



Karen L. Taillon, P.C.

Partner

ktailon@cwlawyers.com

I understand the myriad of complexities involved in the healthcare arena, including managed care contracting, EMTALA, HIPAA, HITECH, payer/provider disputes, physician/hospital relations and peer review issues, real estate development, leasing, and litigation, and employment disputes.

It is important to create a positive environment in which parties can work to achieve their respective goals.

A trial lawyer since 1983, Ms. Taillon has a demonstrated ability to efficiently and effectively resolve disputes. Focusing her practice on healthcare, she has represented numerous hospitals, hospital systems, and physicians in a wide variety of transactional and litigated matters. She is known for her thorough preparation and proficiency in handling intricate, complex, and sometimes emotional issues that can arise in healthcare disputes. Ms. Taillon is Certified in Healthcare Compliance through the Health Care Compliance Association and is a trained arbitrator and mediator. She is a member of the American Arbitration Association National Healthcare Roster of Neutrals qualified to handle disputes involving credentialing/peer review matters, provider contract issues, healthcare transactions, and payor/provider reimbursement issues, as well as general healthcare disputes. Ms. Taillon is also a member of the National Panel of Dispute Resolvers of the American Health Lawyers Association Alternative Dispute Resolution Service.

Experience and Qualifications

- Former General Counsel for a multi-facility health care system
- Established in-house legal services for multi-facility hospital system and large acute care hospital
- Represented clients in over 100 cases in mediation, settlements, arbitrations, peer review proceedings, administrative matters, and civil court trials
- Conducted numerous successful settlement conferences in state courts
- Successfully resolved numerous disputes on behalf of healthcare clients involving physician/hospital relations, managed care contracting, employment, real estate, and contract disputes
- Represented faculty and staff in academic institutions in medical staff peer review, faculty disciplinary and grievance proceedings, and research related disputes

Representative Matters

Managed Care

- Litigation resolved by mediation in action by four hospitals against Kaiser and others for breach of managed care network provider contracts
- Action by hospital against PacifiCare (Plan) and large medical group for breach of risk pool agreements; issues included application of Plan's undertaking with Department of Managed Health Care to medical groups' obligation for risk pool deficits. Resolved through mediation just prior to trial based on summary adjudication of key issue
- Binding arbitration of hospital system's claims of breach of Hospital Services Agreement by approved assignor of Plan contracts; issues included effectiveness of assignment and application of amended rate schedule entered into pending sale of Plan
- Hospital's action against self-insured employee benefit plan and TPA for failure to pay for terminated employee's inpatient hospital services—confidential negotiated settlement
- Binding arbitration of general insurance agency's multi-million dollar claim against Blue Shield of California for breach of agency contract

Employment

- Binding arbitration and mediated settlements of sexual harassment/constructive discharge claims
- Binding arbitration of age discrimination/wrongful discharge claims
- Superior Court action by long-term University employee for wrongful termination/sexual harassment resolved through confidential mediation
- Whistleblower action against University for wrongful demotion and discharge resolved through confidential mediation

Real Estate

- Litigation of hospital's quiet title action relating to claimed prescriptive and other easements impacting hospital's title and long-range ability to use the property as part of its master plan
- Construction defects action between hospital, architect/engineer, and design/builder



Cummins & White, LL

Cummins & White, LLP, is recognized as one of California's premier business, insurance, and criminal defense law firms. The Newport Beach-based firm is engaged in general civil litigation and transactional practices, which include insurance coverage, business, estate planning, healthcare, real estate, and liability defense. The firm was founded in 1951.

Peer Review/Academic Disciplinary Matters

- Judicial Review Committee hearings for summarily suspended physician at academic medical center
- Multiple state trial and appellate court proceedings relating to physician peer review matters
- Numerous medical school faculty grievance and disciplinary hearings
- Numerous negotiated settlements of University faculty grievances and disputes

Supplementary Matters

- University of California Irvine Coordinated Fertility Litigation Cases: Co-Liaison defense counsel by court appointment, representing one of three faculty physicians in over 100 coordinated complex cases, faculty disciplinary proceedings at the campus and statewide system level, medical staff issues at multiple facilities, California Medical Board license revocation proceedings, and numerous related civil and administrative matters arising out of the 'fertility cases.' Ms. Taillon's representation and participation lasted for over 10 years, and the cases resulted in the commercial publication of *Stealing Dreams: A Fertility Clinic Scandal*, Mary Dodge and Gilbert Geis, Northeastern University Press 2003

Honors, Memberships, and Professional Activities

- Member, Panel of Dispute Resolvers, AHLA Alternative Dispute Resolution Services
- Member, American Arbitration Association National Healthcare Roster of Neutrals
- "AV" Rated Martindale-Hubbell Law Directory
- Admitted to U.S. Supreme Court, U.S. District Court (Central District of California and Western District of Pennsylvania), California State Bar
- Limited special admission Mississippi State Bar—pro bono legal services to Hurricane Katrina victims
- Experienced Mandatory Settlement Conference and Small Claims temporary judge
- Certified in Healthcare Compliance (CHC) by Health Care Compliance Association
- Member, American Health Lawyers' Association
- Associate Member, California Hospital Association
- Former Delegate to California State Bar Conference of Delegates
- Past President/Secretary/Board, Newport Harbor Bar Association
- President and Past Parliamentarian, Western State University Alumni Association

Background and Education

- B.S. with *High Honors* (American Studies/Law) Combined program through California State University and Western State University College of Law 1981
- J.D. *magna cum laude* and Valedictory Candidate—Western State University College of Law 1983
- Academic Achievement Awards—AmJurs, Corpus Juris Secundum, Foundation Press, *Who's Who in American Colleges and Universities*
- Managing Editor—WSU Law Review 1982
- American Health Lawyers Association Arbitration Training 2009
- American Bar Association/JAMS *Alternative Dispute Resolution Institute (Spring 2010)*
- Straus Institute for Dispute Resolution/Pepperdine University College of Law *Arbitration Practice and Advocacy (Fall 2010)*
- American Arbitration Association *Rx for Healthcare Disputes: Exploring Alternative Dispute Resolution (ADR) Solutions (Fall 2010)*
- Straus Institute for Dispute Resolution/Pepperdine University College of Law *Mediating the Litigated Case (Spring 2011)*