OBER | KALER
Attorneys at Law

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Bar Admissions
Maryland

Virginia

Court Admissions
Court of Appeals of Maryland

Supreme Court of Virginia

Education
University of Baltimore School of Law (J.D., *magna cum laude*, 2001)

- *Law Review*, Associate Symposium Articles Editor

University of Pittsburgh (B.S., *summa cum laude*, 1978)

DONNA J. SENFT

Experience

Donna J. Senft is a principal in Ober|Kaler's Health Law Group where she focuses on health care transactions and regulatory matters. She represents various providers, including hospitals, nursing facilities, assisted living facilities, clinical laboratories, home health agencies, hospices, adult day care centers, rehabilitation agencies, physician groups, pharmacies and DMEPOS suppliers in Medicare and Medicaid certification and compliance issues, billing and reimbursement, and state licensure.

Donna's practice includes advising health care providers and practitioners regarding acquisitions, mergers and internal reorganizations, focusing on obtaining licenses, certifications, and billing privileges. In that regard, Donna has expertise in Medicare and Medicaid enrollment matters including completion of NPI applications and CMS 855 forms. Donna assists Medicare-enrolled providers to maintain complete PECOS data and complete revalidation applications to avoid deactivation or revocation of billing privileges, and to file CAPs and appeals when billing privileges are lost.

For providers facing survey sanctions, Donna assists in the preparation of plans of correction, informal dispute resolution requests and appeals. Donna's practice also includes providing advice regarding payment issues, such as responding to denied claims and overpayment demands, credentialing and peer review, and professional disciplinary matters.

Prior to attending law school, Donna used her physical therapy degree to provide more than twenty years of clinical and administrative services to rehabilitation departments in various health care settings, including five years of consultative services to nursing facilities and other long-term care settings throughout the United States.

Since 1992, Donna has served as the co-chair of the Impaired Professionals Committee of the American Physical Therapy Association of Maryland. She is also the author of numerous articles and publications on health care topics and is a frequent presenter at seminars for health care providers.

Professional Memberships

- American Bar Association
- American Health Lawyers Association
- American Physical Therapy Association
- APTA of Maryland
  - Impaired Professionals Committee, Co-chair, 1992-present
  - Vice President 1993-1996
  - Second Vice President, 1992-1993
- CARF National Advisory Committee for Subacute Care, APTA Representative, 1993
- HCFA Volunteer Work Group, APTA Representative, 1994-1995

- Maryland State Bar Association

Community Service

- National Multiple Sclerosis Society, Maryland Chapter
  - Board of Directors, 2012-present
- That All May Freely Serve
  - Board of Directors, 1998-2011

Honoraries

AV Rated, Martindale-Hubbell

Professional Background

- Therapy Management Innovations, Inc./American Rehability Services, Account Executive/Clinical Services Director
- Tri-Home, Director of Rehabilitation
- Therapy Management Innovations, Inc., Rehabilitation Consultant
- Harbor Hospital Center, Director of Physical Therapy
- Fallston General Hospital, Director of Physical Therapy
- MIEMSS Trauma Rehabilitation Program, Coordinator of Physical Therapy
- Elizabethtown Hospital for Children and Youth, Physical Therapist
- Easter Seals Rehabilitation Center, Physical Therapist

Publications & Presentations

- Presenter, "Healthcare Transactions," Healthcare Transactions Program, American Health Lawyers Association, 2013
- Presenter, "Problem Solving with Revalidation and CHOW," Long Term Care and the Law, American Health Lawyers Association, 2013
- Presenter, "Medicare and Medicaid Enrollment and Compliance - Grave Consequences for Failure to Comply," Webinar, Ober|Kaler and Health Facilities Association of Maryland, 2012
- Author, "Home Health and Hospice Face-to-Face Encounter Visits" *Geriatric Nursing*, 2011
- Co-presenter, "Hot Topics in DMEPOS Compliance: New Supplier Standards, Re-enrollment and Appeals," American Health Lawyers Association, 2011
- Co-presenter, "Maryland Health Care Reform and Maintaining Medicare Billing Privileges,"MSBA Annual Meeting, Maryland State Bar Association, 2011
- Presenter, "Provider Enrollment – Heightened Scrutiny with Grave Consequences," LifeSpan Annual Conference and Exposition, 2011
- Author, "Incentive Payments - Extra Payments for Medicare Services," *Geriatric Nursing*, 2011
- Co-presenter, "New Medicare Standards for DMEPOS Suppliers - Understanding Operational Requirements, Medicare Enrollment and Billing Privileges, and False Claims Act Considerations," Strafford Publications, Inc., 2011
- Co-presenter, "Medicare Provider Enrollment, Part II: Navigating the Maze of Enrollment and Tips to Protect Billing Privileges," American Health Lawyers Association, 2011
- Co-presenter, "To Code or Not to Code – Considerations and Consequences at the End of Life," American Health Lawyers Association, Long Term Care and the Law, 2011
- Co-presenter, "Medicare Provider Enrollment, Part I: The Changing Landscape for Continuing Care Providers," American Health Lawyers Association, 2011

- Author, "Does Your Documentation Support Payment?" *Geriatric Nursing*, 2010
- Author, "Increased Scrutiny of Medication Disposal - Time to Focus on Your Medication Waste Management Practices," *Geriatric Nursing*, 2010
- Author, "Avoiding Citations for Failure to Manage Pain: CMS Updated F-309 Guidance" *Geriatric Nursing*, 2009
- Author, "OIG Supplemental Guidance Related to Nursing Facility Compliance Programs" *Geriatric Nursing*, 2009
- Author, "Strategies to Defend Against Quality of Care Allegations" *Geriatric Nursing*, 2008
- Author, "Accidents and Supervision – New CMS F-Tag Guidance," *Geriatric Nursing* , 2008
- Presenter, "Passport to Full-Service, Coordinated Care: Strategies for the Delivery of Ancillary Services in LTC," LifeSpan Annual Conference and Exposition, 2008
- Presenter, "Quality Assurance/Risk Management/Corporate Compliance," 2008 AJAS Annual Conference, 2008
- Presenter, "Quality Assurance: Risk Management and Other Legal Aspects Related to QA Programs," NADONA/DON Certification Course, 2008
- Author, "OIG Provides Further Guidance Related to Nursing Facility Compliance Programs," *VHCA Legal Quarterly*, Virginia Health Care Association, 2008
- Author, "Significant Medication Error Citations Without An Observed Medication Pass" *Geriatric Nursing*, 2007
- Author, "Risk Management – Strategies to Defend Against Quality of Care Allegations," *Legal Quarterly*, Virginia Health Care Association 2007
- Author, "Facility-Wide Changes Required by the new CMS Activities F-248 Guidance" *Geriatric Nursing*, 2006
- Author, "Nursing Staffing Data — Posting Requirement for Nursing Facilities," *Geriatric Nursing*, 2006
- Co-author with John J. Eller, "Implications of the New Medicare Enrollment Regulations: Actions Required to Protect Your Current Medicare Participation," *HCCA Compliance Today,* Health Care Compliance Association, 2006
- Presenter, "Managing the Other F-Word, New CMS F-Tag Guidance," Mountain-Pacific Quality Health, 2006
- Presenter, "Medicare's New Provider Enrollment Rules, New Requirements for Every Organization that Bills Medicare," DecisionHealth, 2006
- Presenter, "New CMS F-Tag Guidance" and "Fraud and Abuse Issues in Long Term Care," VHCA Staying on the Road to Compliance, 2006
- Presenter, "Managing the Other F-Word, New CMS F-Tag Guidance," LifeSpan 2006 Annual Conference and Exposition, 2006
- Author, "Pressure Ulcers Avoiding Risk," *Provider,* 2005
- Presenter, "Managing the Other F-Word, New CMS F-Tag Guidance," Health Facilities Association of Maryland Annual Convention and Trade Show, 2005
- Presenter, "Getting to Know About DAVE," LifeSpan 2005 Annual Conference and Exposition, 2005
- Presenter, "Peer Review Recertification Course, Review Considerations," American Physical Therapy Association of Maryland, 2005
- Presenter, "Preventing Malpractice, The Role of the CAN," University of Maryland School of Medicine, 2004
- Presenter, "Risk Management It's Not Just For Hospitals Anymore," LifeSpan/PANPHA 2003 Annual Conference Imagine Together, 2003
- Presenter, "Non-physician Billing Requirements," Maryland Chapter of Medical Group Management Association, 2003
- Presenter, "Clinical, Legal, Fiscal, Integrating the Domains of Dementia," American

Medical Directors Association 2003 Annual Symposium, 2003

- Author, "Laws Governing Peer Immunity, Physician Credentialing Upheld," *Managed Care*, 2002
- Presenter, "Informal Dispute Resolution, Enhancing Success Through Proven Strategies," Lifespan Conference, Maryland Association of Non-profit Homes for the Aged, 2002
- Author, "Surgically Implanted Medical Device Liability, Will the New Restatement Help the Unraveling Shield Created by *Medtronic, Inc. v. Lohr*? *University of Baltimore Law Review*, 2001
- Presenter, "Informal Dispute Resolution, Enhancing Success Through Proven Strategies," Health Facilities Association of Maryland Annual Convention and Exposition, 2001
- Presenter, "Legal and Ethical Issues in Physical Therapy Practice," APTA of MD Annual Meeting, 1995
- Presenter, "The Impaired Provider's Effect on Your Profession," APTA Component Leadership Seminar, 1995
- Author, "Cleveland Clinic, Ohio,"Medicare Documentation, Rehabilitation Therapies" and "Your Home Care Documentation Under Review, The Medicare Medical Review Process,"1993
- Presenter, "Oh, My Aching Back!" Wellness for the Work Force Seminar, Fallston General Medical Services, Inc., 1987
- Presenter, "Central Pennsylvania Spinal Cord Injury System," Milton S. Hershey Medical Center, 1982
- Presenter, "Spinal Cord Injury," Milton S. Hershey Medical Center, 1981
- Presenter, "A System for Managing the Individual with Spinal Cord Injury," Milton S. Hershey Medical Center, 1980