



MAGGIE DICOSTANZO

Principal, Harrisburg

PRACTICE AREAS

- Healthcare Law
- Intellectual Property

PROFESSIONAL AFFILIATIONS

- American Health Lawyers Association
- American Bar Association
- Pennsylvania Bar Association
- Lancaster County Bar Association
- Pennsylvania Association of Healthcare Risk Management

PRACTICE FOCUS

Maggie DiCostanzo is a principal attorney in the firm's Healthcare practice group. For over 20 years, she has focused her legal practice on representing physicians, hospitals, post-acute care facilities and other healthcare professionals, delivering health law advice and counseling, as well as representation in regulatory/compliance, administrative and professional liability matters.

Maggie is also a registered patent attorney with the U.S. Patent & Trademark Office and drafts licensing agreements and other intellectual property-related documents. She also works with lawyers in Offit Kurman's Business Law and Transactions practice group in the sale and purchase of medical entities.

Maggie has written extensively and presented to physicians, nurses, post-acute care facilities and other healthcare professionals and entities on a local, state and national level about various healthcare-related topics, including reducing medical professional liability, HIPAA, compliance, telemedicine and post-adverse event disclosure as well as specialty-specific topics including obstetrics, orthopedics and bariatric surgery. Her research and knowledge in the area of post-adverse event communication allowed her to assist the Pennsylvania Health Care Association in the drafting of Pennsylvania's Benevolent Gesture Liability Act, which permits healthcare professionals to express a "benevolent gesture" to patients and their families without the benevolent gesture being used against them in the courtroom to prove negligence.

Additionally, Maggie has served as an adjunct professor at Pennsylvania State University's York, Pennsylvania campus, providing education sessions for continuing education students in the areas of assisted living and personal care home facilities. She regularly volunteers as a juror for the Pennsylvania Bar Association's Mock Trial Program, and has provided *pro bono* services to support Afghan asylum seekers and a local pardon project.

Finally, Maggie stays current on emerging healthcare topics in order to serve her clients best and regularly posts about these healthcare legal issues in her HELP (Healthcare Legal Problems) blog.

REPRESENTATIVE MATTERS

- Represented the purchaser of six (6) senior living facilities in Pennsylvania
- Negotiated settlement of Medicaid fraud allegations against a dentist
- Represented therapists in federal healthcare reimbursement program appeals
- Represented physicians before the state board of medicine in disciplinary proceedings
- Negotiated joint venture agreement documents for a Pennsylvania practice involving multiple dialysis centers
- Represented a multi-practice pain management group in health benefit reimbursement appeals
- Represented healthcare providers involved in HIPAA data breaches, and supported their initial investigations and reporting
- Drafted vendor contract agreements for a hospital system, including a Master Vendor Purchase Agreement, consignment agreements, evaluation agreements, affiliation agreements, MOUs, clinical affiliation agreements, non-disclosure agreements and independent contractor agreements, to standardize agreements throughout the system

PUBLICATIONS

- Fatigue and Safety. P. Weiss & P. Gluck (Authors) & T. Ivester (Ed.), Quality and Safety in Women's Health (pp. 144-148). Cambridge: Cambridge University Press, 2018. Co-author
- "Redefining the 'Legal Medical Record' and How to Be Prepared to Respond to Legal Requests for a Patient's Legal Medical Record." J. of Medical Practice Management. Summer 2017
- "Operation Five-Star: Service Excellence in the Medical Practice - cultural competency, post-adverse events, and patient engagement." Book- Greenbranch Publishing, 2014. Co-author
- "Sorry Works! 2.0 Disclosure, Apology and Relationships Prevent Medical Malpractice Claims." (1ST edition 2007) (2d edition 2010) Book . Co-author
- "Reduce Liability Risk by Improving Your Patient Satisfaction." Press Ganey, Jul. 2008 Co-authored with Press Ganey staff: Stefoni A. Bavin, and Sarah Stawiski

SPEAKING ENGAGEMENTS

- "The Consequences on the End of the COVID Public Health Emergency on Tele-Behavioral Health", MyLawCLE webinar, sponsored by the Federal Bar Association, April 18, 2023

Additional Speaking Engagements

- “Working Group on Overcoming the Challenge Associated with Electronic Medical Records, Patient Portals and Audit Trails in Obstetrics Practice”, ACI’s 17th Annual Advanced Forum on Obstetric Malpractice Claims, co-presenter, Jun. 26, 2018, Philadelphia, PA
- “Proactively Mitigate HIPAA Data Breach Costs in the Healthcare Setting”, Healthcare Financial Management Association Educational Seminar, Central Pa. Chapter, Nov. 5, 2015, Enola, PA
- “Documentation and Event Management”, Educational presentation for Willow Valley Retirement Communities Staff, Jun. 10, 2015, Willow Valley Retirement Community
- “The Basics of Pennsylvania’s Advance Directives for Post-Acute Facilities and Staff”, Pennsylvania Health Care Association, Webinar, May 19, 2015
- “Professionalism in a Changing Workplace: Strategies for Avoiding and Managing Conduct Reviews”, Am. Coll. of Obstetricians & Gynecologists Webinar, Mar. 10, 2015
- “Reducing your Professional Liability Risk and Enhancing your Practice”, American College of Surgeons Surgery Resident Program, Oct. 27, 2014, San Francisco, CA

EDUCATION

- Widener University School of Law, J.D
- Pennsylvania State University, B.S., Biology

ADMISSIONS

- Pennsylvania
- U.S. Supreme Court
- U.S. District Court for the Middle District of Pennsylvania
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the Western District of Pennsylvania
- U.S. Patent & Trademark Office