



Diane Robben

SHAREHOLDER IN ST. LOUIS, MO

Diane Robben is a shareholder and joined Sandberg Phoenix in 1997. She focuses her practice in the firm's Health Law practice group. For years she led the firms' Associate Committee, mentoring newer associates into the practice of law and the nuances of working in a large law firm. She also previously co-chaired the firm's Women's Committee.

Health Care Transactional and Regulatory Practice

Diane leads the firm's transactional and regulatory health care practice, devoting a significant amount of time advising hospitals, physicians, nursing homes and other healthcare providers on a variety of issues to find practical solutions to complicated legal problems. For instance, she routinely advises healthcare providers on various risk management, compliance and operational issues, such as general healthcare, patient care issues, medical records release, HIPAA/HITECH compliance, policy and procedure review, human resources, end-of-life issues and guardianships.

Furthermore, she regularly offers guidance on regulatory and transactional issues related to business transactions, such as fraud and abuse, anti-kickback, Stark, joint ventures, physician recruitment, EMTALA, Medicare compliance, contract review, physician practice association, and medical staff issues.

Diane also assists practitioners in reviewing, drafting, and negotiating contracts pertaining to operational and management functions, including but not limited to personal services, physician recruitment, employment, medical directors, vendor services, consulting, shared services, and lease/equipment rental.

314.446.4274

drobben@sandbergphoenix.com

SERVICES

Health Care Regulatory &
Compliance

Medical Malpractice Defense

INDUSTRIES

Hospitals

Physicians & Allied Health
Professionals

Representing physicians, chiropractors, psychiatrists and nurses before the Department of Professional Regulation in Illinois and the Board of Healing Arts in Missouri also comprises a portion of Diane's litigation work. She is experienced in medical staff credentialing, governance, disciplinary matters, impaired health professional issues, patient rights issues and bio-ethical issues. She has served as a Hearing Officer in medical staff peer review proceedings at numerous hospitals, as well as counsel to both physicians and medical Executive Committees.

Medical Malpractice Defense

A substantial portion of Diane's work comprises representing hospitals and healthcare providers in Illinois and Missouri, defending cases involving wrongful death, catastrophic brain injuries, and a wide array of medical matters including emergency medicine, obstetrics/gynecologic, neonatology, post-surgical management, negligent credentialing, chiropractic care and nursing negligence. She represents physicians, nurses, chiropractors and other health care professionals in all phases of litigation, including mediation and trial.

REPRESENTATIVE EXPERIENCE

Defense verdict on behalf of SSM Health St. Mary's Hospital in a premises/construction case in St. Louis County, Missouri in September 2018. Plaintiff alleged falling along a newly constructed Delivery Drop Off lane and claimed it was defective which caused her to fall. Ms. Robben and her partner, Corey Stegeman, successfully argued the Delivery Drop Off Lane was reasonably safe as constructed and the plaintiff's fall was an accident and due to her failure to keep a careful lookout. The jury returned a defense verdict in favor of SSM.

Defense verdict on behalf of SSM DePaul Health Center in a wrongful death/medical malpractice case in St. Louis County, Missouri in December of 2017. Plaintiff alleged his mother was presented to the emergency department at DePaul Health Center on June 4, 2012 with bilateral subdural hematomas resulting in mental confusion. Plaintiff alleged the healthcare providers failed to secure his mother in the bed, and that she fell from the bed in the ER, sustaining a fracture to her right femur. Mother was admitted to the hospital and then subsequently died on June 12, 2012. Ms. Robben and her partner, Sara Obermark, successfully argued the health care providers took all of the necessary fall precautions and were not negligent in the care and treatment of plaintiff's mother, and her death resulted from her preexisting bilateral subdural hematomas. The jury returned a defense verdict in favor of SSM.

PROFESSIONAL AFFILIATIONS

American Health Lawyers Association

Bar Association of Metropolitan St. Louis

Illinois Association of Healthcare Attorneys

Missouri Bar Association

Missouri Adult Day Services Association

Missouri Society of Health Care Attorneys

St. Louis Area Health Lawyers Association

St. Louis Area Risk Managers Association

Board of the Medical Group Management Association of Greater St. Louis, Vice
President of Business Partners

Diane is involved with the Southern Illinois University School of Law Alumni
Association and the Bradley University Alumni.

EDUCATION

J.D., Southern Illinois University School of Law, *magna cum laude*, Phi Kappa Phi

B.A. in Business Management, Bradley University, *magna cum laude*

LICENSURE(S)

Illinois

Missouri

United States District Court for the Eastern District of Missouri

United States District Court for the Southern District of Illinois

CIVIC ACTIVITIES

SSM St. Joseph Foundation, Board Member, supporting St. Joseph Health Center in
St. Charles, MO and St. Joseph Hospital West in Lake St. Louis, MO

Diane is also actively involved with her community and her two daughters' schools
and competitive gymnastics team.

PRESENTATIONS

Diane routinely speaks to healthcare clients and professional associations, as well as other practicing attorneys on such topics as Confidentiality of Medical Records in Illinois, Motion Practice, Representing Physicians and Nurses in Disciplinary Actions, Medical Charting and Credentialing, HIPAA and HITECH Act, Risk Management and Medicare Secondary Payer Act. She is the firm's HIPAA and Medicare expert, and is often consulted by other lawyers on these topics. A sample of Diane's more recent presentations include:

HIPAA Workshops – since the Spring of 2013, Diane has partnered with Keystone IT Consulting to present interactive HIPAA workshops to healthcare practice managers and IT security folks relating to compliance with the technicalities of the HITECH Act. She has presented 10 workshops throughout the St. Louis, Kansas City, and Cape Girardeau area. Her website, www.hipaaworkshops.com is updated regularly with upcoming training opportunities.

"Healthcare Regulatory Updates," St. Francis Medical Center

"Medical Practice Issues," MGMA Practice Advocacy Conference

Lorman Medical Records

"NextGen User Group Meeting," HIPAA/HITECH

"Medical Records Law in Illinois," Lorman Education Services

"Signature Medical Group," Keynote Speaker at Annual Physician Board

HIPAA/HITECH, "Guardianships/Power of Attorneys, Liability Risks," Missouri Adult Day Services Association Annual Conference

HIPAA/HITECH Updates with Keystone IT Consulting

"HIPAA and HITECH," MGMA St. Louis Spring Conference

"Legal Issues for Medical Practice"

"Compliance Plans," MGMA St. Louis (January 2013)

"Employment Considerations," University of Missouri – Cardiology Fellowship

"Social Media and Web Activities for your Medical Practice," Breakfast of Champions Series for Physicians and Medical Practice Managers

"Medical Records Law in Illinois," Lorman Education Services

"Practical Tips in Handling and Reviewing Medical Records," Sandberg Phoenix Professional Development Series

PUBLICATIONS

Diane has published several articles in the firm's periodic Health Law Practice Group Newsletter, as well as the Hospital Legal Pulse, a quarterly firm publication for rural hospitals on various topics. She also co-authors a monthly newsletter for the Missouri Adult Day Services Association (MOADSA) entitled In the Know.

"Surviving the Stress: Malpractice Risk Reduction: Ways to Reduce the Risk of a Lawsuit and Tips on Working through the Process in the Event of Litigation", Medical Group Management Association (December 2017/January 2018)

Co-Author, "Physicians Beware of Referrals for Home Care and Potential Fraud Charges," Medical Group Management Association (April/May 2015)

RECOGNITION

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