



## Frank J. Fanshawe | Partner

Albany

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Frank J. Fanshawe, partner with Lippes Mathias, focuses his practice on government relations, health care law, and privacy and data security. He has nearly 30 years of experience, including over a decade in a role as a legal, government relations, and policy counsel with a nationally recognized health insurer.

Mr. Fanshawe previously served as a senior advisor to the New York State Senate Health Committee chair on legislative and public policy issues in connection with New York's deregulation of the hospital payment methodology system (Health Care Reform Act) and other major health care initiatives. He also practiced law with other law firms, where he represented hospitals, medical groups, independent practice associations, physician organizations, home health agencies, and other health care providers.

### GOVERNMENT RELATIONS

Mr. Fanshawe is an experienced government relations and advocacy attorney who represents clients before the New York State Legislature, government agencies (particularly the Department of Health and the Department of Financial Services), and the Governor's Office. Working collaboratively with government agencies, he is skilled at helping clients position themselves to receive favorable outcomes and guiding clients through complex government approval processes. He also develops strategies and guides not-for-profit clients on their requests for government funding.

### PRIVACY & DATA SECURITY

Mr. Fanshawe regularly counsels clients on a wide range of cybersecurity and data privacy scenarios, including those involving HIPAA/HITECH compliance. He has successfully resolved numerous data breach situations, where he has counseled and advised clients on their HIPAA/HITECH and other breach response obligations. In these situations, Mr. Fanshawe works with his clients to preserve information;

### CAPABILITIES

Public Law & Policy  
Health Care

identify the nature and scope of the breach; assess compliance obligations; develop notification communications; report to regulatory authorities, when required; and counsel clients on messaging, logistical support systems, and other measures to help ensure minimal impact to affected individuals and the clients' image. He also has successfully resolved numerous data breach investigations by the United States Department of Health and Human Services and state regulators.

### **CORPORATE GOVERNANCE AND COMPLIANCE**

Mr. Fanshawe's in-house experience as a chief compliance officer in the health insurance industry provides him with a distinctive business and operational perspective that leads to sound governance and compliance results that work in real business settings. He counsels boards of directors on governance issues and fiduciary duties. Mr. Fanshawe also works with clients to develop and implement corporate compliance plans, including drafting policies and procedures, directing workforce training, and auditing and monitoring programs.

### **HEALTH CARE LAW COUNSEL**

Mr. Fanshawe has served as a trusted advisor to practitioners, boards of directors, CEOs, and other C-suite executives to help clients thrive in the complex health care delivery and reform environment. He works with them to develop and improve their regulatory operations in ways that align with their business objectives. Mr. Fanshawe counsels clients to successfully navigate the intricacies of fraud and abuse laws and regulations, helps them develop strategies to operate within the complexities of the HIPAA and HITECH regulatory framework, and works with them to obtain state licensure and certification.

### **COMMERCIAL CONTRACTS AND JOINT VENTURES**

Mr. Fanshawe negotiates major contractual arrangements and joint ventures among providers and between providers and managed care entities, including integrated delivery systems and accountable care organizations. He also assists clients with the regulatory and transactional aspects of joint ventures, mergers and acquisitions, and other strategic arrangements.

### **EDUCATION**

- Albany Law School, Salutatorian; *magna cum laude*, J.D. 1991
  - *Albany Law Review*, Editor
- State University of New York at Oneonta, B.S., 1987 *cum laude*

### **PROFESSIONAL ASSOCIATIONS**

- American Health Lawyers Association

- New York State Bar Association

## **HONORS & AWARDS**

- *The Best Lawyers in America*©, 2024

## **SPEAKING ENGAGEMENTS**

- “Cyber Security And Cyber Liability: Risk Management And Breach Response” HCA Bootcamp (New York, NY, July 2016) (presenter)
- “Cybersecurity Incident Response Preparedness: Developing And Testing An Incident Response Plan” Wilson Elser-Albany Business Review (Albany, NY, May 2015) (presenter)
- “Emerging Trends In Health Care Data Privacy, Enforcement, Privacy, Security and Breach Notification Rules” Mesirow Financial Webinar (Albany, NY, October 2015) (presenter)
- “Updates to the FLSA White Collar Exemption” HCA Staying Ahead of Changes in Labor Law - Home Care Survival Bootcamp, (New York, NY, October 2015) (presenter)
- “Successfully Navigating Cyber Breaches Nothing Less Than Your Business At Stake, Risk Management and Breach Response” HCA's Corporate Compliance Symposium (Albany, NY, October 2015) (presenter)
- “Complying With Executive Order 38, Limits on Executive Compensation and Administrative Costs” HCA (Albany, NY, June 2015) (presenter)
- “Successfully Navigating Cyber Breaches Nothing Less Than Your Business At Stake, Risk Management and Breach Response” Wilson Elser-Albany Business Review (Albany, NY, April 2015) (presenter)
- “Tips for Successful Relations with Managed Care Organizations” HCA CFO Forum (Albany, NY, March, 2015) (presenter)
- “Navigating Executive Order 38, Limits on Executive Compensation and Administrative Costs” HCA Conference: Home Health Legal Updates (New York, NY, December 2014) (presenter)
- “Dissecting the Affordable Care Act” Albany-Colonie Regional Chamber (Albany, NY, September 2014) (presenter)
- “Deconstructing the ACA: What Small to Mid-Size Businesses Need to Know” Wilson Elser-Albany Business Review Seminar (Albany, NY, July 2014) (presenter)
- “What Every Business Leader Should Know About the Affordable Care Act” Women Presidents' Organization Industry Conference (Albany, NY, June 2014) (presenter)
- “Doing Business with Health Care Organizations: What you MUST know about the new HIPAA requirements” Wilson Elser-Albany Business Review Seminar (Troy, NY, November 2013) (presenter)
- “Big Data, Risk Management And The Collaboration Continuum” 2013

Network Contracting Summit (Falls Church, VA, October 2013)

(presenter)

- “The ACA, What Employers Need To Know” NYS Broadcasters Webinar (Albany, NY, September 2013) (presenter)

#### **ADMITTED TO PRACTICE**

- New York
- Connecticut
- Vermont
- U.S. District Court, Southern District of New York