co-Author, "OCR Concludes Investigation of Allegations that the State of Hawaii Unlawfully Discriminated Against Pregnancy Resource Centers", Krieg DeVault Health Care Newsletter](#)

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(April 2019)

- Co-Author, "HIPAA Violation leads to Criminal Conviction of Former Patient Coordinator", Krieg DeVault Health Care Newsletter (March 2019)
- Co-Author, "Illinois Appeals Court Upholds Denial of Property Tax Exemption for Hospice Center", Krieg DeVault Health Care Newsletter (March 2019)
- Co-Author, "Conscience and Religious Freedom Division of the Office of Civil Rights Concludes California Violated Conscience Protection Laws", Krieg DeVault Health Care Newsletter (January 2019)
- Co-Author, "HIPAA Business Associates...How Do I Know Thee?", Krieg DeVault Health Care Newsletter (November 2018)
- Co-Author, "Court Finds Restrictive Covenant Unenforceable Against Hospital-Based CRNAs", Krieg DeVault Health Care Newsletter (June 2018)
- Co-Author, "The Joint Commission to Require Immediate Notification for Loss of Deemed Status", Krieg DeVault Health Care Newsletter (June 2018)
- Co-Author, "CMS Proposes FOur Rules - SNF, IRF, Hospice, IPF", Krieg DeVault Health Care Newsletter (May 2018)
- Co-Author, "Indiana Legislature Modifies Medical Consent and POST Statutes", Krieg DeVault Health Care Newsletter (March 2018)
- Co-Author, "Recent Indiana Supreme Court Medical Malpractice Ruling", Krieg DeVault Health Care Newsletter (April 2017)

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