



MAGGIE DICOSTANZO

Maggie DiCostanzo is a Director in Fennemore's **Business & Finance Group**. In her practice, she focuses on matters related to health care and intellectual property. For more than 20 years, she has focused her legal practice on representing physicians, hospitals, post-acute care facilities and other healthcare professionals, delivering health law advice and counseling, as well as representation in regulatory/compliance, administrative and professional liability matters. She has also advised on the purchase and sale of medical entities. Additionally, Maggie is a registered patent attorney with the U.S. Patent & Trademark Office, and she drafts licensing agreements and other intellectual property-related documents.

Maggie has written extensively and presented to physicians, nurses, post-acute care facilities, and other healthcare professionals and entities on a local, state, and national level about various health care-related topics, including reducing medical professional liability, HIPPA, compliance, telemedicine, and post-adverse event disclosure, as well as specialty-specific topics including obstetrics, orthopedics, and bariatric surgery. Her research and knowledge in the area of post-adverse event communication allowed her to assist the Pennsylvania Health Care Association in the drafting of Pennsylvania's Benevolent Gesture Liability Act, which permits healthcare professionals to express a "benevolent gesture" to patients and their families without the benevolent gesture being used against them in the courtroom to prove negligence.

Adding to her list of experience and accomplishments, Maggie has also served as an adjunct professor at Pennsylvania State University's York, Pennsylvania campus, providing education sessions for continuing education students in the areas of assisted living and personal care home facilities. In the spirit of giving back, she regularly volunteers as a juror for the Pennsylvania Bar Association's Mock Trial Program, and she has provided *pro bono* services to support Afghan asylum seekers and a local pardon project.

EDUCATION

- J.D., Widener University
- B.S., Pennsylvania State University

AREAS OF PRACTICE

- Business & Finance
- Health Care
- Intellectual Property

REPRESENTATIVE CASES

- Represented the purchaser of six (6) senior living facilities in Pennsylvania.
- Negotiated settlement of Medicaid fraud allegations against a dentist.
- Represented therapists in federal healthcare reimbursement program appeals.
- Represented physicians before the state board of medicine in disciplinary proceedings.
- Negotiated joint venture agreement documents for a Pennsylvania practice involving multiple dialysis centers.
- Represented a multi-practice pain management group in health benefit reimbursement appeals.
- Represented healthcare providers involved in HIPAA data breaches and supported their initial investigations and reporting.
- Drafted vendor contract agreements for a hospital system, including a Master Vendor Purchase Agreement, consignment agreements, evaluation agreements, affiliation agreements, MOUs, clinical affiliation agreements, non-disclosure agreements and independent contractor agreements to standardize agreements throughout the system.

PROFESSIONAL AND COMMUNITY AFFILIATIONS

- Board Member, County Domestic Violence Intervention
- Member, Pennsylvania Bar Association
- Member, American Bar Association
- Member, Lancaster County Bar Association
- Member, American Health Lawyers Association

ARTICLES AND PRESENTATIONS

- Co-Author, Fatigue and Safety. P. Weiss & P. Gluck (Authors) & T. Ivester (Ed.), Quality and Safety in Women's Health (pp. 144-148). Cambridge: Cambridge University Press, 2018
- Author, "Redefining the 'Legal Medical Record' and How to Be Prepared to Respond to Legal Requests for a Patient's Legal Medical Record." J. of Medical Practice Management. Summer 2017
- Co-Author, "Operation Five-Star: Service Excellence in the Medical Practice – cultural competency, post-adverse events, and patient engagement." Book- Greenbranch Publishing, 2014
- Co-Author, "Sorry Works! 2.0 Disclosure, Apology and Relationships Prevent Medical Malpractice Claims." (1ST edition 2007) (2d edition 2010) Book
- Co-authored with Press Ganey staff: Stefoni A. Bavin, and Sarah Stawiski, "Reduce Liability Risk by Improving Your Patient Satisfaction." Press Ganey, Jul. 2008
- Speaker, "The Consequences on the End of the COVID Pubic Health Emergency on Tele-Behavioral Health", MyLawCLE webinar, sponsored by the Federal Bar Association, April 18,

2023

- Speaker, "Working Group on Overcoming the Challenge Associated with Electronic Medical Records, Patient Portals and Audit Trails in Obstetrics Practice", ACI's 17th Annual Advanced Forum on Obstetric Malpractice Claims, co-presenter, Jun. 26, 2018, Philadelphia, PA
- Speaker, "Proactively Mitigate HIPAA Data Breach Costs in the Healthcare Setting", Healthcare Financial Management Association Educational Seminar, Central Pa. Chapter, Nov. 5, 2015, Enola, PA
- Speaker, "Documentation and Event Management", Educational presentation for Willow Valley Retirement Communities Staff, Jun. 10, 2015, Willow Valley Retirement Community
- Speaker, "The Basics of Pennsylvania's Advance Directives for Post-Acute Facilities and Staff", Pennsylvania Health Care Association, Webinar, May 19, 2015
- Speaker, "Professionalism in a Changing Workplace: Strategies for Avoiding and Managing Conduct Reviews", Am. Coll. of Obstetricians & Gynecologists Webinar, March 10, 2015
- Speaker, "Reducing your Professional Liability Risk and Enhancing your Practice", American College of Surgeons Surgery Resident Program, Oct. 27, 2014, San Francisco, CA

ADMISSIONS

- Pennsylvania
- Supreme Court of the United States
- United States District Court for the Middle District of Pennsylvania
- United States District Court for the Eastern District of Pennsylvania
- United States District Court for the Western District of Pennsylvania
- United States Patent and Trademark Office