

**Howard A. Burde, Esquire**  
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**Profile.**

A nationally recognized Health Information Technology lawyer, who provides general counsel and health law advice to health information technology and health care businesses. A dynamic health industry leader who builds health care businesses and counsels health care organizations. A prolific author of four books on health law topics, currently speaking around the country on the health care opportunities under the Federal Stimulus Legislation.

**PROFESSIONAL BACKGROUND**

**Blank Rome, LLP, Philadelphia, PA**  
**Partner and Chair, Health Law Practice Group**

**April 2002 - Present**

**Practice Description.** Counsel emerging health industry clients on transactional, joint venture, risk management, privacy, security and licensing matters as well as capital formation and strategic development issues. Provide advice on complex health, health information technology, health insurance, regulatory, legislative, procurement and other legal and policy issues to health information technology companies, health plans, providers, investors, governments, and non-governmental organizations.

- **Building Health Information Technology Clients.** Counsel to a rich variety of health information technology clients, including: a national leader in collaborative care (payor) solutions; a national personal health record vendor; two social networking sites for physicians and patients; an ambulatory electronic medical record vendor; a secure text messaging/disease management vendor; an iris-recognition security vendor; and a number of health IT venture funds and other investors.
- **Building Healthcare Businesses.** Assist clients in building health care companies from inception to success. Counseled a national convenient care clinic, from idea to exit. Designed the legal structure for roll-out over multiple states, accounting for licensure, anti-referral, reimbursement, corporate practice, capital formation and other laws.
- **HIMSS Board and National Health IT Activities.** Board member of the Health Information Management Systems Society (“HIMSS”) (the health information technology trade association) and frequent presenter to its meetings. Recent referrals include an employer based clinic venture headed by a former Fortune 500 CEO; and the creation of a \$500 to \$700 million private equity fund for health information technology.

- **HIMSS/HIT Venture Fair.** Founded this event three years ago and remain its organizer. In 2008, 28 Companies presented to an audience of 100 investors. In 2009, in addition to the Venture Fair, adding a new program for emerging businesses, “Building Your HIT Business.”
- **PA E-Health Initiative.** Engaged to propose a structure for the organization to make it the “designated state entity” to receive federal funds under the Stimulus legislation.
- **Pennsylvania Joint Legislative Committee on Health Reform.** The only private practice lawyer on the Pennsylvania bipartisan, bicameral committee, advising the Commonwealth with respect to the evolving nature of health law and working with public health officials, legislators, legislative staff, judges, judicial clerks and health care organizations in Pennsylvania.
- **National Governors Association e-Health Alliance (“NGA”).** Provide access to and insight regarding executive branch officials and stakeholders around the country.
- **Payers and Providers.** Payers and Providers regularly seek counsel on state and federal laws, including the nation’s leading pediatric hospital and a variety of payers.
- **Direct Involvement in Legal and Policy Issues.** Four books on health law, participation in legislative and policy discussions at the federal and state levels, and presentations around the country reflect a pattern of continuing engagement with current and evolving legal issues and stakeholders.
- **Editorial Boards.** Serve on the editorial boards of the BNA Health Law Reporter and the Journal of Health and Life Sciences law.

**Governor's Office of General Counsel, Harrisburg, PA**  
**Deputy General Counsel**

**Nov. 1997 to April 2002**

- **Health Law Counsel for Executive Branch of the Commonwealth of Pennsylvania.** This portfolio included responsibility for the Departments of Aging, Health, and Public Welfare, as well as for the Medical Professional Liability Catastrophe Loss Fund (“CAT”); and health related professional boards.
- **Health Law Issue Responsibilities.** Responsible for all legal matters involving health facilities, managed care; health insurance; health programs and health professions; programs for the elderly; medical assistance; medical malpractice; public assistance; human services, and public health programs.
- **Drafting and Approving Pennsylvania Health Laws.** Principal drafter, reviewer and signatory for regulations governing Managed Care Reform; Children's Health Insurance Program; Health Related Professions; Long Term Care; Health Facilities; Older Adults Protective Services; Medical Assistance; Medical Malpractice, and Welfare Reform.

- **Leadership.**

Served on four person management committee of the 530 lawyer Office of General Counsel. Directly responsible for attorneys in the portfolio agencies.

**Pennsylvania Department of Health, Harrisburg, PA     **June 1995 to Nov. 1997**  
**Chief Counsel****

Provided legal review and advice regarding: licensure of all health care facilities; certification of health maintenance organizations, preferred provider organizations and other managed care organizations; emergency medical services; health systems development; epidemiology; maternal and child health; disease prevention; and contracting for all public health programs.

Principal drafter of regulations governing: General Health Facility Rules; Ambulatory Surgical Facilities; Cardiac Catheterization; Open Heart Surgery; and Integrated Delivery Systems (Statement of Policy).

Directly responsible for: Department of Health Executive Staff; Institutional Review Board; Managed Care Reform Process; and Post-Certificate of Need Implementation Project.

Directly responsible for legal support for the executive officers of the Department of Health, Maintained the budget and management of the Department's eleven lawyers and five support staff.

**Alice G. Gosfield and Associates, P.C., Philadelphia, PA     **Sept. 1992 to June 1995**  
**Associate****

Joined a boutique law firm restricted to health law and health care regulation with emphasis on medical staff issues, corporate structuring of providers, contracting, peer review, physician representation, non-institutional reimbursement and fraud and abuse.

**Blank, Rome, Comisky & McCauley, Philadelphia, PA     **Sept. 1988 to Sept. 1992**  
**Associate, Health Law Department****

Emphasis on legislative, regulatory, contractual, public finance and health care reimbursement matters.

**EDUCATION**

University of Virginia, School of Law, J.D., 1988, Founder, Virginia Health Law Forum  
Duke University, B.A. magna cum laude, 1984

**ACADEMIC HONORS**

Baccalaureate Speaker, Duke University Graduation, 1984  
Outstanding Undergraduate Thesis, North Carolina Political Science Association, 1984  
Outstanding Undergraduate Thesis, Georgia State Political Science Association, 1982  
Alma Evans Award, International Law Award, Duke University, 1982

Pi Sigma Alpha, Political Science Honor Society, Dean's List

## **BAR ADMISSIONS**

1988, Pennsylvania;

1988, United States District Court, Eastern District of Pennsylvania;

1989, New Jersey;

1989, United States District Court of New Jersey

1995, United States District Court, Middle District of Pennsylvania

## **PUBLICATIONS (Books Only)**

A Guide to Understanding Personal Health Records (with Yasnoff and Miller), Health Information Management Systems Society (HIMSS), 2008

A Guide to Establishing RHIOs, (collaborative effort), HIMSS, 2007

The Utilization Management Guide (with Reiter) Utilization Review Accreditation Commission (URAC), 2004

The Health Laws of Pennsylvania, a desk reference book and CD-ROM. (Editor and Primary Author), PBI, September 1, 2000.

## **SPEAKING ENGAGEMENTS (partial)**

March 4, 2009 – AZHEC/Western States e-Health Connection, Phoenix, AZ  
Topic: PHRs: Law, Policy and the Stimulus Legislation

June 11, 2008 – HIMSS Advocacy Day 2008, Capitol Hill, Washington, DC  
Topic: Point/Counterpoint: Privacy and Your Health Information

June 9, 2008 – Professional Certification of Health Information Technology, Orlando, FL  
Topic: Legal Aspects of Health Information Technology/Electronic Health Records

February 24, 2008 – HIMSS08 Physician IT Symposium, Orlando, FL  
Topic: The Future of Healthcare Information Technology

May 14-18, 2007 – National Health IT Week 2007, Washington, DC  
Topic: Fostering Widespread Health IT Adoption

May 30, 2007 – National Governors Association State Alliance for E-Health  
Topic: Report on Progress by Taskforces and Dialogue with State Alliance

February 26, 2007 – National Governors Association State Alliance for E-Health  
Topic: Legal Issues for Health Information Exchange: Legal Standards and Liability

October 2006 – Case Management Society of America Annual Board Meeting  
Topic: Legal Issues and Policy Issues Impacting Medical Management

September 2006 – HIMSS Public Policy Forum  
Topic: Issues in Privacy and Security of Electronic Health Information

June 2006 – HIMSS Washington Summit  
Topic: Legal Issues in Health Information Sharing

April 2006 – Capital Hill Steering Committee on Health Informatics Senate and House Staff  
Topic: Legal Issues in Health Information Technology

### **COMMUNITY INVOLVEMENT**

Board member and pro bono counsel to the Center for Autism, Philadelphia, Pennsylvania.

Board member, Greater Philadelphia Regional Board of Teach for America.

Board member, Pennsylvania Economy League (2004 to 2007).

Chairman of the Lower Merion Board of Health (2003-2005).

Board member Beth Am Israel Synagogue (2007-2008).