



Linda H. Mullany

PARTNER

Sacramento

619.230.7412

lmullany@grsm.com

RELATED SERVICES

- Healthcare
- Employee Benefits & Executive Compensation
- Cannabis, Hemp & CBD
- Cyber, Privacy & Data Security
- Healthcare, Regulatory Transactions & Telehealth

OFFICES

- Sacramento
- Phoenix

OVERVIEW

Linda Mullany is a Partner in the Healthcare practice group of GRSM. A Registered Nurse, her practice is devoted to advising healthcare clients on privacy, security and healthcare regulatory matters, including HIPAA, the HITECH Act, and state counterparts. Linda works with clients on corporate compliance matters, including billing and over-payment issues, Stark and Anti-Kickback rules, and other health law issues. Her legal experience includes litigation and employment law, and she has successfully defended healthcare providers through trial in elder abuse, malpractice, wrongful death, unfair business practices, breach of contract, fraud and other business claims. Linda is frequently called upon to structure and develop processes for compliant practices for providers, and the development of risk avoidance policies and procedures.

REPRESENTATIVE EXPERIENCE

Linda develops strategies that are tailored to meet the specific needs of her clients.

- Develops effective HIPAA compliance strategies and counsels clients on addressing ongoing HIPAA issues
- Supports and advises General Counsel and Compliance Officers
- Serves as outside Compliance Advisor
- Develops and/or updates and revises Compliance Plans, Codes of Conduct and Policies and Procedures
- Conducts Risk Assessment of presumed breach incidents to determine notification requirements
- Oversees and assists client in responding to a breach incidents, including responding to OCR requests for information and documentation
- Prepares or reviews proposed BAAs
- Conducts internal investigations and develops corrective action plans
- Represented a health facility in a civil action stemming from charges of criminal abuse by unrelated third persons on its premises. Obtained dismissal of diagnostic testing facility in case brought by patient who underwent surgery for prostate cancer when in fact his lab results had been erroneously reported as positive for cancer. Ms. Mullany was able to establish the lab was not at fault in the specimen mix-up.
- Obtained numerous dismissals of elder abuse claims prior to trial, and has defended other abuse claims through verdict.
- Successfully mediated numerous matters involving allegations of abuse of vulnerable adults in health facilities.
- Numerous mediations resulting in resolution of disputes between facilities and third party vendors.
- Obtained very favorable settlement for healthcare client after achieving appellate court reversal of trial court's denial of motion to enforce arbitration.
- Represented facilities and associated health professionals in negligence claims arising from injury occurring at facility other than malpractice.
- Represented over 200 healthcare providers in claims involving personal injury gross negligence, recklessness, assault, malpractice and abuse.

PUBLICATIONS

- *California Supreme Court Denies Petition for Review in \$4 Billion Sutter Health Data Breach Cases*, GRSM Privacy Teaches and Breaches Blog (October 20, 2014)
- *Healthcare Reform: A Safety Net for the Uninsured Could Be a Noose for the Healthcare System*, Los Angeles Daily Journal (February 23, 2011)

CREDENTIALS

Admissions

- California
- Arizona
- United States District Courts, Southern and Central Districts of California
- United States District Courts, District of Arizona

Memberships

- Healthcare Compliance Association
- American Health Lawyers Association
- Lawyers Club of San Diego
- San Diego Defense Lawyers (formerly a board member and vice president)
- Past president of the San Diego Barristers Club
- Associate member of the American Healthcare Association
- California Association of Health Facilities
- Arizona Healthcare Association
- Arizona Assisted Living Federation of America

Education

- J.D., University of San Diego School of Law, 1989
- B.S., *with distinction*, Nursing, California State University at Long Beach, 1982

Honors

- Top Rated Lawyer-AV® Preeminent™,
Martindale-Hubbell
- San Diego Magazine's Top Lawyer in San Diego (2017)