



Principal
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Bar Admissions

California
Maryland
Minnesota
New York

Oregon

Court Admissions

Court of Appeals of
California
Court of Appeals of
Maryland
Court of Appeals of
New York
Court of Appeals of the
District of Columbia
Supreme Court of
Oregon

Education

University of
Minnesota Law School
(J.D.)

University of
Minnesota (B.A.)

JAMES B. WIELAND

Experience

James B. Wieland, a principal in Ober|Kaler's Health Law and Intellectual Property Groups, leads the Healthcare Information Privacy, Security and Technology practice. Jim's practice is focused on health care information and technology issues. He represents start-up and emerging health care services, practice management and technology companies, health care providers and physician organizations.

Jim has significant experience in counseling health care industry clients on all aspects of information privacy and security issues, including state laws and the HIPAA Privacy and Security rules. He helps clients negotiate the full range of health care technology contracts, including general software licenses, electronic medical records agreements, and data counter and data use agreements. Jim is actively involved in dealing with organizational, contracting and regulatory issues faced by Regional Health Information Systems (RHIOs) and Health Information Exchanges (HIEs). In addition, Jim has assisted a number of clients, including publicly traded companies, in issues related to personal information protection, including breaches of security and the Federal Trade Commission Red Flag Rule. He currently serves as general counsel to the national trade association of companies in the medical billing field and to a national association of specialty physician practice managers.

Jim also serves as Privacy Officer for Ober|Kaler. In this capacity he develops HIPAA policies for the security and privacy of medical and personal information as well as for other privileged and confidential client information.

In 2006, Maryland's then-Governor Robert Ehrlich appointed Jim to the Task Force to Study Electronic Health Records, a blue ribbon panel reporting directly to the Maryland legislature on Electronic Health Records (EHR), e-Prescribing and Regional Health Information Organizations. He was subsequently designated as the lead person for the EHR workgroup within the Task Force.

Jim was a member of Ober|Kaler from 1979 to 1989. In 1999, he returned to the firm after practicing health care law in Silicon Valley in the San Francisco Bay Area where he gained significant experience in the representation of health care companies as a partner in a large national law firm.

Jim is a frequent lecturer on health care regulatory topics and served as an associate member of the faculty of Johns Hopkins University, where he taught negotiation skills in the University's MBA program. He has published numerous articles on health care topics and is the author of "Medicare Part B Reimbursement for Physicians" in the Clark Boardman treatise *Health Law Practice Guide and Managed Care and Capitation Contracting*, a book published by the American Society of Internal Medicine.

Professional Memberships

- American Bar Association

- American Health Lawyers Association
 - Board of Directors, Past Member
- *Health Information Management Manual*, 3rd Edition
 - Editorial Board
- Healthcare Information and Management Systems
 - Legal Aspects Advisory Group

Honoraries

- Selected by *Nightingale's Healthcare News* as one of the Outstanding Healthcare IT Lawyers for 2009 and as one of the Outstanding Physician Practice Lawyers for 2006

Publications & Presentations

- Presenter, "Social Media, Health Care Privacy and Your Employees: 7 Tips to Avoid HIPAA Violations and Employee Claims," Webinar, Ober|Kaler, 2011
- Presenter, "Legal Roadmap for Providing Technological Support: Avoiding Hidden Dangers," ThinkLab '11, Clinical Laboratory Management Association, 2011
- Co-chair and Speaker, "Business Associates and HITECH Changes," 18th National HIPAA Summit, 2010
- Presenter, "Practical Steps to Prepare for the HITECH Act: What Healthcare Providers Need to Know," Health Care Information Division Audio Seminar, BNA, 2009
- Presenter, "Electronic Medical Records: Minimizing Legal Risks and Liabilities," Teleconference, *Health Law Week*, *Hospital Litigation Reporter* and *New York Health Law Update*, 2009
- Presenter, "Legal Knowledge Base for Owners and Managers," Health Care Billing and Management Association, 2008
- Presenter, "HIPAA Privacy and Security – Heightened Enforcement," Stafford Legal Teleconferences, 2008
- Presenter, "Making the Right Call: Assessing Electronic Medical Records Systems," The Beacon Institute / LifeSpan Annual Conference, 2008
- Presenter, "Coding and the Law," American College of Medical Coding, 2008
- Presenter, "HIPAA Fundamentals," American Bar Association, Section of Health Law, 2008
- Presenter, "The Federal Trade Commission's Red Flags Rule," The Radiology Business Management Association, 2008
- Presenter, "Privacy and Security of Electronic Health Information: HIPAA and Beyond," Decision Health, 2008
- Co-author with E. Scott Johnson, "Technology Agreements: HIPAA Negotiation Points for Software Licenses," *RBMA Bulletin*, 2002
- Co-author with Howard L. Sollins, "HIPAA Alert: It's April 14th, 2003! Do You Know Where Your 'PHI' Is?" *The Aegis Report*, 2002
- Author, "Medicare Part B Payment for Physician Services," Chapter in *Health Law Practice Guide*, Clark Boardman Callaghan (revised annually)
- Author, "Internists' Guide to Managed Care and Capitation Rates," *American Society of Internal Medicine*, 1995