



## Shelley M. Jackson

Partner

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Shelley M. Jackson serves as Krieg DeVault's Labor and Employment Practice Chair. Her practice includes employment law, professional license defense, and data privacy and security, with a health care industry focus.

Clients appreciate Shelley's calm demeanor, thoughtful analysis, and substantial expertise. She draws on a wealth of professional experience, including her time as an assistant general counsel and chief privacy officer with a multi-national corporation.

Shelley frequently handles regulatory compliance and enforcement matters before administrative bodies, including the Indiana Professional Licensing Agency, U.S. Equal Opportunity Commission, U.S. Drug Enforcement Administration, and U.S. Department of Labor. She is also a seasoned litigator, with more than a decade of trial and appellate court experience.

Outside the firm, Shelley serves as an advisory board member with Reveal Risk, on the board of directors with The Milk Bank, on the Civic Education Committee with the Indiana Bar Foundation, and as a member of IU McKinney School of Law's Black Alumni Council. She also writes and speaks on a wide range of topics.

We encourage you to review our **Client Service Standards** demonstrating our commitment to excellence. Contact Shelley to explore how our firm can partner with you in providing thoughtful, creative solutions to your legal issues.

### Education

- J.D., Indiana University Robert H. McKinney School of Law, Indianapolis, Indiana, 2007
- M.Ed. in Education, Indiana Wesleyan University, 2001
- B.S. in English/Teaching, Ball State University, Muncie, Indiana, 1996

### Bar & Court Admissions

- Indiana (2007)
- U.S. District Court for the Southern District of Indiana (2007)
- U.S. District Court for the Northern District of Indiana (2007)
- U.S. Court of Appeals 7th Circuit (2011)

### Practices

- Labor and Employment
- Data Privacy and Cybersecurity
- Pharmacy Law
- Telehealth and Telemedicine
- Digital Health Services
- Professional Licensing
- Veterinary and Animal Health Law
- Artificial Intelligence (AI)
- Internal and Government Investigations

### Industries

- Health Care

### Professional Associations & Civic Involvement

- Member, Duke University's Center on Law & Technology Responsible AI in Legal Services (RAILS) Initiative
- Board of Directors, The Milk Bank, 2021-present
- Corporate Advisory Board, Reveal Risk, 2020-present
- Civic Education Committee, Indiana Bar Foundation, 2022-present
- Black Alumni Council, IU McKinney School of Law, 2022-present
- Racial Justice Commission, Indianapolis Bar Association, 2020-2022
- Vice President, Indianapolis Bar Association, 2022
- Pro Bono Surge Team, Greater Indianapolis Progress Committee, 2020-2021
- Indy Lawyers for Black Lives, 2020-2022
- City of Fishers Committee on Race and Equity, 2019-2020
- Member, Marion County Bar Association
- Member, Indianapolis Bar Association
- Member, Indiana State Bar Association
- Member, American Bar Association
- Member, Society for Human Resources Management
- Member, International Association of Privacy Professionals
- Member, American Society for Pharmacy Law
- Member, Indiana Security and Privacy Network

### Awards & Recognitions

- Champion of Diversity Award, IU McKinney School of Law, 2022
- Respect Award, Krieg DeVault, 2022
- Lifetime Member, Marion County Bar Association, 2022
- Hamilton Southeastern Schools Foundation's Volunteer of the Year, City of Fishers, 2019
- Best Lawyers in America, Health Care Law, 2018

- Indiana Super Lawyers, 2018
- Indiana Super Lawyers Rising Stars, 2012-2015, 2016-2017
- American Bar Association's Partnership Award as a member of IndyBar's Diversity Job Fair Committee, 2013
- Mayor's Celebration of Diversity Awards Program, 2014
- Marion County Bar Association's President's Award for Outstanding Service and Achievement, 2011
- Indianapolis Bar Association Bar Leader Series Class IX, 2011-2012
- Indiana Lawyer's Up and Coming Lawyer Award, 2010
- Board of Directors Award, Indianapolis Bar Association, 2008
- YWCA Women in Leadership Award Nominee, 2007
- Pro Bono Certificate, Indiana University McKinney School of Law, 2007
- Public Policy/Civil Mediation, Indiana University McKinney School of Law, 2007

### Seminars & Presentations

- Presenter, "Does AI Know Why the Chicken Crossed the Road? Managing Risk for Employers in the Age of AI", Indiana Bankers Association Mega Convention, May 2024
- Co-Presenter, "Where Do We Go From Here? Students for Fair Admissions, Dueling AG Letters and the Future of DEI" Indianapolis Bar Association Continuing Legal Education Seminar, December 19, 2023
- Presenter, "Navigating Mental Health and Substance Use Disorder Accommodation Obligations in the Workplace," Indiana Wellness Council's Employer Connection Series, September 26, 2023
- Panelist, "Likes, Clicks, and ROI: Measuring Values and Valuing Metrics," Prindle Institute for Ethics at DePauw University, August 31, 2023
- Presenter, "Empowering Employees: Navigating Mental Health Accommodation and Support Obligations in the Workplace," Invest Hamilton County, August 25, 2023
- Presenter, "Employment Law Updates, Compliance Matters, and More," Accelerate Indiana Municipalities (AIM) Ideas Summit, August 23, 2023
- Presenter, "Give Employees a Chance (or Two): Leveraging Equal Opportunity and Other Laws to Create a Thriving Work Environment," Southern Indiana Works STAR Series, August 21, 29, September 12, 19, 29, October 3, 2023
- Presenter, "Indiana Employment Law: Hiring, Firing, and Disciplining Employees," National Business Institute's Online Seminar, July 31, 2023
- Presenter, "Rapid Fire: Legal Update on new Pregnancy and Breastfeeding Employment Laws," Caring on the Crossroads of Indiana Critical Access Hospital (CAH) Convening Virtual Meeting, April 25, 2023
- Presenter, "The Legal Community's Role in Civics," Indiana Bar Foundation 2023 Indiana Civics Summit, April 13, 2023
- Presenter, "Legal Update on New Pregnancy and Breastfeeding Employment Laws," Indiana Rural Health Association Spring Rural Summit, April 11, 2023
- Co-Presenter, "Anatomy of a Cybersecurity Incident - Key Risk Management Principles," CEO-NET, December 12, 2022
- Co-Presenter, "A Changing Landscape: Navigating Indiana's New Abortion Restrictions," Indiana Osteopathic Association Winter Update, December 2, 2022
- Co-Presenter, "Indiana Abortion Law Post Dobbs and Senate Enrolled Act 1 - What Physicians Need to Know," Indiana State Medical Association, September 14, 2022
- Co-Presenter, "The Seat is Yours," Indianapolis Bar Association, July 26, 2022

- Co-Presenter, "Anatomy of a Cybersecurity Incident: Practical Tips and Legal Considerations," Association of Corporate Counsel's Small Law Department Legal Update, July 14, 2022
- Moderator, "Strategies for Success: Exploring Diversity, Equity, and Inclusion Within Our Legal Community," Indianapolis Bar Association Bench Bar Conference, June 18, 2022
- Presenter, "Overview of New Federal COVID-19 Vaccination Requirements for Employers," Krieg DeVault Podcast Series, November 17, 2021
- Presenter, "Overview of New Federal COVID-19 Vaccination Requirements for Employers," Krieg DeVault Webinar, November 10, 2021
- Wellness Council of Indiana: Employer Opioid Presentations (2021)
- Presenter, "It's (A Little) Complicated: Employer Vaccination Programs in the Age of COVID-19," Leading Age 2021 Fall Conference, September 2021
- Presenter, "The Tougher Topics of Employment Law Webinar: Diversity, Equity, Inclusion Initiatives and Legal Boundaries," Indiana Continuing Legal Education Forum, May 6, 2021
- Co-Presenter, "Workforce Wake-up: The Legal Impact of the Pandemic and Social Justice Considerations on Indiana Workplaces," 2020 Indiana Workforce Summit, Indiana Chamber of Commerce, October 2020
- Panelist, "Manifesting Bias or Prejudice: What Should the Profession Do?" 2020 Annual Meeting, Indiana State Bar Association, October 2020
- Presenter, "Drawing the Line: Exploring Key Risk Management Issues in Advising Clients," Continuing Education Program, South Central Indiana Association of Health Underwriters, October 2020
- Presenter, "Risking Employee Wellness: Lessons from Before and After COVID-19," Indiana Wellness Summit, Indiana Chamber of Commerce, September 2020
- Featured Member of the Month, Women in the Law Division, Indianapolis Bar Association, August 2020
- Co-Presenter, "COVID-19 and the Workplace – a QA Discussion," Indiana Philanthropy Alliance Webinar, July 2020
- Co-Presenter, "COVID-19: A Checklist for Business," Indiana Pharmacists Association Webinar, May 2020
- Co-Presenter, "COVID-19 and Health Care Businesses: Managing Staffing Reductions and Planning for Reopening," Indiana State Medical Association Webinar, April 2020
- Co-Presenter, "COVID-19 Town Hall for the Indiana Optometric Association: Key Business and Employment Law Topics," Indiana Optometric Association Webinar, April 2020
- Co-Presenter, "Where are We Now? HR Strategies for a COVID-19 World," IMPACT Winter Webinar, December 2020
- Co-Presenter, "Legal Guidance on Developing a Drug-Free Workplace," Indiana Workforce Recovery, Wellness Council of Indiana (multiple presentations in 2020)
- Presenter, "Navigating the Employee Experience in a Drug-Free Workplace," Indiana Workforce Recovery, Wellness Council of Indiana (multiple presentations in 2020)
- Presenter, "Legal Guidance on Developing a Drug-Free Workplace," Indiana Workforce Recovery - Wellness Council of Indiana, 2020
- Co-Presenter, "How #MeToo Has Changed the Landscape for Employers," Indianapolis Society for Human Resources Management, 2018
- Co-Presenter, "Bridging the Divide: Strategies to Maximize Cost Recovery Options for Environmental Cleanups," Indiana Association of Regional Councils, 2018
- "Risky Business: Update on Employment Discrimination," Indiana Association of Regional Councils, 2017
- Panelist, Indiana Council for Legal Education Opportunity, 2017
- Employment Law CLE, Indiana Paralegal Association, 2017

- "Professional Licensing and Disciplinary Actions," ICLEF's Healthcare in Indiana Symposium, 2016
- "Going to School: Compliance Lessons Learned from the New Overtime Rule," Indiana Association of Regional Councils, 2016
- "Understanding Overtime Rules and Other Issues," National Association of Regional Councils, 2016
- Co-Presenter, "To Disclose or Not to Disclose: Mental Health Law Mandatory Reporting and Duty to Warn," 2016
- "Navigating the Electronic Age: Electronic Use Policies and the Workplace," Indiana Association of Regional Councils' Annual Meeting, 2015
- "Community Pharmacy CE: Practical Tips for Managing Risk," Community Pharmacies of Indiana, 2015

## Publications

- Co-Author, "HIPAA Sanction Policies: The Importance of Enforcement," June 3, 2024
- Co-Author, "DOL Releases Final Rule Raising Salary and Compensation Thresholds for Overtime Exemptions", April 25, 2024
- Co-Author, "Adapting Performance Metrics for Employees on Reduced Schedules for FMLA and Other Protected Leave", March 12, 2024
- Co-Author, "NLRB Joint-Employer Standard: A Synopsis of the 2023 Final Rule," American Health Lawyers Association Health Law Network, November 28, 2023
- Co-Author, "President Biden Issues Executive Order on Artificial Intelligence," November 2, 2023
- Co-Author, "Watch Out: Consumer Financial Protection Bureau Keeping an Eye on Workplace Surveillance Technology," July 26, 2023
- Co-Author, "Impact of AI on the Workplace: Latest Guidance from the EEOC," June 15, 2023
- Co-Author, "NLRB Memo Clarifies the Implications of McLaren Macomb and Whether Employers' Severance Agreements Violate Employees' NLRA Rights," June 1, 2023
- Co-Author, "Hush Money? Standard Severance Agreement Provisions May Violate Employees' NLRA Rights," March 1, 2023
- Co-Author, "Beware of the DEA Scam," January 12, 2023
- Co-Author, "Don't Get Smoked: Helping Indiana Employers Navigate Evolving Marijuana Laws," The Workplace Lawyer, Summer 2022
- Co-Author, "Temporary Medical Licenses Preserved into October as Public Health Emergency Renewed at 11th Hour," July 21, 2022
- Co-Author, "Come One, Come All: New Reciprocity Laws for Health Care Professionals in Indiana," June 30, 2022
- Co-Author, "'Be the Change You Wish to See in the World' – Mahatma Ghandi," The Indiana Lawyer, March 16, 2022
- Co-Author, "CMS Issues Supplemental Guidance on Interim Final Rule on Vaccination for States Impacted by Recent Supreme Court Ruling," January 20, 2022
- Co-Author, "U.S. Supreme Court Issues Key Decisions on OSHA's Vaccine-or-Test Rule and CMS's Mandatory Vaccination Rule," January 14, 2022
- Co-Author, "OSHA Withdraws Healthcare Emergency Temporary Standard, Recordkeeping Obligations Remain in Place," December 29, 2021
- Author, "Off-Again, On-Again: Sixth Circuit Lifts Stay on OSHA's Vaccination-or-Test Mandate," December 21, 2021
- Co-Author, "'Tis the Season: Court Issues Nationwide Temporary Stay of CMS Mandatory Vaccination Rule," December 2, 2021

- Co-Author, "OSHA and CMS Release Interim Final Rules on Mandatory Vaccinations and Other COVID-19 Safety Issues," Indiana Medical Group Management Association Newsletter, December 1, 2021
- Co-Author, "The Wait Is Over: OSHA and CMS Release Interim Final Rules on Mandatory Vaccinations and Other COVID-19 Safety Issues," November 5, 2021
- Co-Author, "Time for a Compliance Check Up: Upcoming Modifications to the HIPAA Privacy Rule," ABA Health Law E-Publication, June 2021
- Co-Author, "Constant Vigilance! Recent Microsoft Exchange Hack Reveals the High Cost of Letting Your Guard Down," April 20, 2021
- Author, "'Leave' It to the Employer: American Rescue Plan Act Provides Covered Employers with Option to Continue Employee Paid Leave under FFCRA, with Certain Changes," March 31, 2021
- Co-Author, "Time for a Check Up: HIPAA Privacy Rule Modified for the First Time Since 2013," March 23, 2021
- Co-Author, "Time to Tidy Up Remote Work Policies as Work from Home Arrangements Likely to Continue," December 18, 2020
- Author, "Rock, Meet Hard Place: Reflections from 2020 on Compliance Risks Surrounding Workplace Diversity, Equity, and Inclusion Initiatives," December 18, 2020
- Co-Author, "Speak Now or Forever Hold Your Peace: HHS Proposes Modifications to the HIPAA Privacy Rule," December 11, 2020
- Co-Author, "CDC Makes Key Changes to COVID-19 Recommendations Impacting When Quarantine is Needed and the Length of Quarantine," December 7, 2020
- Co-Author, "Animals Welcome? Legal Protections for Assistance Animals," November 16, 2020
- Co-Author, "Unpacking Schrems II: The Demise of the EU-U.S. Privacy Shield," October 20, 2020
- Co-Author, "Helping Hoosiers: Indiana Extends Flexibility on Temporary Licensing of Health Care Workers," October 7, 2020
- Co-Author, "COVID-19 Safety Compliance Alert: Time to Re-Evaluate Current Plans as Indiana Enters Stage 5," September 28, 2020
- Co-Author, "Navigating Remote Work Arrangements in the Age of COVID-19," Indiana Municipal Lawyers Association/Accelerate Indiana Municipalities Newsletters, September 2020
- Co-Author, "COVID-19 Enforcement Plan Compliance Alert: K-12 Educational Institutions and Indiana's Face Covering Mandate," July 31, 2020
- Co-Author, "COVID-19 Safety Plan Compliance Alert: Indiana's Face Covering Mandate," July 27, 2020
- Co-Author, "A Shared Journey: Listen, Learn, Engage," Indianapolis Business Journal, July 2020
- Co-Author, "U.S. Supreme Court Issues Ruling on Title VII Protections for Sexual Orientation and Transgender Status," June 15, 2020
- Co-Author, "Workplace Safety and COVID-19: OSHA's Interim Enforcement Guidance and What It Means for Employers," April 27, 2020
- Author, "Practically Speaking: A Series of Practical Tips for Employers in Navigating COVID-19," April 21, 2020
- Co-Author, "Understanding when a 'Qualifying Need' for Paid Leave arises under the Families First Coronavirus Response Act," April 12, 2020
- Co-Author, "You have been WARNed. Complying with the Worker Adjustment and Retraining Notification Act for COVID-19 Shutdowns," April 2, 2020
- Co-Author, "Department of Labor Continues to Provide Additional Information on Paid Leave Requirements Under the Families First Coronavirus Response Act," March 29, 2020
- Co-Author, "Department of Labor Publishes Additional Information on Paid Leave Requirements Under the Families First Coronavirus Response Act," March 25, 2020





- Co-Author, "Safeguarding Confidential Information In Remote Work Configurations," March 22, 2020
- Co-Author, "What Can We Do? Coronavirus Guidance for Employers," March 5, 2020
- Contributing Editor, "Employment Law and Employment Discrimination," Indianapolis Bar Association's *Commonly Asked Questions of Indiana Law*, 2017
- "Game Changer: Compliance Lessons for Employers from the New Overtime Rule," *Fueling Indiana Magazine*, Winto 2017
- "Say What? Basics of the Consumer Complaint Process," Indiana State Chiropractic Association Newsletter, 2014

## Certifications

- Legal Lean Sigma® White Belt