

Committee on Energy and Commerce
U.S. House of Representatives
Witness Disclosure Requirement - "Truth in Testimony"
Required by House Rule XI, Clause 2(g)(5)

1. Your Name: Gerald (Jud) E. DeLoss		
2. Your Title: Attorney, Officer		
3. The Entity(ies) You are Representing: Netsmart Technologies, Inc.		
4. Are you testifying on behalf of the Federal, or a State or local government entity?	Yes	No X
5. Please list any Federal grants or contracts, or contracts or payments originating with a foreign government, that you or the entity(ies) you represent have received on or after January 1, 2015. Only grants, contracts, or payments related to the subject matter of the hearing must be listed. None.		
6. Please attach your curriculum vitae to your completed disclosure form. See attached.		

Signature: _____



Date: _____

5/4/18



GERALD E. DELOSS

OFFICER

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Practice Areas

Business Services
Electronic Information
Management
Privacy & Data
Security

Industries

Health Care
Business Counsel
HIPAA & e-Health
Licensing &
Compliance

Admissions

Illinois
South Carolina

Education

J.D., with distinction,
University of North
Dakota School of Law,
Grand Forks, North
Dakota, 1994
B.B.A., University of
North Dakota, Grand

Jud DeLoss represents clients across the health care industry, drawing on his extensive knowledge of matters including HIPAA, HITECH, electronic health records, telehealth requirements and behavioral health information privacy.

With extensive experience in all aspects of health law including compliance, privacy and information technology, Gerald (Jud) DeLoss represents clients across the health care spectrum. He assists behavioral health care providers, health information technology vendors, federally qualified health centers, hospitals and research organizations, as well as industry trade and professional associations.

Jud has extensive knowledge of HIPAA, HITECH, meaningful use of electronic health records (EHRs) and telehealth requirements and has testified as an expert witness on health information privacy. He is adept in handling matters related to state and federal regulations of behavioral health information privacy, particularly in the area of 42 CFR Part 2 federal regulations (governing the confidentiality of drug and alcohol abuse patient records) and mental health confidentiality.

Jud has represented clients before the Centers for Medicare and Medicaid Services (CMS) on meaningful use audits and appeals. He also assists clients in responding to HIPAA breach situations and prepares and negotiates software licenses and other agreements for EHR systems and other health information technology (HIT) solutions.



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Forks, North Dakota,
1990

He regularly counsels HIT vendors on compliance with state and federal laws and on addressing “Big Data” concerns.

Jud guides behavioral health care providers on reimbursement under Medicaid, Medicare, grant funding and managed care. He also counsels providers on strategic acquisitions, along with preparation and negotiation of joint venture and acquisition agreements.

Jud has written articles and presented on health law issues nationally and internationally, including on health information privacy and security and other compliance matters.

PROFESSIONAL AFFILIATIONS

- American Health Lawyers Association, Behavioral Health Task Force past chair, Health Information & Technology Practice Group past chair
- Access to Care Committee, Illinois Advisory Council on Alcoholism and Other Drug Dependency
- Advisory Board for Thompson's Health Care Compliance Expert

COMMUNITY/CIVIC ACTIVITIES

- National Alumni Men's Hockey Committee, University of North Dakota Letterwinner's Association

NEWS

Interview with Jud DeLoss, “Mixed reception’ for final rule on substance use disorder records”

The Hill, January 17, 2017

Interview with Jud DeLoss, “Trump’s Win Expected to Bring Significant Legal and Regulatory Changes”

Wolters Kluwer Legal & Regulatory, December 19, 2016

Interview with DeLoss and Matchinski, “Greensfelder Gets Behavioral Health, Sleep Disorder Specialists”

October 14, 2016



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Interview with Jud DeLoss, "Illinois residents with good insurance targeted by Florida provider"
Alcoholism & Drug Abuse Weekly, June 13, 2016

Interview with Jud DeLoss, "How Electronic Health Records Can Hurt You in Malpractice Suits"
Insureon, April 28, 2016

Interview with Jud DeLoss, "Video: How proposed patient substance use privacy rule impacts physicians"
Family Practice News, March 10, 2016

Interview with Jud DeLoss, "Gun safety: HIPAA change allows providers to report on some mentally ill patients"
Clinical Psychiatry News, January 5, 2016

Interview with Jud DeLoss, "Patient Suicide? You'd Likely be Named in Suit"
Physician Risk Management, February 2013

Interview with Jud DeLoss, "Cases Highlight Tension Between Records Requests and Privacy Protections"
American Medical News, November 19, 2012

Interview with Jud DeLoss, "Streamline Front-Desk Tasks to Boost HIPAA Compliance, Patient Flow"
Medical Practice Compliance Alert, October 29, 2012

SEMINARS & SPEAKING ENGAGEMENTS

"Practical Approaches to Disclosing Behavioral Health Information— Legal and Compliance Perspective"
American Health Lawyers Association Physicians and Hospitals Law Institute, New Orleans, Louisiana,
February 5, 2018

"Parity in Practice Seminar"
Illinois Association for Behavioral Health, Springfield, Illinois, and Lisle, Illinois, Oct. 31 and Nov. 1, 2017

Faculty member, Data-Driven Justice and Behavioral Health Design Institute
Rockville, Maryland, Sept. 6-8, 2017

"Behavioral Health Comes of Age: 42 CFR Part 2 and the 21st Century Cures Act"
American Health Lawyers Association Annual Meeting, San Francisco, California, June 27, 2017

"Successes, Challenges and Opportunities in Tackling the Heroin Crisis"
Mental Health America 2017 Annual Conference, Washington, D.C., June 14-16, 2017



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"Modernization, Alignment, and Parity in Medicaid Managed Care—A 'MAP' to the Future of Behavioral Health?"

Institute on Medicare and Medicaid Payment Issues, Baltimore, Md., March 30, 2017

"Complex Issues and Strategies in Business Breakups"

Financial Poise "Complex Financial Litigation for the Non-Expert" Series, January 19, 2017

"Confidentiality for Behavioral Health Patients"

Illinois Association for Behavioral Health/Missouri Coalition for Community Behavioral Healthcare, September 16, 2016

"Webinar: Behavioral Health Contract Negotiations That Work"

Coding Leader, July 14, 2016

"Behavioral Health Privacy for Every Health Lawyer"

American Health Lawyers Association Annual Meeting, Denver, Colorado, June 18, 2016

"Medical and Behavioral Health Care – Solving the Integration Puzzle"

American Health Lawyers Association Physicians and Hospitals Law Institute, February 8, 2016

"Health Data: Classification and Compliance"

Northwestern University Law School, February 4, 2016

"Overview of MACRA Legislation: The SGR Repeal and New Merit-Based Incentive Payment System"

Medicare Cost Report & Reimbursement Symposium, of the Healthcare Financial Management Association Maine Chapter, December 4, 2015

"Overview of MACRA Legislation: How the SGR repeal and the new Merit Based Incentive Payment System will Impact Physician Payments"

Healthcare Financial Management Association (HFMA), September 15, 2015

"Appealing the Meaningful Use Audit - Attesting the Waters"

American Health Lawyers Association Annual Meeting, June 29 – July 1, 2015

"Clear and Present Danger: Gun Violence and Confidentiality of Behavioral Health Information in the Crosshairs"

American Health Lawyers Association Physicians and Hospitals Law Institute, Las Vegas, NV, February 3, 2015



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“Electronic Health Records and the Role of Technology in Integrated Health Care,” California Integrated Care Statewide Conference, Universal City, CA, Oct. 22 – 23, 2014

“HIPAA Breach Reporting Tips & Tricks”
Illinois Alcoholism and Drug Dependence Association Annual Conference, Lisle, IL, Sept. 3 – 4, 2014

“An Annual Review of Behavioral Health Legal Developments and Updates”
National Bar Association Health Law Summit, Atlanta, GA, July 29, 2014

“The Final Mental Health Parity and Addiction Equity Act Regulations: Par for the Course?”
American Health Lawyers Association Annual Meeting, New York, NY, June 30 – July 2, 2014

“Business Associates & HIPAA/HITECH Compliance: Avoiding New Liability”
Thompson Interactive webinar, December 12, 2013

“Patients, Providers, and Plans: The Legal Implications of the Mental Health Parity and Addiction Equity Act”
American Health Lawyers Association, Webinar, December 4, 2013

“The New HIPAA Rule and Health Information Exchange”
Illinois Primary Health Care Association 2013 Annual Leadership Conference, Fontana, Wisconsin, Oct. 2 – 4, 2013

“Treading Lightly: Navigating State Privacy Laws on the Road to HIPAA and Part 2 Compliance”
Netsmart Connections Conference 2013, Dallas, Texas, September 17, 2013

“Parity: Have We Reached Equality Yet?”
Illinois Alcoholism and Drug Dependency Association (IADDA) Annual Conference, Lisle, Illinois, September 6, 2013

“Coping with Federal and State Substance Abuse and Mental Health Requirements as an Overlay to HIPAA/HITECH Mandates”
9th Academic Medical Center Conference on Security and Privacy, Chapel Hill, North Carolina, May 7, 2013

PUBLICATIONS

Articles & Books

“Confidentiality of alcohol and drug abuse patient records: Impact of the revisions to 42 C.F.R. Part 2”



GERALD E. DELOSS

Westlaw Journal Health Care Fraud, Westlaw Journal Health Law, March 2017 and May 2017

Summarizing the 42 CFR Part 2 Final Rule
January 2017

Author, "The Fundamentals of Behavioral Health Care Law," First Edition
American Health Lawyers Association, 2016

"A Practitioner Takes PHI to a New Employer: Is It a Breach?"
Thompson Information Services, June 5, 2016

"Mental Health Parity and Addiction Equity Act Final Rules: Limited Enforcement Options Don't Overcome Unequal Treatment"
Journal of Health & Life Sciences Law, June 2014

"HIPAA and Public Health Reporting for Meaningful Use Compliance"
Guide to Medical Privacy & HIPAA, September 2013

"Give Front-Desk Staff a Crash Course in HIPAA to Keep PHI Safe"
Medical Practice Compliance Alert, October 15, 2012

