

## **KATHERINE NELSON**

### **WORK HISTORY**

Katherine Nelson, PC (2021 – Present) Principal.

DLA Piper LLP (US), (2013 – 2021) Chair, U.S. Healthcare Regulatory Enforcement and Compliance Practice, Partner and Of Counsel. [practicing as Karen Nelson]

Texas Health and Human Services Commission Office of Inspector General, (2007 – 2013) Chief Counsel and Deputy Inspector General.

Nichols, Jackson, Dillard, Hager & Smith, LLP, (2003 – 2007) Senior Associate.

Dallas County Criminal District Attorney, (1998 - 2003) Assistant District Attorney.

### **PROFESSION**

Health Dispute Arbitrator and Attorney.

### **PROFESSIONAL LICENSES AND ADMISSIONS**

State Bar of Washington (2022); State Bar of Texas (1984); United States District Court, Northern District of Texas (1986); State Bar of Arizona (2002-2020 active status, 2021 retired status); United States Court of Appeals, Fifth Circuit (2004).

### **PROFESSIONAL ASSOCIATIONS**

American Health Lawyers' Association. State Bar of Texas Health Law and Alternative Dispute Resolution Sections.

### **EDUCATION**

Southern Methodist University (M.A. 1994); Baylor University School of Law (J.D. 1984); Texas Tech University (B.A. 1981).

### **HEALTH INDUSTRY EXPERIENCE**

Extensive experience representing healthcare payors, providers, investors and lenders, and industry vendors on a nationwide basis in hundreds of matters involving healthcare corporate transactions and contracting issues, healthcare payor provider disputes, joint ventures, mergers and acquisitions, healthcare credentialing and peer review, health insurance and benefit plans, health

insurance regulations, government contracts and enforcement matters, medical devices, and technology data breaches.

## **ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE**

Sworn as sole arbitrator (some cases still pending) in over forty (40) arbitrations focused on health industry matters involving payor coverage disputes, payor provider rate disputes, and multi-party disputes arising out of health facility and practice purchases. Also appointed sole arbitrator in multiple consumer disputes.

Participated as expert witness in several arbitration proceedings involving payor provider disputes involving allegations of false billing.

As first chair litigation counsel in over 50 jury trials and 200 bench trials, I represented public entities in many arbitration hearings and mediation sessions involving civil matters.

## **AWARDS AND HONORS**

U.S. News and World Reports The Best Law Firms in America (Health Law 2023-2024). U.S. News and World Reports The Best Lawyers in America (Health Law 2020, 2021, 2024). The Legal 500 firm profile (2018-2020) and notable mention (2017). Chair, DLA Piper U.S. Healthcare Regulatory Enforcement and Compliance Practice (2016-2021). Certified Inspector General, Association of Inspectors General (2010). Outstanding Prosecutor Upholding Victims' Rights (2004).

## **ALTERNATE DISPUTE RESOLUTION TRAINING**

American Arbitration Association, "Panelist Safety and Security," (Feb. 28, 2023); American Arbitration Association, "Everything You Need to Know About the Revised Healthcare Payor Provider Arbitration Rules," (Nov. 11, 2022); American Arbitration Association, "Process Essentials for AAA Arbitrators," (January 12, 2022); American Arbitration Association, "A Practical Guide to the Consumer Arbitration Process," (July 20, 2021); American Arbitration Association, "Arbitration Fundamentals and Best Practices for AAA Consumer Arbitrators," (July 20, 2021); American Arbitration Association, "AAA Consumer Arbitration Rules," (May 14, 2021); American Arbitration Association, "AAA Impartiality: Do You Know Where Your Biases Are?" (April 21, 2021); American Arbitration Association, "AAA Healthcare Payor Provider Arbitration Rules: Orientation for AAA Healthcare Neutrals," (May 2021); Texas Lawyers Insurance Exchange, "Making Lawyers Technologically Competent," (April 15, 2021); American Arbitration Association, "Arbitration Fundamentals and Best Practices," (January 14, 2021); American Arbitration Association, "Arbitration Awards – Safeguarding, Deciding and Writing Awards," (December 31, 2020); American Arbitration Association, "Pre-Workshop Exercises," (January 28, 2020); American Arbitration Association, American Health Lawyers' Association, "Mediating Health Care Controversies," Austin, Texas (May 6-8, 2015).

## PUBLICATIONS AND SPEAKING ENGAGEMENTS

“New Expectations for Compliance Programs,” co-author, *Health Law Handbook*, 2021 Edition, Thomson Reuters West Group Publishing (August 2021). “No Surprises Act creates new model for commercial payors and providers,” co-author, DLA Piper Client Alert (January 7, 2021). “CMS, OIG finalize Stark and AKS overhaul – paving the way for value-based care,” co-author, DLA Piper White Paper (November 25, 2020). Presentation: “New Expectations for Compliance Programs,” co-presenter with Rachael A. Honig, First Assistant U.S. Attorney, District of New Jersey, *2020 Physicians and Hospitals Law Institute*, American Health Lawyers’ Association, Phoenix, Arizona (February 10, 2020). “Texas: New safeguards to protect sensitive information,” DLA Piper Client Alert (November 4, 2019). “Fifth Circuit Court of Appeals affirms CMS demand for return of \$8 million from failed care management demonstration project,” DLA Piper Client Alert, (March 12, 2019). Presentation: “Value-Based Health Care,” co-presenter with Jaimala Pai, Medtronic, *Life Sciences and Healthcare Qui Tam and False Claims Summit*, American Conference Institute, New York City, New York (May 23, 2018).

Additionally, in 2020, I authored or co-authored eight (8) publications relating to new developments in COVID-19 regulations. I also repeated the AHLA presentation on new health compliance program expectations for two local and one statewide bar association continuing legal education sessions.

Prior to May 2018 during my tenure at DLA Piper, I presented at nineteen (19) professional or educational seminars and published seven (7) publications on healthcare regulatory compliance and enforcement topics. During my service at the Texas Office of Inspector General, I presented twenty-one (21) educational sessions at professional seminars and published thirteen (13) publications.

## LOCATIONS WHERE PARTIES WILL NOT BE CHARGED FOR TRAVEL EXPENSES

Waived travel expenses and travel time in continental U.S. for hearings exceeding three (3) full days.

## COMPENSATION

Cancellation period 14 days. Cancellation charge - \$2,000 plus incurred travel expenses.

Compensation \$600 per hour.

## TECHNOLOGY PROFICIENCY

Microsoft Office Suite. Zoom. Cisco virtual meeting program. GoToMeeting. Able to manage hearings on a hybrid basis with teleconferences, case site postings, direct exchange, videoconferencing, and in-person appearances.