



Victoria M. Prescott

Affiliate Attorney
Coppersmith Brockelman PLC
vprescott@cblawyers.com

Cell (317) 402-0340
2800 North Central Ave., Suite 1200
Phoenix, Arizona 85004

**Affiliated with Coppersmith Brockelman PLC on designated matters; admitted in Indiana*

Viki has significant experience representing hospitals, physician practices, research institutes and technology companies. She assists clients in drafting and negotiating agreements, and providing advice on regulatory and compliance matters, in the areas of clinical research, clinical trials contracting, biobanking, health information exchange and data sharing, HIPAA compliance and data privacy, and software and technology development and licensing.

Leveraging her experience as former General Counsel for a renowned medical research institute, and lead attorney for clinical research for an \$8 billion health system, Viki works with clients to draft and negotiate agreements and develop strategic approaches that achieve key business goals within the current legal and regulatory framework. She regularly works with health systems to negotiate clinical trial agreements, research collaboration agreements, and data sharing agreements.

Viki was tapped for several engagements by federal and state governments for her deep expertise in health policy and legislation relating to health information exchange and clinical research, which she uses to help clients navigate the complexities of regulatory compliance.

Viki also has extensive experience in the software and technology field, serving as General Counsel of an international software company, and former lead intellectual property attorney of a Fortune 500 company. She also has a software development background, management experience in implementing health information exchange systems, and experience as a software company entrepreneur. She helps clients develop and negotiate strategic licensing agreements and collaboration agreements in the health care, software and technology fields. Viki has also counseled clients in domestic and international intellectual property prosecution, licensing and enforcement, including trademark, copyright, patent, trade secret, and right of publicity.

Awards and Recognitions

- State of Florida Davis Productivity Award Certificate of Commendation
- Certified in Healthcare Privacy Compliance (CHPC)

Education & Admissions

B.S., Indiana University, School of Business, 1985
J.D., Southern Methodist University School of Law, 1989
Admitted in California (1990) (inactive) and Indiana (1994) (active)

Activities & Memberships

- Member, Health Care Compliance Association (2015 – present)
- Member, American Health Lawyers Association (2013-2015)
- Member, Health Information Management Systems Society (2008)
- Member, Licensing Executives Society (1999-2000)
- Member, American Intellectual Property Law Association (1998-2000)
- Member, International Trademark Association (1991-2000)
- Advisor to the Office of the National Coordinator for Health Information Technology (ONC) (2007-2009)

- Principal Investigator, on behalf of the American Health Information Management Association, for two grants from ONC: *State-Level RHIO Models and Best Practices* and *Financially Sustainable Health Information Exchange Projects* (2006-2007)
- Member, Board of Directors for the International Anti-Counterfeiting Coalition (1992-1993)
- Invited to brief the State of Florida's Health Information Exchange Coordinating Committee on statewide health information exchange activities (2009-2010)
- Invited to brief the State of Florida's Legal Work Group on topics such as health information exchange participation agreement, patient authorization forms, state health information exchange plans (2009 to 2010)
- Invited to brief the State Alliance for eHealth on *HISPC Interstate Disclosure and Patient Consent Requirements* (February 24, 2009)
- Invited to participate on expert panel at the Nationwide Health Information Network / Health Information Security and Privacy Collaborative joint meeting (May 2, 2008)
- Chair, Consent Collaborative, Health Information Security & Privacy Collaborative (2008-2009)
- Member, Florida Governor's ePrescribing Advisory Panel (2008)
- Invited to brief the Secretary of HHS and the American Health Information Community (AHIC) on *Potential Expansion of HIPAA to Health Information Exchange Organizations* (June 22, 2007)
- Member, National Steering Committee, Health Information Security & Privacy Collaborative (2007-2009)
- Invited to brief the National Committee on Vital and Health Statistics (NCVHS), Subcommittee on Privacy and Confidentiality, on an *Overview of INPC Privacy Structure* (April 17, 2007)
- Principal Investigator, on behalf of Indiana State Department of Health, for a grant from the Agency for Healthcare Research and Quality (AHRQ) (2006-2007)
- Invited to brief the State Alliance for eHealth on *Sustainable Business Models for Health Information Exchange* (March 30, 2007)
- Invited to brief the State Alliance for eHealth on *An Overview of Indiana Health Information Exchange Activities and Health Information Protection* (January 26, 2007)
- Invited to brief the Secretary of HHS and the American Health Information Community (AHIC) on *Financially Sustainable Health Information Exchange Services* (January 23, 2007)
- Invited to participate as workshop faculty for Vanderbilt University, "Privacy and Confidentiality Workshop" (September 13-14, 2006)
- Invited to participate as panelist for SecureIndiana Partnership conference, *Legal Aspects and Issues Surrounding Security Breaches* (September 2005)
- Co-chair, subcommittee of Markle Foundation Connecting for Health (2005)
- Led governance restructuring process for American Collegiate Licensing Association at the request of the association (1998)
- Interviewed in news article on counterfeiting in *World Trade* magazine (April 1993)
- Interviewed and featured in cover story of *World Trade* magazine in article on the protection of U.S. companies' intellectual property (September 1991)

Publications

- *Final Report of the Behavioral Health Data Exchange Consortium, ONC State Health Policy Consortium Project*, (Prepared by RTI International for the U.S. Office of the National Coordinator for Health Information Technology (ONC), Contract No. HHSP23320095651WC, Order No. HHSP23337007T) (March 2013) (co-author)
- *Registries for Evaluating Patient Outcomes: A User's Guide: 2nd Edition*, (Prepared by Outcome DEcIDE Center [Outcome Sciences, Inc.] under Contract No. HHA290200500351 T03), AHRQ Publication No. 10-EHC049, Rockville, MD: Agency for Healthcare Research and Quality (September 2010) (contributor)
- Universal Patient Authorization forms, enacted by rule in Florida (2010) (primary author)
- *Task #2: Report and Recommendations on Health Information Exchange Services That Are Financially Sustainable*, State-Level HIE project, funded by the U.S. Office of the National Coordinator for Health Information Technology (ONC) (November 2006) (primary author)
- *Final Report: Development of State-Level Health Information Exchange Initiatives*, funded by the U.S. Office of the National Coordinator for Health Information Technology (ONC) (September 1, 2006) (primary author)
- *State-Level Health Information Exchange Initiative, Development Workbook: A Guide to Key Issues, Options and Strategies*, funded by the U.S. Office of the National Coordinator for Health Information Technology (ONC) (September 1, 2006) (primary author)
- *The Indiana Chronic Disease Management Program*, *The Milbank Quarterly*, 2006; 84: 135-63 (co-author)
- *The Indiana Network for Patient Care: A Case Study of a Successful Healthcare Data Sharing Agreement*, ABA Health eSource, Volume 2 Number 1 (Sept 2005), re-printed in *Healthcare Informatics Online* (September 28, 2005) (co-author)

- *Using Licensing to Expand Business Opportunities*, Indiana Continuing Legal Education Forum seminar entitled "Building Indiana Companies from the Ground Up: Legal Issues" (December 2003)
- *Protecting Your Company – Intellectual Property Aspects*, National Association of Women Business Owners seminar (April 2003)
- *Business Development – Decision Making to Grow Your Business*, National Association of Women Business Owners seminar (April 2003)
- *Acquisition of High Technology Companies*, Acquisitions & Divestitures (May 1995), re-printed in *Model Agreements for Corporate Counsel*, The Lawyer's Brief (October 1995)
- *Asia's Five Tigers: Opportunities in Singapore, Korea, Taiwan, Hong Kong and the PRC*, World Computer Law Congress (April 1991)
- *Civil Liability for Software Flaws*, International Computer Law Adviser (September 1989)
- *Computer Viruses: What They Are, How To Protect Against Them*, Software Protection (August 1989) (Special Edition)

Presentations/Conferences

- *A Proposed Solution to Reconciling State Privacy Laws*, Health Information Security and Privacy Collaboration National Conference (March 6, 2009)
- *HISPC Contributions to State and Interstate Health Information Exchange*, Health Information Security and Privacy Collaboration National Conference (March 5, 2009) (co-presenter)
- *Interstate Disclosure & Patient Consent Requirements*, Health Information Security and Privacy Collaboration National Conference (March 4, 2009) (co-presenter)
- *Policy and Regulatory Considerations in Health Information Exchange*, National Association of State Medicaid Directors (January 5, 2009)
- *Strategies for Consent*, National Association of State Medicaid Directors (January 4, 2009)
- *Confidentiality, Privacy, Ethics and Medical Informatics*, Government of Guam (September 2008)
- *Consumer Preferences & Permissions*, Nationwide Health Information Network / Health Information Security and Privacy Collaborative joint meeting (May 1, 2008) (co-presenter)
- *42 C.F.R. Part 2 Substance Abuse Treatment Records*, National Association of State Medicaid Directors (December 10, 2007)
- *Overview of Indiana Health Information Exchange Activities*, Medical Banking Leadership Forum (November 6, 2007)
- *42 C.F.R. Part 2 Substance Abuse Treatment Records*, the U.S. Office of the National Coordinator for Health Information Technology (ONC) HISPC meeting (November 1, 2007)
- *Next Steps for States with Established Electronic HIEs: Indiana*, National Conference on Privacy and Security Solutions for Interoperable Health Information Exchange (March 6, 2007)
- *Consent Issues: Special Protections for Drug and Alcohol Abuse Treatment Records, Mental Health Records, and Communicable Disease Records*, National Conference on Privacy and Security Solutions for Interoperable Health Information Exchange (March 5, 2007)
- *Overview of Indiana Health Information Exchange Activities*, Blue Cross Blue Shield Florida, Health Information Network Steering Committee (January 26, 2007)
- *Financially Sustainable Health Information Exchange Services*, Nationwide Health Information Network (January 26, 2007)
- *National Health Information Infrastructure from A to Z: Legal and Governance Issues*, American Medical Informatics Association (November 11, 2006)
- *State-Level Health Information Exchange: What Works*, American Health Information Management Association (AHIMA) Annual Meeting (October 11, 2006)
- *State-Level Regional Health Information Organizations*, Connecting Communities for Better Health annual seminar (April 10, 2006)
- *Indiana, At the Health Information Exchange Crossroads of America: Organization Structure, Agreements and Governance, and HIPAA Issues*, eHealth Initiative seminar (November 16, 2005)
- *National Health Information Infrastructure from A to Z: Legal and Governance Issues*, American Medical Informatics Association (October 23, 2005)
- *Legal Issues: Practical Considerations for Creating and Sustaining a Health Information Exchange*, eHealth Initiative seminar (June 2005)
- *Using Licensing to Expand Business Opportunities*, Indiana Continuing Legal Education Forum seminar (December 2003)
- *Protecting Your Company – Intellectual Property Aspects*, National Association of Women Business Owners seminar (April 2003)

- *Business Development – Decision Making to Grow Your Business*, National Association of Women Business Owners seminar (April 2003)
- *What Entrepreneurs Need to Know*, Rose Hulman Ventures (January 2003)
- *Starting A Consulting Practice*, Business & Professional Exchange (July 2002)
- *Strategic Planning for Your Business*, Network of Women in Business (May 2002)
- *Advances in Technology for the Trademark Licensing Industry*, American Collegiate Licensing Association Winter Symposium (January 2001)
- *Creating, Implementing and Managing a System for Monitoring License Agreements*, Licensing Executive Society Annual Meeting (September 2000)
- *Protection of Soft Intellectual Property*, Licensing Executive Society (February 2000)
- *Trademark Policy*, American Collegiate Licensing Association (May 1998)

COPPERSMITH
BROCKELMAN
LAWYERS