



Jennifer A. Forbes

jforbes@felhaber.com

(651) 312-6007 | St. Paul Law Office

Legal Administrative Assistant:
Kathy Gonzalez | (651) 312-6026

Jennifer Forbes is a partner, a member of the firm's business law practice group and chair of its health law practice group. She has over 20 years of experience representing businesses, nonprofits and healthcare providers. She is skilled in condensing complex legal and regulatory issues into straightforward, practical legal advice. She works with her clients on every aspect of business operations from beginning to end, including formation and purchase of businesses, nonprofit and healthcare practices; contracting and joint ventures, protecting intellectual property and licensing agreements; sales, reorganizations, mergers and dissolutions of businesses, nonprofits and healthcare entities.

Practice Areas

- **Health Law**
 - HIPAA, HITECH ACT Compliance
 - Business Associate Agreements
 - Provider Agreements, Call Coverage Agreements
 - EMTALA Compliance and Defense
 - False Claims Act, Anti-Kickback, Stark III
 - Deferred Compensation Agreements
 - ASC Joint Ventures
 - Medical Staff Bylaws and Hearings
 - Licensure Issues
- **Business Organizations and Transactional**
 - Incorporations and Business Entity Formation
 - Corporate, Limited Liability Company and Limited Partnership Agreements
 - Business Agreements
 - Business Reorganizations
 - Mergers and Acquisitions
 - GLBA and FTC Do-Not-Call Regulation Compliance
 - UCC Compliance and Licensing Requirements
- **Nonprofit Organizations**
 - Tax Exempt 501(c)(3) Applications
 - Sales Tax Exemptions
 - Intermediate Sanctions
 - Conflict of Interest Policies and Procedures
 - Whistleblower Policies
- **Labor and Employment Law**
 - Employment Agreements
 - Severance Agreements
 - Non-Compete Agreements
- **Intellectual Property**
 - Copyright Law
 - Trademark Federal and State filings
 - Trademark Licensing Agreements
 - Trademark Enforcement

Industry Specialties

- Health Care
- Nonprofit Organizations
- Medical Device Manufacturing Companies

Representative Practice Activities

- Representing specialty physician practices on contracting, joint ventures, provider services agreements, HIPAA compliance, Stark III and anti-kickback compliance
- Serving as outside general counsel to integrated health system and hospitals providing advice on medical staff bylaws, provider services agreements, compliance with Medicare and Medicaid billing laws; Stark III, RAC audits, HIPAA and HITECH compliance.
- Formation of integrated delivery systems and other joint ventures between hospital and physician groups, ambulatory surgery centers
- Counseling regarding compliance with Medicare and Medicaid regulations, state and federal anti-kickback and fraud and abuse laws, Stark II requirements, HIPAA, Electronic medical records programs, physician recruiting agreements
- Representing hospitals in EMTALA investigations, Department of Health and Board of Medical Practices investigations
- Establishing a new nonprofit organization offering green building certification and educational services
- Representing nonprofit 501(c)(3) organization providing regional renewable energy tracking systems in formation, obtaining recognition of tax exempt status from IRS, negotiating software licensing agreements for operation of systems and obtaining federal trademark registrations for trademarks
- Representing national credentialing nonprofit organization in merger with complimentary nonprofit organization
- Advising nonprofit boards regarding regulatory issues unique to nonprofits, including UBIT, excess benefit transactions, formation of for-profit subsidiaries, conflict of interest policies, compensation policies and dissolutions
- Representing medical device component manufacturing company in negotiation of manufacturing agreements
- Representing large multistate conglomerate in intercompany mergers and reorganization to simplify overall management structure resulting in 17 mergers with entities in multiple states
- Representing large regional business in name change, evaluating availability of new company trademarks, obtaining federally registered trademarks and domain names in time for successful launch of marketing program for repositioning company in its industry

Education

- J.D., University of Minnesota Law School, *cum laude*, 1987
- B.A., College of St. Catherine, St. Paul, Minnesota, *cum laude*, 1983

Bar Admission

- Minnesota, 1987

Professional Activities and Memberships

- American Bar Association; Health Law Section, Member
- American Health Lawyers Association, Member
- Hennepin County Bar Association, Member
- Minnesota State Bar Association, Health Law Section, Member
- North Metro Pediatrics, P.A., Advisor to the Board
- Ramsey County Bar Association, Member
- Minnesota Humanities Center, Board Member and Member of Executive Committee

Legal Publications

- Minnesota Physician, August 2009, "HIPAA Changes under the Stimulus Act: A checklist of action items to remain in compliance"
- Minnesota Physician, March 2006, "*Physician recruiting incentives...and the laws that bind them*"
- Editor of Felhaber's [Health Law Monitor](#)

Speaking Engagements

- Presenter, "Choice of Business Entity," Ramsey County Bar Association, February 9, 2010
- Presenter, "HIPAA & HITECH: What You Need to do to Stay in Compliance," Minneapolis Chapter, American Academy of Professional Coders, January 21, 2010
- Presenter, "Medical Records Law," Lorman Education Seminars, Bloomington, Minnesota, and St. Cloud, Minnesota, May and July 2009
- Presenter, "Child Protection and the Church," National Association of Church Business Administrators, University of St. Thomas, May 2009
- Presenter, "Copyright and the Church," National Association of Church Business Administrators, University of St. Thomas, May 2009
- Presenter, "Incorporation," National Association of Church Business Administrators, University of St. Thomas, May 2009
- Presenter, "HIPAA & Estate Planning and Administration: What Planners Need to Know About Patient Privacy and Their Practice," WebCredenza/Bar Association Teleseminar, June 22, 2004
- Presenter, "Developing Business Associate Agreements," Lorman Education Seminars, February 7, 2003

Felhaber, Larson, Fenlon & Vogt, P.A.
444 Cedar Street • Suite 2100
St. Paul, MN 55101-2136
www.felhaber.com