



## Stephanie T. Eckerle

Partner

Office: Indianapolis

seckerle@kdlegal.com

p: 317-238-6373

f: 317-636-1507

Stephanie Eckerle serves as the firm's Health Care Practice Chair. She devotes her practice to representing businesses in an array of corporate, real estate and healthcare matters. This includes representation of entrepreneurs as well as established and national companies with everyday operational and legal issues as well as complex transactions.

Within the healthcare industry, Ms. Eckerle focuses her practice on providing regulatory, compliance and corporate advice to physicians, practice groups, pharmacies, on-site employer healthcare clinics and other healthcare institutions. She counsels these clients on an array of regulatory matters, including pharmaceutical matters, reimbursement issues, fraud and abuse issues and licensure matters. In addition, Ms. Eckerle counsels healthcare providers and health plans on HIPAA and state privacy laws, including the identification, investigation and remediation of breach incidents, compliance programs and health information technology issues. She also works with providers on physician employment agreements, non-competition issues and telemedicine and telepharmacy issues. Within the healthcare arena, Ms. Eckerle also works with employers to implement health and wellness programs for their employees, which includes counseling on occupational health and wellness initiatives, worker's compensation issues and the implementation of on-site employer clinics.

Ms. Eckerle also has extensive experience representing parties in commercial real estate transactions. This includes advising on the buying and selling of commercial and industrial properties, development and financing issues, commercial leases, zoning and land use, property tax issues and environmental matters that arise in real estate transactions.

### Education

- J.D., *magna cum laude*, Indiana University Robert H. McKinney School of Law, Indianapolis, Indiana, 2007
- B.A. in Political Science, Baylor University, Waco, Texas, 2004

### Bar & Court Admissions

- Indiana (2007)
- U.S. District Court for the Northern District of Indiana (2007)
- U.S. District Court for the Southern District of Indiana (2007)
- U.S. Court of Appeals Seventh Circuit (2009)

## Practices

- Intellectual Property and Technology
- Health Care Litigation
- Data Privacy and Cybersecurity
- Health Care Reimbursement
- Compliance and Regulatory Affairs
- Health Information Privacy/HIPAA
- Health Care Mergers and Acquisitions
- Pharmacy Law
- Telehealth and Telemedicine
- Hospitals and Health Systems
- Professional Licensing
- Life Sciences
- Artificial Intelligence (AI)
- Health Information Privacy/HIPAA Breach Litigation

## Industries

- Health Care
- Real Estate

## Professional Associations

- Member, Indianapolis Bar Association
- Member, Lawyer/Doctor Collaborative Committee
- Member, Health and Life Sciences Section, Indianapolis Bar Association
- Former Chair, Young Lawyers Division, Indianapolis Bar Association
- Member, American Health Lawyer's Association
- Member, American Society of Pharmacy Law
- Member, National Business Aviation Association

## Civic Involvement

- Board of Directors, Children's TherAplay Foundation, Inc.
- Board of Directors, National Association of Worksite Health Centers

## Awards & Recognitions

- Indiana Super Lawyers Rising Stars, Health Care, 2016-2017
- Indiana Super Lawyers Rising Stars, Business/Corporate, 2012; 2014-2015
- Junior Achievement's Indy's Best and Brightest Award, Finalist - Law Category, 2013
- Indianapolis Bar Association's Young Lawyer of the Year Award Recipient, 2012
- Indiana Lawyer's Up and Coming Lawyer Award Recipient, 2010

## Seminars & Presentations

- Panelist, "Rural Health Care and the Role of Hospitals in the Future of Health Care," Indiana Chamber of Commerce Health Care Transformation Summit, June 11, 2024
- Co-Presenter, "FTC's New Non Compete Rule and Evolving State Laws: The Impact on Worksite Health Centers," National Association of Worksite Health Centers Webinar, May 23, 2024
- Co-Presenter, "IHA Council on Behavioral Health," Indiana Hospital Association, April 1, 2024
- Co-Presenter, "Understanding Your First Physician Assistant Employment Agreement and Collaboration Requirements," Butler University Physician Assistant Program, February 28, 2024
- Co-Presenter, "Buying, Selling and Investing in Pharmacies," Indiana Pharmacy Association Webinar, October 25, 2023
- Panelist, "Legal Issues and Legislation Impacting Worksite Health Centers," National Association of Worksite Health Centers, September 8, 2023
- Presenter, "Planning Your First Onsite Or Near-Site Center - Concept, Objectives, Staffing, Services, Management Options, Budget, RFP and Contracting," National Association of Worksite Health Centers, September 7, 2023
- Co-Presenter, "Understanding Regulations to Guide Effective Strategy," Indiana Rural Health Association Spring Rural Summit, April 11, 2023
- Co-Presenter, "Merger & Acquisition Trends in Health Care and the Impact on Worksite Health Centers," National Association of Worksite Health Centers Webinar, March 21, 2023
- Co-Presenter, "Regulatory Issues for Physician Assistants: The Collaborative Relationship and Prescribing and Dispensing Drugs," Butler University Physician Assistants Program, March 1, 2023
- Co-Presenter, "Utilizing Onsite Employee Clinics for Your Employees and the Community," Indiana Hospital Association, December 7, 2022
- Co-Presenter, "Employment Law Issues and Safety," Indiana Pharmacists Association, September 23, 2022
- Moderator, "Legal Issues and Legislation Impacting Worksite Health Centers," National Association of Worksite Health Centers Annual Conference, September 9, 2022
- Co-Presenter, "The Intersection of Medical, Legal, Occupational Health, and Employee Records," Indiana Health Care Association Annual Conference, August 15, 2022
- Presenter, "Information Blocking: Overview and Best Practices," Indiana Rural Health Care Association Annual Conference, June 15, 2022
- Presenter, "Key Considerations for Pharmacy Compliance: An Overview of Recent State and Federal Cases," Indiana Pharmacists Association, March 4, 2022
- Presenter, "Steps to Recover from a Cyberattack," BlackInk IT, 2021
- Presenter, "New Rules for Sharing Employee Health Information: Is Your Clinic Ready?" Enterprise Health, 2021
- Co-Presenter, "Information Blocking & The Impact On Your Practice," Indiana State Medical Association, 2021
- Co-Presenter, "How to Succeed in Direct to Employer Contracting," ABA Managed Care Institute, 2020
- Co-Presenter, "The Evolution of Telehealth in 2020," Indiana State Bar Association, 2020
- Co-Presenter, "Indiana Surprise Medical Billing: What You Need to Know About HB 1004," Indiana Primary Health care Association, 2020
- Co-Presenter, "Don't Be Surprised By Surprise Billing: What You Need to Know About HB 1004," Krieg DeVault, 2020
- Co-Presenter, "Telemedicine: The New Frontier During COVID-19," Indiana State Medical Association 2020
- Presenter, "Medical Legal Considerations for an Occupational Health/Acute Care On-Site Employer Clinic," 2020 NASA Occupational Health Summer Series, 2020

- Co-Presenter, "Cybersecurity: Challenges and Trends," Indiana University - Purdue University Indianapolis, Kelley School of Business, Business of Medicine MBA Program, 2019
- Co-Presenter, "Telehealth Law in Indiana," Indiana State Bar Association, 2019
- Presenter, "Telehealth and Digital Medicine: What Indiana Employers Should Know," Indiana Wellness Council, 2019
- Co-Presenter, "Update on Worksite Health Centers: Legal and Regulatory Issues," National Association of Worksite Health Centers 7th Annual Forum, 2019
- Co-Presenter, "Telehealth Law in Indiana," Eskenazi Health, 2019
- Presenter, "Cyber Security & Healthcare - Preparation, Prevention & Response," Slattery & Holman, P.C. Panel Discussion, 2019
- Presenter, "Legal Considerations When Using Telehealth In Your Worksite Health Clinic," National Association of Worksite Health Centers Webinar, 2019
- Presenter, "Cyber Security & Healthcare - Preparation, Prevention & Response," First Financial Bank Annual Summit, 2019
- Speaker, "Negotiating Physician Employment Agreements and Anesthesiology Services Agreements," Women in Anesthesiology - Indiana Conference, 2018
- Speaker, "Negotiating The Divide: Tips and Strategies for Negotiating Your Employment Agreement," Indiana University School of Medicine Office of Diversity Affairs, 2018
- Speaker, "Non-Compete Clauses and Restrictive Covenants in Indiana," Indiana Osteopathic Association - 1st Summer Update, 2017
- Panelist, "How to Implement Innovative Programs and Effective Health Services within On-Site Health Clinics," 17th Annual Congress on On-Site Employee Health Clinics, 2017
- Speaker, "Non-Compete Clauses and Restrictive Covenants in Indiana," Indianapolis Bar Association and Indianapolis Medical Society, 2017
- Speaker, "Negotiating Employment Contracts: Do's and Don'ts," American College of Chest Physicians, CHEST 2016 Annual Meeting
- Speaker, "Prescribing, Dispensing, and Storing Drugs in Indiana: What Every Physician Needs to Know", Indiana Osteopathic Association's 34th Annual Winter Update, 2015
- Speaker, Friends of Indiana Mental Health Centers, "Ensuring Effective CMHC Management", 2015
- Speaker, "Telemedicine & Electronic Communications with Patients: Current State of Indiana Law", Indiana Osteopathic Association Annual Spring Update, 2015
- Speaker, Suburban Health Organization, Resident Education Event: Physician Employment Agreements, 2015
- Speaker, "Physician Employment Agreements", Indiana Society of Physician Recruiters, 2015
- Speaker, "Handling Real Estate Transactions With Confidence", National Business Institute, Inc., 2013
- Speaker, "Environmental Issues Affecting Real Estate Transactions", Indiana Board of Commercial Realtors, 2010 Commercial Real Estate Conference, 2010

## Publications

- Co-Author, "HIPAA Sanction Policies: The Importance of Enforcement," June 3, 2024
- Co-Author, "Federal Court of Appeals Lifts Stay of Indiana's Prohibition on Gender Transition Services to Minors," March 19, 2024
- Co-Author, "New HHS Guidance: Safeguarding Patient Rights in Hospital and Long-Term Health Facility Visitation Policies," March 19, 2024
- Co-Author, "Lawsuit Challenges HHS Guidance on the Use of Web Tracking Technologies," November 29, 2023

- Co-Author, "Rapid Modernization: Major Changes Coming to the Professional Licensing Agency," June 30, 2023
- Co-Author, "Rapid Modernization: Major Changes Coming to the Professional Licensing Agency," The Indiana Lawyer, June 28, 2023
- Co-Author, "Dawn of a New Era: Indiana Medicaid's COVID-19 Policies End and New Telehealth Policies Begin," July 16, 2021
- Co-Author, "Taking Health IT to the Next Level - Inoperability and Information Blocking," American Bar Association's The Health Lawyer, June 1, 2021
- Co-Author, "Balancing Patient Privacy with Access to Electronic Medical Records Could Trigger Medical Malpractice Liability," June 14, 2021
- Co-Author, "Time for a Check Up: HIPAA Privacy Rule Modified for the First Time Since 2013," March 23, 2021
- Co-Author, "Don't Get Caught Information Blocking: What You Need to Know," Indiana State Medical Association E-Report, January 28, 2021
- Co-Author, "Speak Now or Forever Hold Your Peace: HHS Proposes Modifications to the HIPAA Privacy Rule," December 11, 2020
- Co-Author, "ONC Extends Information Blocking Deadlines," November, 3, 2020
- Co-Author, "Indiana Improves Telemedicine Reimbursement During COVID Emergency," October 19, 2020
- Co-Author, "Don't Be Surprised by Indiana's New Surprise Billing Requirements Effective July 1, 2020," July 14, 2020
- Co-Author, "Governor Holcomb Waives More Indiana Health Care Laws in Executive Order 20-13 to Address COVID-19," March 30, 2020
- Co-Author, "Indiana Responds to COVID with Changes to Prior Authorization and Telemedicine," March 29, 2020
- Co-Author, "Disclosure of Protected Health Information to Emergency Personnel and Public Health Authorities During COVID-19," March 26, 2020
- Co-Author, "CMS Releases Telehealth Toolkits," March 23, 2020
- Co-Author, "OCR Issues FAQs on Telemedicine Services During the COVID-19 Pandemic," March 22, 2020
- Co-Author, "COVID-19 Does Not Discriminate and Neither Should You or Your Facility," March 22, 2020
- Co-Author, "DEA Removes In-Person Examination Requirement for Prescribing Controlled Substances Amid COVID-19 Public Health Emergency," March 18, 2020
- Co-Author, "The Impact of HIPAA on Disclosures Related to COVID-19," March 12, 2020
- Co-Author, "The Nuts and Bolts of Telemedicine in Indiana," Indianapolis Medical Society Bulletin, Volume CXXVI, Issue 7 (July 2019)
- Co-Author, "Telemedicine Tips for Indiana Care Providers and Counsel," The Indiana Lawyer, 2019
- Co-Author, "Practical Legal Tips for Physician Employment Agreements," Indianapolis Medical Society Bulletin, Volume CXXVI, Issue 6 (June 2019)
- Co-Author, "Revisions to Indiana Physician Assistant Laws Change Relationship from Supervisory to Collaborative," June 9, 2019
- Author, "Pharmacy Reward Programs under Civil Monetary Penalties rules: Coupons, Discounts and Rebates, Oh My!" RX Ipsa Loquitur, Volume 44 Number 6, (November/December 2017)
- Co-Author, "Indiana Medicaid Finalizes Rule Affecting ABA Therapy Services," March 5, 2019
- Co-Author, "Indiana Proposes New Rule Impacting Pharmacy Reimbursement," January 22, 2019
- Co-Author, "HHS Seeks Comments on Changes to HIPAA to Promote Improved Care Coordination," January 7, 2019

- Co-Author, "Protecting Patient Information: The Importance of a Business Associate Agreement Under HIPAA," December 13, 2018
- Co-Author, "Lights, Camera, Sanction," October 25, 2018
- Co-Author, "New CMS Proposed Rule - Reducing Regulatory Burden for Healthcare Providers," October 8, 2018
- Co-Author, "Clarification on Use of Documentation Assistants or Scribes," August 22, 2018
- Co-Author, "OCR Issues Guidance on Disposing of Electronic Devices and Media," August 9, 2018
- Co-Author, "Delaware Issues New Regulation to Clarify Telemedicine Statute," July 16, 2018
- Co-Author, "False Claims Act Settlement Puts Spotlight on Pharmacy Auto-Refills For Medicaid Beneficiaries," June 12, 2018
- Co-Author, "Importance of Having a Contingency Plan," May 23, 2018
- Co-Author, "OCR Issues Guidance on the Performance of a HIPAA Risk Analysis v. a Gap Analysis," May 9, 2018
- Co-Author, "CMS Revises the MLN Telehealth Services Booklet," March 26, 2018
- Co-Author, "Continuing HIPAA Obligations After a Business Ceases," March 4, 2018
- Co-Author, "Ability to Prescribe Buprenorphine Expanded to Mid-Level Practitioners," February 25, 2018
- Co-Author, "Recent OCR Resolution Agreement and Corrective Action Plan ... Lessons Learned," February 25, 2018
- Co-Author, "D.C. District Court Clarifies Lab Requirement for Establishing Medical Necessity," February 1, 2018
- Co-Author, "CMS Issues Guidance Regarding Texting Physician Orders," January 9, 2018
- Co-Author, "Texas Medical Board Unveils New Rules to Expand Telemedicine," October 16, 2017
- Co-Author, "Ohio Medical Board Issues Guidance on Ohio Telemedicine Prescribing Rule," October 16, 2017
- Co-Author, "OIG Allows Retail Pharmacy's Discount Program to Include Medical and Medicare Beneficiaries," October 16, 2017
- Co-Author, "Changes to Indiana Medicaid State Plan Affect 340B Reimbursement," September 19, 2017
- Co-Author, "The Cost of Abandonment - Patient Records," May 17, 2017
- Co-Author, "HIPAA Business Associates...How Do I Know Thee?," February 23, 2017
- Co-Author, "Be Prepared: Submission of Breach Notifications Due to HHS by March 1, 2017," February 23, 2017
- Co-Author, "SAMHSA Final Rule on Confidentiality of Substance Use Disorder Patient Records," February 15, 2017
- Co-Author, "Implantable Cardiac Devices Raise Cyber-Security Concerns," January 30, 2017
- Author, "New OCR and ONC Fact Sheet Discusses When PHI May be Disclosed for Health Oversight Activities," January 30, 2017
- Author, "HHS Issues First Enforcement Action for Failure to Timely Notify Individuals of Breach of PHI," January 9, 2017
- Co-Author, "Expanding Access to Healthcare: The Changing Role of Nurse Practitioners and Physician Assistants and the Growing Regulation of Telehealth, Part Two" - 2015-4, 2015-5 *Bender's Health Care Law Monthly* 01, (2015)
- Author, "Three Strikes You're Out: The Effects and Controversies of the SEC's Attempted Mandate for Greater Independence on Mutual Fund Boards," *Indiana Law Review*, Volume 40, Issue 1 (2007)