

Information Technology

Practice Group Chair

Steven J. Fox
202-661-6940
sjfox@postschell.com

Advising clients on a wide variety of matters including information technology, e-commerce, and health information management.

Overview

Post & Schell, P.C.'s national Information Technology Group advises clients on a wide variety of matters including information technology, e-commerce, and health information management. The group has deep and varied experience in serving the healthcare industry, as well as the banking, hospitality, commercial leasing, and other business sectors that are sophisticated users of technology.

Our group provides legal representation and strategic counseling in the development, acquisition, negotiation, transfer and licensing of complex information systems, privacy protection, Health Insurance Portability & Accountability Act of 1996 (HIPAA), electronic health records, Regional Health Information Organizations (RHIOs), Health Information Exchanges (HIEs), networks and software, outsourcing, consulting/services agreements, eDiscovery, Internet and technology use policies as well as intellectual property and contractual issues.

Our Information Technology Group is chaired by **Steven J. Fox**. Mr. Fox has been involved in significant engagements including:

- Drafting and negotiating major healthcare information technology clinical information system contracts (including PACS agreements), ranging from \$7 million to \$100 million, on behalf of numerous multi-entity health systems.
- Advising organizations working to establish RHIOs and HIEs to permit the sharing of medical information among hospitals, physician offices, clinics, labs, imaging centers, payers, and patients, including drafting and negotiating organizational documents, membership, and participant agreements and consultant/vendor contracts.
- Advising clients on the legal implications of establishing and maintaining RHIOs and HIEs, including the impact of privacy and security issues and Stark and Anti-Kickback regulations on the donation, adoption, and sharing of electronic health record systems (EHRs).
- Advising healthcare systems regarding the interpretation and implementation of HIPAA regulations, including the development of required notices, forms, policies, and procedures.
- Drafting and negotiating a \$20 million contract for healthcare information technology systems (HIT) software and hardware on behalf of a multi-entity health system (including four separate hospital systems) with a large national HIT vendor.
- Drafting and negotiating a transfer agreement and related license sharing agreements in connection with a large multi-entity (50+ hospitals) healthcare system's acquisition of five hospitals.
- Drafting and negotiating outsourcing contracts for a HIT consulting firm to manage and operate information system departments of hospitals throughout the country.
- Drafting and negotiating intellectual property licensing and development agreements.
- Advising healthcare systems regarding strategic partnerships with Internet health operatives. · Advising healthcare systems and negotiating/drafting related documentation in connection with health informatics initiatives.
- Advising health care systems in connection with serious disputes with HIT vendors in connection with license and outsourcing issues, and negotiating win-win outcomes.
- Drafting and negotiating all technology transfer agreements on behalf of a major regional healthcare system during its multi-million dollar acquisition of a university hospital system.

Our Information Technology Group works closely and in concert with our attorneys to provide seamless representation on a broad-based platform to the business community.