



Stacy Walton Long

Partner

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Stacy Long represents and advises the firm's healthcare clients regarding many significant legal issues, including security breach incidents and risk assessments involving Protected Health Information and other personal information under HIPAA/HITECH and other Federal and State laws governing the privacy and security of such information, as well as corporate compliance and regulatory matters. Ms. Long also counsels and advises clients on HIPAA/HITECH compliance programs, as well as breach notification obligations and audits initiated by Federal and State governmental agencies. She also represents individual professionals and healthcare providers in licensing and disciplinary matters, as well as employment-related matters, and works with mental health providers on confidentiality matters and commitment proceedings.

In addition to her health care practice, Ms. Long represents clients in State and Federal courts in a variety of litigation matters, including tort claims, preservation of mental health records, commitments to mental health facilities, breach of contract, commercial collections, landlord-tenant disputes, commercial foreclosures, and other commercial disputes. In addition, Ms. Long has represented corporate clients on-site with their day-to-day operations, including negotiating, reviewing, and drafting contracts.

Ms. Long has served as a member of the firm's Diversity Committee since its inception.

Education

- J.D., *cum laude*, University of Illinois College of Law, Champaign, Illinois, 2004
 - Harbo Scholar
 - Rickert's Award Nominee for excellence in Trial Advocacy
 - American Bar Association Negotiation Competition - Finalist
 - Black Law Student Association
- B.A., University of Illinois, Urbana, Illinois, 2001
 - Dean's List

Bar & Court Admissions

- Indiana (2004)
- U.S. District Court for the Northern District of Indiana (2004)
- U.S. District Court for the Southern District of Indiana (2004)

Practices

- Litigation and Dispute Resolution
- Health Care Litigation
- Data Privacy and Cybersecurity
- Health Information Privacy/HIPAA
- Pharmacy and Pharmaceutical Law
- In-House Counsel Services

Industries

- Health Care

Representative Experience

- Represent Covered Entities with HIPAA Security Risk Assessments and Privacy Audits, Business Associate Agreements, compliance policies and procedures under HIPAA/HITECH, proper uses and disclosures of Protected Health Information, and breach notification obligations
- Represented a rehabilitation center in prevailing on judicial review of an administrative matter involving denial of Indiana Medicaid payments
- Represented a mental health facility which prevailed on an appeal of a commitment order
- Represented mental health facilities in commitment hearings and hearings contesting the release of mental health records
- Represented an individual plaintiff who prevailed in a bench trial against an Employee Stock Ownership Plan (“ESOP”), where the Court found that the ESOP violated the Employee Retirement Income Security Act of 1975 (“ERISA”) and the terms of the ESOP itself in its payment of ESOP benefits to terminated participants
- Counsel in several matters involving issues of breach of contract in Federal and State courts
- Representation of several major financial institutions and corporations relating to commercial collections and commercial foreclosures

Seminars & Presentations

- Co-Speaker, "Overview of HIPAA, Recent Enforcement Actions, and Best Practices to Prevent HIPAA Violations," Franklin College Physician Assistants Program, 2021
- Co-Speaker, "HIPAA Refresher and Recent Updates, OCR's Latest Enforcement Actions and Compliance Guidance During COVID-19," Indiana State Bar Association, 2020
- Speaker, "Overview of HIPAA and Recent Enforcement Actions and Best Practices to Prevent HIPAA Violations," Indiana Osteopathic Association's '20 Virtual Annual Spring Update Live (formerly 123rd Annual Spring Update), April 2020
- Co-Presenter, "Negotiating Your Anesthesiologist Assistant Employment Agreement and Understanding Your Supervisory Requirements," Indiana University School of Medicine, Anesthesiologist Assistant Program, Department of Anesthesia, 2019
- Co-Speaker, "Overview of Recent OCR Guidance and Enforcement Actions," Indiana State Bar Association 10th Annual Health Law Symposium, 2019
- Speaker, "Negotiating Physician Employment Agreements," Indiana School of Medicine, Department of Dermatology, 2019

- Speaker, "What's New in Health Care Law? Overview of Recent Federal Enforcement Actions and Indiana Medical Malpractice Cases," Indiana Medical Group Management Association, Webinar, 2019
- Co-Speaker, "Overview of HIPAA and Recent Enforcement Actions and Best Practices to Prevent HIPAA Violations," Franklin College Physician Assistants Program, 2019
- Speaker, "Patient Privacy and Security: Overview of HHS Settlements and Best Practices," 122nd Annual Spring Update of the Indiana Osteopathic Association, 2019
- Speaker, "Documentation in Medical Records and the Importance Under HIPAA," OrthoIndy, 2019
- Speaker, "Changes and Best Practices for Physician Opioid Prescribing," KriegCast (Podcast), 2019
- Speaker, "Negotiating The Divide: Tips and Strategies for Negotiating Your Employment Agreement," Indiana University School of Medicine Office of Diversity Affairs, 2019
- Speaker, "Negotiating Physician Employment Agreements and Anesthesiology Services Agreements," Women in Anesthesiology - Indiana Conference, 2018
- Speaker, "Negotiating The Divide: Tips and Strategies for Negotiating Your Employment Agreement," Indiana University School of Medicine Office of Diversity Affairs, 2018
- Speaker, "Negotiating Physician Employment Agreements," 93rd Annual Fall Convention of the Indiana Podiatric Medical Association, 2018
- Speaker, "Texting and Emailing Under HIPAA," Krieg DeVault LLP Webinar, 2018
- Speaker, "HIPAA, Indiana Privacy Laws and Ethical Considerations Regarding Personal Health Information," Selah House, 2017

Publications

- Co-Author, "Show Me the Records: OCR Holds Providers Accountable Under HIPAA Right of Access Initiative," Krieg DeVault Health Care Newsletter, January 2021
- Co-Author, "Speak Now or Forever Hold Your Peace: HHS Proposes Modifications to the HIPAA Privacy Rule," Krieg DeVault Health Care Newsletter, December 2020
- Co-Author, "OCR Relaxes Enforcement for Pandemic-Related Disclosures of PHI During Public Health Emergency," Krieg DeVault Health Care Newsletter, April 2020
- Co-Author, "Failure to Encrypt Mobile Devices Results in a \$3 Million Mistake," Krieg DeVault Healthcare Newsletter (February 2020)
- Co-Author, "Failure to Report HIPAA Breaches Results in Costly Fine and Corrective Action Plan," Krieg DeVault Health Care Newsletter (February 2020)
- Co-Author, "Genetic Information Under HIPAA," Krieg DeVault Health Care Newsletter (February 2020)
- Co-Author, "How to Protect Your Health Care Organization from the Next HIPAA Breach," American Alliance of Orthopaedic Executives E-Newsletter (November 2019)
- Co-Author, "The Nuts and Bolts of Telemedicine in Indiana," Indianapolis Medical Society Bulletin, Volume CXXVI, Issue 7 (July 2019)
- Co-Author, "Telemedicine Tips for Indiana Care Providers and Counsel," The Indiana Lawyer, 2019
- Co-Author, "Direct HIPAA Enforcement Liability for Business Associates," Krieg DeVault Health Care Newsletter (June 2019)
- Co-Author, "HHS Announces Changes to Maximum Monetary Penalties for HIPAA Violations," Krieg DeVault Health Care Newsletter (May 2019)
- Co-Author, "Updated INSPECT Requirements Will Streamline Practitioner Obligations," Krieg DeVault Health Care Newsletter (May 2019)
- Co-Author, "Going, Going, Gone - Important Medical Records Considerations for Physicians Planning to Close Their Practice," Krieg DeVault Health Care Newsletter (April 2019)
- Co-Author, "OCR Breaks All-Time Record in 2018 with Final HIPAA Settlement for the Year," Krieg DeVault Health Care Newsletter (February 2019)

- Co-Author, 'Are you ready for changes to Medicare Part D prescription requirements?', Krieg DeVault Health Care Newsletter (February 2019)
- Co-Author, "The HIPAA "Top Ten" For Health Care Board Members", Krieg DeVault Health Care Newsletter (January 2019)
- Co-Author, "Expanded Medicaid Treatment Options for Individuals with Substance Use Disorder and Serious Mental Illness", Krieg DeVault Health Care Newsletter (December 2018)
- Co-Author, "Failure to Terminate Access to PHI Leads to HIPAA Violation", Krieg DeVault Health Care Newsletter (December 2018)
- Co-Author, "Lights, Camera, Sanction", Krieg DeVault Health Care Newsletter (October 2018)
- Co-Author, "HIPAA Assessments... Here's Looking at You!", Krieg DeVault Health Care Newsletter (August 2018)
- Co-Author, "Illinois Medicaid Proposes Changes to Certain Psychiatric & Behavioral Health Payments", Krieg DeVault Health Care Newsletter (June 2018)
- Co-Author, "Importance Of Having A Contingency Plan", Krieg DeVault Health Care Newsletter (May 2018)
- Co-Author, "OCR Issues Guidance on the Performance of a HIPAA Risk Analysis v. a Gap Analysis", Krieg DeVault Health Care Newsletter (May 2018)
- Co-Author, "Indiana Legislature Modifies Medical Consent and POST Statutes", Krieg DeVault Health Care Newsletter (March 2018)
- "Have You Conducted A Risk Assessment In A While? If Not, It Could Cost You \$400,000", Krieg DeVault Health Care Newsletter (May 2017)
- "Failure To Have A Business Associate Agreement Could Be A \$31,000 Mistake", Krieg DeVault Health Care Newsletter (May 2017)
- Co-Author, "Be Prepared: Submission of Breach Notifications Due to HHS by March 1, 2017", Krieg DeVault Health Care Newsletter (February 2017)
- Co-Author, "Implantable Cardiac Devices Raise Cyber-Security Concerns", Krieg DeVault Health Care Newsletter (January 2017)

Professional Associations

- Indianapolis Legal Aid Society (Board Member)
- Executive Women in Healthcare (Board Member)
- Indianapolis Bar Association – Healthcare Section, Litigation Section (Member)
- Indiana State Bar Association (Member)
- American Health Lawyers Association (Member)
- American Bar Association – Healthcare Section, Litigation Section (Member)
- Girls Inc. (Former Board Member)
- Fairbanks (Finance Committee Member)

Awards & Recognitions

- Indiana Super Lawyers Rising Stars, 2009-2018
- 2014 Lawyers of Color Hot List Honoree

Certifications

- Legal Lean Sigma® White Belt