



## Stephen K. Phillips

**Partner**

**Chair, Technology Practice Group and Privacy Officer**

**Co-Chair, Digital Health Practice**

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### CAPABILITIES

Business Transactions

Compliance

Digital Health

Fraud and Abuse, Stark, Anti-Kickback Counseling and Defense

Government Investigations

Health Information Privacy and Security

Mergers and Acquisitions

Provider and Supplier Operations

### EDUCATION

Stanford Law School, J.D., 1990

Amherst College, B.A., *magna cum laude*, 1987

### BAR ADMISSIONS

California, 1995

Pennsylvania, 1990

“Technology has the potential to dramatically improve the delivery of health care. But for innovation to thrive, providers and developers need to have confidence that they are going about their work in a way that comports with a complex legal, regulatory, and competitive landscape. My goal is to provide my clients with that confidence.”

Facilitating advancements in health care information technology and effectively addressing corresponding challenges with patient privacy and data security are at the heart of Stephen Phillips’ practice. Also handling a wide range of business and compliance matters for providers and technology vendors, Steve has a depth of knowledge and diversity of experience to deliver reliable, actionable, and accurate counsel efficiently.

With both private practice and in-house experience, Steve counsels clients on all transactional, operational, or regulatory issues that intersect with health care technology and patient privacy. He drafts and negotiates health care technology agreements of all kinds, including those involving SaaS products, data sharing agreements, software licenses, business associate agreements, HIE licensing, and participation and data sharing agreements and policies.

Steve plays a critical role in helping providers protect patient privacy, secure data and systems from evolving threats, and navigate an ever-changing regulatory and compliance landscape. His work includes drafting internal privacy and security policies and programs, breach investigation, remediation, and reporting, and addressing related data compliance issues. His compliance counseling also covers fraud and abuse investigations and self-disclosures, telemedicine and web-based service design, and medical, dental, and other professional practice act restrictions.

In transactional matters, Steve leverages his combination of health care and technology experience to structure arrangements between technology and health care providers that address corporate practice, fraud and abuse, and other health care licensing compliance requirements. He provides counsel on mergers, acquisitions, strategic partnerships, outsourcing agreements, and corporate governance matters that help his clients achieve their business objectives and facilitate continuing innovation in health care delivery.

Before joining the firm, Steve was the general counsel and compliance program chair for Neoforma, a public health care supply chain management outsourcer, and the chief operating officer and general counsel for eCliniq, a provider of web-based clinical solutions for heart care physicians.

### Representative Matters

- Developed onsite medical clinics for Cisco Systems.
- Advised a major California hospital system in fraud and abuse investigations and OIG self-disclosures.
- Represented the AIDS Healthcare Foundation in its acquisition of MOMS Pharmacy.
- Represented Coast Plaza Doctors Hospital in its sale to Avanti Hospitals.
- On behalf of the California Prison Healthcare Receivership, negotiated a clinical data repository and portal solution agreement with IBM, Oracle, Orion Health, and Initiate Systems.
- Counseled large primary care medical group in negotiations with a prominent West Coast health system to establish a medical foundation.
- Assisted a California hospital district with establishing an outpatient clinic and related physician practice acquisitions.
- Represented life science and medical device companies in the sponsorship of clinical trials.
- Advised surgeon-owned implant development and distribution companies in formation, syndication, and intellectual property development.

### Recognition

- Nightingale's Healthcare News, Outstanding Healthcare IT Lawyers, 2009

### Professional Affiliations

- American Bar Association
- American Health Lawyers Association
- California Society of Healthcare Attorneys

### News

- Stephen Phillips Quoted in AIS Health
- Sheryl Xavier, Andrea Frey and Stephen Phillips Published in Reuters and Westlaw Today
- Amy Joseph, Jeremy Sherer, and Stephen Phillips Published in Westlaw Today, "The rise of artificial intelligence: navigating health care regulatory considerations"
- Hooper, Lundy & Bookman Celebrates 35 Years!
- Hooper, Lundy & Bookman Ranked in the 2020 Edition of US News/Best Lawyers in America Best Law Firms

### Insights

- Proposed Rule for Amendments to HIPAA Security Rule
- Scrutiny of Online Tracking Technologies Continues
- The Rise of Artificial Intelligence: Navigating Healthcare Regulatory Considerations
- Effective Immediately: California's New Health Facility Breach Reporting Regulations
- HIPAA Proposed Rule – Removing Barriers to Care Coordination

### Events

- The National Symposium on Health Law and Policy
- Northeast Telehealth Resource Center's Northeast Regional Telehealth Conference