



Susan E. Ziel

Partner - Retired

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Susan retired as a lawyer with Krieg DeVault LLP in 2015 and still provides part-time consulting services as a non-lawyer with Krieg DeVault's affiliate consulting firm, Integrity Health Strategies (www.integrityhealthstrategies.com). Susan provides coaching and consulting services to health care clients regarding the many requirements that govern their organizational structure, scope of services and day-to-day operations. Susan's 40+ years of experience in critical care nursing, hospital administration, health care consulting and the practice of law enable her to provide "value added" services to her clients that emphasize the importance of prevention, early intervention and "real world" intelligence, time and again.

Susan is a graduate of Madonna University's School of Nursing (BSN), the University of Michigan's School of Public Health (MPH) and the University of South Carolina's School of Law (JD). She has also completed graduate studies at the Royal College of Nursing in London, England. Susan recently completed the Health Care Design and Innovation Program at the University of Minnesota and she is a member and officer on the Board of Directors of the Nursing Institute for Health Care Design.

Susan resides in Minneapolis, Minnesota, is a member of the Minnesota Bar and currently serves on the University of Minnesota faculty where she teaches Health Care Law and Ethics as part of the University's Health Services Management program.

Questions relating to health care matters related to Ms. Ziel's previous health care and consulting practice should be directed to Thomas N. Hutchinson.

Practices

- Health Care

Industries

- Health Care
- Health Information Privacy/HIPAA
- In-House Counsel Services

Representative Experience

- HIPAA/HITECH and other applicable Federal and State law requirements governing the privacy and security of Protected Health Information (PHI) and other Personal Information; identification, mitigation, investigation and correction of Privacy and Security Breach incidents; HIPAA/HITECH compliance programs for both Covered Entities and Business Associates; health information exchange (HIE) arrangements; representation of Covered Entities and Business Associates in audits, compliance reviews, investigations, subpoenas, and enforcement actions initiated by Federal and State government agencies
- EHR Certification and Meaningful Use requirements applicable to selection and implementation of electronic health records (EHR) by eligible hospitals and professionals; EHR incentive payment procedures
- Fraud and Abuse requirements governing providers, suppliers and life science manufacturers and their respective financial relationships and reimbursement matters; corporate compliance programs; conduct of internal, independent compliance audits pursuant to attorney-client privilege; contract negotiations; provider and supplier self-disclosure procedures; represent and advise regarding audits, investigations, subpoenas and enforcement actions initiated by Federal and State government agencies; negotiation of settlement agreements, Corporate Integrity Agreements (CIA) and conduct of CIA compliance procedures.
- Licensure and Certification of health care entities, physicians and other non-physician practitioners; contract negotiations; represent and advise regarding audits, surveys, investigations, subpoenas and enforcement actions initiated by Licensing and Certification bodies.
- Quality and Peer Review matters; drafting of Bylaws, Rules and Regulations and other related policies and procedures; establishing safeguards to protect privileged communications; represent and advise entities, physicians and other non-physician practitioners regarding fair hearings, appeals and NPDB adverse action reports; hearing officer duties.

Seminars & Presentations

- "The Looming 'Perfect Storm'...A Convergence of Compliance, Quality and Risk Management Issues", American Association of Orthopaedic Executives, 2014
- "HIPAA, HITECH and Mobile Devices", American Association of Orthopaedic Executives, 2014
- "Physician Practice Snap Shots – A Fast-Paced Look at 3 New Legal Developments", Minnesota CLE, the 2014 Health Law Institute, 2014
- "The Business Associate Agreement", Minnesota State Bar Association Continuing Legal Education, 2013
- "HIPAA HITECH Update", 4th Annual ISBA Health Law Symposium, 2013
- "HIPAA in a HITECH World", Minnesota Hospital Association Trustee Conference; Minnesota MGMA Conference, 2013
- "The Business Associate Agreement", Minnesota State Bar Association Continuing Legal Education, 2013
- "HIPAA, HITECH and Mobile Devices: Essential Safeguards", webinar for Inquisit, Inc. 2013
- "New HIPAA/HITECH Requirements Require Compliance by Both SNFs and ALFs Providing Medicaid Waiver Services", webinar for LeadingAge Indiana, 2013
- "Effective Management of Physician "Outside Activities" to Limit Your Risks", Indiana Orthopedic Society/Indiana Association of Orthopedic Executives, April 19, 2013, South Bend, Indiana (presentation forthcoming)
- "Final Rules under the Health Information Technology for Economic and Clinical Health ("HITECH") Act", Webinar, January 30, 2013
- "Executive Leadership Development Presentation: Legal and Operational Issues", Healthcare Business Management Association (HBMA) 2013 Executive Development Summit, Washington, DC, 2013 (presentation forthcoming)
- "The SNF 'Perfect Storm'...A Convergence of Quality, Compliance and Risk Management", 2013 OHCA Annual Convention; 2013 AHCA/HCCA Fraud & Compliance Forum; 2013 LeadingAge Indiana Fall Conference; 2013 Indiana Health Care Association (IHCA) Annual Meeting; 2013 Minnesota Care Providers Convention

- "HIPAA/HITECH Breach: It Will Happen...Are You Ready?" American Association of Orthopaedic Executives' (AAOE) 2013 Annual Conference, San Diego, CA, 2013 (presentation forthcoming)
- "Current Fraud and Abuse Requirements Governing Health Care Business Relationships...Are You Up-to-Date?" Webinar presentation for Inquisit, Inc., 2013 (presentation forthcoming)
- "HIPAA/HITECH Update: Audits, Investigations and Penalties...Oh My!," Indiana Association of Rehabilitation Facilities, 2013 (presentation forthcoming)
- "Get to Know the New HIPAA Rules", Minnesota State Bar Association – Health Law Section
- "2012 Year in Review: Health Law Update", Indiana Bar Association, December 2012
- "A Medical Practice Workshop - Best Practices for Managing Change", Krieg DeVault, IMGMA and IHFMA, November 2012
- "Ensuring IT Security: Best Practices for Performing Proactive Security Audits", FierceHealthIT Daily News for Healthcare Webinar, 2012
- "LTC Issues of Interest to HFMA Members", Indiana HFMA, 2012
- "The 'Top Ten' Compliance Issues in Long Term Care Law", Indiana University School of Law: Biomedical and Health Industry Law and Compliance Conference, 2012
- "Executive Leadership Development Presentation: Legal and Operational Issues", Healthcare Billing & Management Association's Executive Development, 2012
- "Legal & Operations Module", Healthcare Billing & Management Association's Executive Development, 2012
- "The 'Top Ten' Compliance Issues in Long Term Care", Indiana Health Care Association Annual Convention, 2012
- "HIPAA/HITECH: Are You Ready for the OCR Audits", Indiana Association of Orthopaedic Executives, 2012
- "Health Care Collections: Legal and Regulatory Considerations", Indiana HFMA and Indiana MGMA, 2012
- "POLST and Other Health Care Decision-Making Tools", Indiana Medical Directors Association, 2012
- "2011 Medicare/Medicaid RAC Program Update for Long Term Care", Indiana Health Care Association, 2011
- "The Essentials of Compliance and How to Properly Maintain Health Records", Indiana State Medical Association, 2011
- "Compliance Update Webinar", HFMA, 2011
- "Compliance and Medical Records Update", Indiana State Medical Association, 2011
- "2011 Medicare RAC Region B Program Update", IHA Annual Meeting, 2011
- "Maximizing EHR Funding Opportunities", Annual Krieg DeVault - ISMA - IMGMA Conference, 2011
- "The 'Top Ten' Legal and Regulatory Issues in Orthopedics Today", Indiana Association of Orthopaedic Executives, 2011
- "Legal/Operations Module", Healthcare Billing and Management Association, 2011
- "Physicians and Device Companies: Understanding the Rules of the Road", OthroTec E-Newsletter, 2011
- "New Developments in SNF-Medical Director Arrangements Under Medicare and ISDH Requirements", Indiana Health Care Association and Indiana Medical Directors Association Webinar, 2011
- "Long Term Care Symposium", Krieg DeVault & Frost, Ruttenberg & Rothblatt, PC Seminar, 2011
- "PPACA and HITECH Update", Illinois Association of Ophthalmology and Chicago Ophthalmological Society, 2011
- "Social Media for Physician Practices", Indiana State Medical Association: Social Media Webinar, 2011
- "What Hospitals Need to Know Before Purchasing EMR for Physicians", FMA Webinar, 2011
- "2010 Legal Update for Indiana Long-Term Care Physicians and Medical Directors", American College of Physicians - Indiana Chapter and Indiana Medical Directors Association (IMDA), 2010"

- "2010 Legal Update", Wisconsin Orthopaedic Society Annual Meeting, 2010
- "EMR 'Integration' Issues for Hospitals, Physicians and Others on the Healthcare Food Chain", KD 2010 Nonprofit Healthcare Workshop, 2010
- "Does Your Organization's Medical Staff Bylaws, Rules and Regulations Effectively Communication and Enforce HIPAA Compliance?", Annual Convention of National Association of Medical Staff Services (NAMSS), 2010
- "Accountable Care Organizations: Physician Hospital Affiliations and EMR Integration Considerations", Lake County Medical Society webinar, 2010
- "Effective (and Lawful) Use of Electronic Media in Communicating With (and About) Patients", IMGMA Fall Conference, 2010
- "What a Nursing Facility Should Expect of Its Medical Director and How to Prepare a Medical Director Services Agreement", IHCA, IAHSa, HOPE, IMDA webinar, 2010
- "The HITECH Act; HIPAA Amendments and EHR Stimulus Payment Opportunities", ISMA-IMGMA, 2010
- "Corporate Integrity Agreements and Independent Review Organizations", American Association of Professional Coders, 2010
- "What's New with HIPAA? Complying with the HITECH Act", American Association of Oral and Maxillofacial Surgeons (AAOMS), 2010
- "Managing 'Strife' in Long Term Care", Indiana Health Care Association, 2010
- "Value Based Purchasing in Long Term Care: Indiana Update", Indiana Health Care Association, 2010
- "Legal Health Record", Indiana State Medical Association, 2010
- "The Legal 'Electronic' Health Record", Indiana State Medical Association, 2010
- "The Legal Health Record", 2010 Hoosier Home Care & Hospice Conference (IAHHC), 2010
- "Effective Management of Physician Outside Activities and Conflicts of Interest", American Association of Orthopaedic Executives (AAOE), 2010
- "HITECH Act: Opportunities and Challenges", NERVES Annual Meeting, 2010
- "Health Care Reform", Moderator, Krieg DeVault LLP webinar, 2010
- "2010 Legal Update", Indiana Orthopaedic Society, 2010
- "Ethical Issues in Conducting Internal Investigations", Indiana State Bar Association, 2010
- "HITECH Act and HIPAA: Important Compliance Update", Krieg DeVault LLP teleconference, 2010
- "The Essential 2009 Compliance Update for Medical Group Practices", Indiana State Medical Association/Krieg DeVault LLP Workshop, 2009
- "The RAC Audits", Krieg DeVault LLP teleconference, 2009
- "The Essential Rules Governing Legal Health Records for Medical Group Practices", Indiana State Medical Association/Krieg DeVault LLP, 2009
- "Managed Care Contracting", Indiana Association for Home Health and Hospice Providers, 2009
- "The Bottom Line on Federal Program Audits, False Claims and Self-Disclosure Obligations", American Association of Orthopaedic Executives (AAOE/BONES), 2009

Awards & Recognitions

- Twin Cities Volunteer Impact Award – American Heart Association's Midwest Affiliate, 2014
- Member Leadership Excellence Award, Executive Women in Health Care, 2005
- Dorothy Ford Buschman Presidential Award, Sigma Theta Tau International, 2005
- Cynthia J. Northrup Distinguished Service Award, The American Association of Nurse Attorneys, 2005

- Featured as Nurse Attorney and President of TAANA by Indianapolis Star in December 2005 Article
- Featured as Nurse Attorney by Indianapolis Star in May 1999 Article
- Featured by American Bar Association in September 1995 Issue of Barrister as 1 of 21 Young Lawyers Leading Profession into 21st Century ("A Lawyer's Zeal Transforms a School")
- South Carolina's Young Lawyer of the Year Award, 1994
- South Carolina State Board of Education Award, 1994
- United Way of the Midlands Volunteer of the Year, 1994
- Who's Who Among American Law Students, 1989, 1990, 1991
- Outstanding Young Woman of America, 1981, 1984, 1986

Publications

- Co-Author, "How Does My Compliance Program Measure Up?" Krieg DeVault Health Care Newsletter, June 2020
- Co-Author, "Don't Be Complacent, Be Compliant - CMS and OIG Online Sources Continue to Provide Important Compliance and COVID-19 Updates," Krieg DeVault Health Care Newsletter, June 2020
- Co-Author, "Safeguarding Confidential Information In Remote Work Configurations," Krieg DeVault Health Care Newsletter, March 2020
- Co-Author, "The Impact of HIPAA on Disclosures Related to COVID-19," Krieg DeVault Newsletter (March 2020)
- Co-Author, "Genetic Information Under HIPAA," Krieg DeVault Health Care Newsletter (February 2020)
- Co-Author, "How "Effective" Is Your Compliance Program?", Krieg DeVault Health Care Newsletter (May 2019)
- Co-Author, "Students, Consultants and Other Business Visitors...Important Safeguards", Krieg DeVault Health Care Newsletter (May 2019)
- Co-Author, "HIPAA, Individual Rights and Personal Representatives", Krieg DeVault Health Care Newsletter (April 2019)
- Co-Author, "Going, Going, Gone - Important Medical Records Considerations for Physicians Planning to Close Their Practice", Krieg DeVault Health Care Newsletter (March 2019)
- Co-Author, "How Does Your Organization's Medicare/Medicaid Overpayments Policy Compare?", Krieg DeVault Health Care Newsletter (February 2019)
- Co-Author, "Updates to the Office of Inspector General Work Plan and Compliance Website", 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, "HIPAA Business Associates...How Do I Know Thee?", Krieg DeVault Health Care Newsletter (November 2018)
- Co-Author, "New CMS Proposed Rule - Reducing Regulatory Burden For Healthcare Providers", 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, "Recent OCR Resolution Agreement and Corrective Action Plan ... Lessons Learned", Krieg DeVault Health Care Newsletter (February 2018)
- Co-Author, "HIPAA Security...Integrity Matters", Krieg DeVault Health Care Newsletter (February 2018)
- Co-Author, "CMS Emergency Preparedness Final Rule Nears Implementation Date", Krieg DeVault Health Care Newsletter (September 2017)
- "Protected Health Care Communications Using Mobile Devices - How Does Your Policy Rate? ", Krieg DeVault Health Care Newsletter (April 2017)

- Co-Author, "DOJ Releases Guidelines for Evaluating Effective Compliance Programs", Krieg DeVault Health Care Newsletter (April 2017)
- Co-Author "HIPAA Business Associates ... How Do I Know Thee?", Krieg DeVault Health Care Newsletter (February 2017)
- "The Impact of the Sunshine Act on Physician Practices," The Advisory Board Company, March 2013
- "HIPAA Business Associates...How Do I Know Thee?", Minnesota Hospital Association Health Care Leader Newsletter, 2013
- "HIPAA: Privacy and Security", Risk Management
- Handbook for Health Care Organizations: Publication of American Society for Healthcare Risk Management (ASHRMS), 2010
- "Not All Physician 'Problems' Require Formal Peer Review", SYNERGY Magazine: Publication of National Association of Medical Staff Services (NAMSS), 2009
- "The FTC Red Flag Rules", Indiana Association of Homes & Services of the Aging eNewsBriefs, 2009
- "Not All Medical Staff Bylaws Are Created Equal", Synergy Magazine: Publication of National Association of Medical Staff Services (NAMSS), 2009
- "The 2009 Updates to PHRMA Code Governing Interactions with Health Care Professionals", American Health Lawyers Association Life Sciences Newsletter, 2008
- "2009 Update to PHRMA Code", American Health Lawyers Association Life Sciences Practice Group Newsletter, 2009
- "The Facts, Just the Facts: Best Practices for Responding to Medical Credentialing Requests after Kadlec", Synergy Magazine: Publication of National Association of Medical Staff Services (NAMSS), 2008
- "Clinical Trials Agreements: Fraud and Abuse Issues", American Health Lawyers Association Life Sciences Journal, 2008