

CURRICULUM VITAE

NAME

James D. Kelso, JD, LLM (Health)

PRESENT POSITIONS AND ADDRESSES:

Managing Partner (2001- to present)
The Kelso Health Law Firm, PC
4940 Broadway #124
San Antonio, Texas 78209
Office: 409-599-8999
Fax: 210-568-6808
jimkelso@kelsolaw.com

UNDERGRADUATE EDUCATION

Austin College, Sherman Texas
B.A. (Bachelor of Arts), History: May 1994

GRADUATE EDUCATION

The University of Houston Law Center,
Houston, Texas
J.D. (Doctor of Jurisprudence): May 1997

POST GRADUATE EDUCATION

**The Health Law and Policy Institute, The University of
Houston Law Center**,
Houston, Texas
LLM (Masters of Laws), Health Law: December 2000

LICENSURE

Texas State Bar, Active

CERTIFICATIONS

Health Law: Texas Board of Legal Specialization
December 2005

PROFESSIONAL ORGANIZATIONS

Member, State Bar of Texas since 1997
Member, State Bar of Texas, Health Law Section
Member, American Health Lawyers Association
Member, College of the State Bar of Texas since 2002

PAST PROFESSIONAL APPOINTMENTS & DESIGNATIONS

Chief Compliance Officer
The University of Texas Medical Branch at Galveston

2008 to 2009

Promoted to the position of Chief Compliance Officer and assigned as the responsible individual for all Regulatory and Billing Compliance activities at UTMB. This position reported to the both the UTMB President and the Vice President, Chief Legal & Regulatory Affairs Officer. This included planning, designing, implementing and maintaining of UTMB's Office of Institutional Compliance. This position required the ability to work independently on complex issues while balancing the relationships between executive management and ensuring compliance related goals are met. The responsibilities of this position involved managing the daily operations of the Office of Institutional Compliance, organizing and managing the Institutional Compliance Committee Meetings, compliance related reporting between UTMB and The University of Texas System, yearly compliance education for all faculty, staff, and students, the management of the Institutional Compliance hotline (including management of any other complaints that were brought to the attention of the Office of Institutional Compliance), response to and enforcement of any non-compliant activity, monitoring and auditing of general compliance or billing compliance, implementation of any new compliance related regulatory requirements and the management of any other type of compliance related investigations and subsequent remediation and/or corrective actions.

Public Information Officer

The University of Texas Medical Branch at Galveston
2007 to 2009

This position reported to the both the UTMB President and the Vice President, Chief Legal & Regulatory Affairs Officer. Responsible for managing, analyzing and reviewing all requests for information from the general public, including aggressive requests from reporters, legislators, former employees and oversight groups. This position required working closely with UTMB's Department of Legal Affairs, outside counsel and the UT System General Counsel's office. This position was responsible for determining and analyzing whether requested information fell within an exception found within the Texas Public Information act and for preparing requests for opinions from the Texas Attorney General when appropriate.

Assoc. Director of Institutional Compliance & Privacy Officer,

The University of Texas Medical Branch at Galveston
2005 to 2008

This position was responsible for supporting the Institutional Compliance Officer's oversight of the daily operations of the Office of Institutional Compliance while retaining the direct oversight of UTMB Institutional Privacy Office. Management of several additional positions fell under this increase in responsibilities including compliance coders, compliance auditors, compliance trainers and general compliance staff.

Social Security Number Coordinator,

The University of Texas Medical Branch at Galveston
2004 to 2006

Assigned to be the project director for an institution wide implementation of a UT System Social Security Number initiative that was designed to protect the use and disclosure of SSNs' of employees, patients and students. Eventually, this position was transitioned to a different UTMB department after the original University of Texas Business Procedure Memorandum #166 was revised and updated.

Privacy Officer

The University of Texas Medical Branch at Galveston
2001 to 2005

Hired by the Office of Institutional Compliance to implement the HIPAA Privacy, Security and Electronic Data Interchange regulations and responsible for managing Institutional Compliance staff who are assigned to HIPAA Implemental team. This position is responsible for investigating all allegations of non-compliance with the HIPAA regulations, coordinating with the chief compliance officer and HR to develop appropriate corrective actions or sanctions for failure to comply with the institutional privacy policies, developing and maintaining a privacy training program and a privacy monitoring program, reporting on a periodic basis the status of the privacy program to the Institutional Compliance Committee and Chief Executive Officer.

Attorney

The University of Texas Medical Branch at Galveston
2000 to 2001

Promoted to Attorney and was granted greater independence and authority over the cases and files assigned.

Staff Attorney

The University of Texas Medical Branch at Galveston
1997 to 2000

Hired as a Staff Attorney in the Department of Legal Affairs. This position was responsible for providing legal advice to the executive management of an academic medical center, including a teaching hospital consisting of over 850 beds, 13,000 employees and 2800 students. This position was responsible for handling cases involving a wide range of issues from complex transitional activities to litigation. The subjects of responsibility included but were not limited to leases, professional services agreements, managed care agreements, settlement documents, development and review of standard purchasing activities including RFPs, RFIs, standard terms and conditions and subsequent agreements executed between the awarded entity and UTMB. The position was responsible for managing litigation that included Employment Law, Premises Liability, Higher Education issues. This position also managed issues associated with the Medicare and Medicaid, the Texas Public Information Act and numerous state and federal legal and regulatory requirements that govern the operation of a large hospital system.

**COMMITTEE
ASSIGNMENTS**

Institutional Compliance Committee, 2001 to 2009
Medical Staff Executive Committee, 2001 to 2009
Institutional Handbook of Operating Procedures, 2001 to 2009
Clinical Policies and Procedures Committee, 2001 to 2009
Health Information Committee, 2002 to 2009
Computer Standards Advisory Group, 2005 to 2009
Conflict of Interest Committee, 2005 to 2009
Institutional Audit Committee, 2008 to 2009
MSRDP By-Laws Committee, 2008 to 2009

**EDUCATIONAL
INTERNSHIPS**

Law Clerk

The Department of Risk Management, The Methodist Hospital
Systems, Houston, Texas
1996 through 1996

Selected as a summer legal clerk to research Health Care related issues for the Department of Risk Management. Duties involved claims management, risk assessment, and developing a report on risk pooling. This position also required nurse manager training for the Safe Medical Devices Act

Summer Court Intern

152nd State Civil District Court, Houston, Texas
1995 through 1995

Performed research concerning interlocutory and other pre-trial motions for the 152nd State Civil District Court. This internship also provided an opportunity to understand the court process by participating in trials as a member of the court staff.

**SELECTED
PUBLICATIONS AND
SPEECHES**

James D. Kelso, “Negotiating Contracts for Private Practice and Academics,” American Academy of Dermatology (Feb. 4, 2019).

James D. Kelso, “Negotiating Orthopedic Contracts,” University of Texas Health Science Center San Antonio, Department of Orthopedics (Aug. 27, 2018).

James D. Kelso, “Physician Contracts: Ins and Outs and How to Negotiate,” Texas Urologic Society (Jun. 7, 2018).

James D. Kelso, “The Consideration of Employment Contracts,” American Academy of Dermatology (Feb. 4, 2018).

James D. Kelso, “The Consideration of Employment Contracts,” University of Texas Medical Branch Department of Pediatrics (Sep. 22, 2017).

James D. Kelso, “The Consideration of Employment Contracts,” American Academy of Dermatology (Feb. 4, 2017).

James D. Kelso, “The Consideration of Employment Contracts,” American Academy of Dermatology (Feb. 4, 2011).

James D. Kelso, “Everything you wanted to know about Subpoenas,” Bay Area Mental Health Provider Network, (Jan. 10, 2006).

James D. Kelso, “The Impact of the HIPAA Privacy Regulations on Correctional Health,” 2004 Multidisciplinary Training Conference Corrections & Community: Transitioning for the Future, American Correctional Health Services Association, (Mar. 25-28, 2004).

James, D. Kelso, “The HIPAA Privacy Regulations,” Dallas County Commissioners Court, (Feb. 26, 2004).

James D. Kelso, “HIPAA: Understanding the Privacy Regulations,” TDCJ Health Services Staff Meeting, (Dec. 4, 2003).

James D. Kelso, "HIPAA: Understanding the Disclosure of PHI," Galveston County Bar, (Nov. 20, 2003).

James D. Kelso, "What does HIPAA Mean to the HIM Professional?" Texas Health Information Management Association Fall Symposium, (Sept. 13, 2003).

James D. Kelso, "The HIPAA Privacy Regulations," Texas Medical Directors' Association Annual Geriatrics Education Symposium: Geriatrics From Head to Toe," (Sept. 5-7, 2003).

James D. Kelso, HIPAA: "Understanding the Disclosure of PHI," Galveston County Bar Family Law Section, (Jul. 9, 2003).

James D. Kelso, "Overview of the HIPAA Privacy Administrative Requirement," Piney Woods Area Health Education Center, (Feb. 7, 2003).

James D. Kelso, "HIPAA's Impact on Correctional Health," Correctional Managed Healthcare Contracting Committee, (Dec. 3, 2002).

James D. Kelso, Panelist, "HIPAA Planning and Implementation," Convergent Validity: A Forum For Academic Medical Centers to Discuss HIPAA Implementation, Academic Medical Centers Assn. of American Medical Colleges and the University Health System Consortium, (Nov. 12-13, 2002).

James D. Kelso, Panelist, "Scenario Discussion: Sustaining the Education Mission," Convergent Validity: A Forum For Academic Medical Centers to Discuss HIPAA Implementation, Academic Medical Centers Assn. of American Medical Colleges and the University Health System Consortium, (Nov. 12-13, 2002).

James D. Kelso, Panelist, "Scenario Discussion: Maintaining Access to Care and Reducing Operational Costs and Risks of Running the Clinical Enterprise," Convergent Validity: A Forum For Academic Medical Centers to Discuss HIPAA Implementation, Academic Medical Centers Assn. of American Medical Colleges and the University Health System Consortium, (Nov. 12-13, 2002).

James D. Kelso, "HIPAA Implementation and Remediation at the University of Texas Medical Branch," Texas Society of Certified Public Accounts/CPE Foundation, Inc. 2002 Health Care Conference, (Jul. 25-26, 2002).

James D. Kelso, Panelist, "Marketing and Fundraising," North Carolina Healthcare Information and Communication Alliance, Inc., HIPAA Readiness: Solutions and Strategies from and for Academic Medical Centers, (Apr. 7-9, 2002).

James D. Kelso, "HIPAA Implementation and Remediation at the University of Texas Medical Branch," Southwest Chapter of the Society of Nuclear Medicine, 47th Annual Meeting: Clinical PET Imaging in Oncology, Neurology, and Cardiology, (Mar. 15-17, 2002).

James D. Kelso, and Laurie Robinson-Bayless, MBA, “HIPAA Administrative Simplification: Developing, Planning and Coordinating HIPAA Privacy Projects for Implementation,” International Association of Privacy Officers, The Second Annual Privacy & Data Security Summit, (Jan. 30-Feb. 1, 2002).

James D. Kelso, “Research Involving Human Subjects: Providing Insights and Appreciation to Complex Legal and Ethical Problems,” University of Houston Law Center LLM Thesis, (Dec. 2000).

James D. Kelso, “No Duty to Warn of Threats of Violence: Dispelling the Myth in Texas Jurisprudence,” Health Law Perspectives, (Sept. 17, 1999).

James D. Kelso, “Changes In Enforcement: New Policies At The Office Of Protection From Research Risks,” Health Law Perspectives, (May 24, 1999).

James D. Kelso, The Attorney On-Call Handbook, Second Edition, (1996).

James D. Kelso, The Attorney On-Call Handbook, First Edition, (1997).