

CURRICULUM VITAE

NAME **James D. Kelso, JD, LLM (Health)**

**PRESENT POSITIONS
AND ADDRESSES:**

Managing Partner (2001- to present), The Law Office of
James D. Kelso, PC
7959 Broadway, Suite 602
San Antonio, Texas 78209
Office: 409-599-8999
Fax: 210-255-8446
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, Galveston County Bar
Member, American Health Lawyers Association
Member, College of the State Bar of Texas since 2002

**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

**PROFESSIONAL
APPOINTMENTS &
DESIGNATIONS**

**Associate Director of Institutional Compliance & Privacy
Officer**

The University of Texas Medical Branch at Galveston
February 2005 to Present

Promoted as Associate Director of Institutional Compliance while retaining the oversight of UTMB Institutional Privacy Office. In addition to the management of individuals working the Privacy Office, responsible for managing staff in various roles including compliance coders, compliance auditors, compliance trainers and general staff. Responsible for managing outside consultants and legal counsel hired to address compliance related concerns. Responsible for developing and maintaining a compliance program that meets the requirements of the Federal Sentencing Guidelines.

Social Security Number Coordinator

The University of Texas Medical Branch at Galveston
March 2004 to January 2007

Assigned to be the project director for an institution wide implementation of a new UT System SSN initiative that was designed to protect the use and disclosure of the SSNs of employees, patients and students. Formally assigned the title and continuing responsibility after implementation.

Privacy Officer

The University of Texas Medical Branch at Galveston
March 2001 to February 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 Privacy. Investigated all allegations of non-compliance, coordinated with the chief compliance officer and HR to develop appropriate corrective actions or sanctions for failure to comply with the institutional privacy policies. Developed and maintained a privacy training program and a privacy monitoring program. Reported on a periodic basis the status of the privacy program to the Institutional Compliance Committee.

Attorney

The University of Texas Medical Branch at Galveston
September 2000 to March 2001

Promoted to Attorney and continued with the same responsibilities formerly assigned by the Director of the Department of Legal Affairs.

Staff Attorney

The University of Texas Medical Branch at Galveston
June 1997 to September 2000

Hired as a Staff Attorney in the Department of Legal Affairs. Responsible for providing legal advice to internal clients of an academic medical center. Responsible for handling cases involving the Public Information Act, Employment Law, Medicare and Medicaid Reimbursement, Intellectual Property, Premises Liability, Higher Education Law, Managed Care Agreements, and other transactional and general legal matters that arose. Managed litigation through outside legal counsel on behalf of UTMB. Provided legal services regarding compliance with numerous state and federal legal and regulatory requirements that govern the operation of a large hospital system.

Law Clerk

McDonough & Associates, P.C., Houston, Texas
November 1996 through May 1997

Hired as a law clerk to specialize on Health Care Fraud and Abuse. Given large management responsibilities for several

Medicare and Medicaid Fraud cases. The majority of the cases dealt with Nursing Home and Home Health clients

Research Assistant

Faculty Research Department, O'Quinn Law Library, The University of Houston Law Center, Houston, Texas
September 1995 through May 1997

Hired as one of 8 staff researchers for the law school faculty. The responsibility of this position required working closely with faculty to provide research and writing requested by individual faculty members. The majority of the research was in regard to Health Law and Employment Law.

**EDUCATIONAL
INTERNSHIPS**

Law Clerk

The Department of Risk Management, The Methodist Hospital Systems, Houston, Texas
May 1996 through August 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
May 1995 through August 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, "Everything you wanted to know about Subpoenas", Bay Area Mental Health Provider Network, (January 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).