

CURRICULUM VITAE

MONICA L. FELDER-RODRIGUEZ

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Board Certification:

Health Law, 2003
Florida Healthcare Risk Manager, AHCA, 2006

Education:

DUKE UNIVERSITY SCHOOL OF LAW, Durham, North Carolina

J.D., May 1992, LL.M., December, 1995, International Law

Duke Journal of Comparative and International Law, Editor, 1990-1992 Summer
Institute of Transnational Law, Copenhagen, Denmark Student Funded Fellowship
Recipient

TULANE UNIVERSITY, New Orleans, Louisiana

B.A., Cum Laude, May 1989, Political Science and International Relations

Honors Program 1986-1989 Full Scholarship Recipient

Junior Year Abroad, Jerusalem, Israel

Prison Project

Student Admissions Committee

Employment:

1998-present DRESNICK, RODRIGUEZ & PERRY, P.A., Miami, Florida

Shareholder in health care law firm specializing in the defense of physicians, nurses and other health care providers in licensing and disciplinary actions and well as overpayment audits involving the Florida Agency for Health Care Administration (AHCA), the Florida Department of Health (DOH), the Physicians Recovery Network (PRN), the United States Department of Health and Human Services (DHHS) and the Center for Medicare and Medicaid Services (CMS). Representation of hospitals in regulatory, credentialing, peer review, risk management and other matters, including drafting Bylaws and Rules and Regulations, preparing for and responding to JCAHO and State surveys, and defending and avoiding EMTALA actions. Representative clients include University of Miami Miller School of Medicine, HCA Hospitals, First Professionals Insurance Company, Gulf Atlantic Medical Insurance Company and others.

2001-present WRITER, Florida Medical Business Newspaper

Write regularly appearing article entitled "Board of Medicine Update" for one of the largest medical papers in Florida, which is mailed directly to all Florida physicians. Articles provide physicians and other health care practitioners with information on actions taken by the Florida Board of Medicine, including disciplinary actions and rule changes, and discuss the latest changes in state laws which may affect their medical practice.

1999-2000 ADJUNCT PROFESSOR, Nova Southeastern University School of Business and Entrepreneurship, Fort Lauderdale, FL

Teach class entitled "Health Law and Ethics" to students pursuing a master's degree in Health Services Administration. The class is designed to provide the students with a basic understanding of the legal and ethical issues that confront administrators in health care settings.

1996-1998 ASSISTANT ATTORNEY GENERAL, Office of the Attorney General, State of Florida

Multistate Litigation Unit, Economic Crimes Section, July 1997 - Present: Represent Florida in complex litigation cases which allege violations of Florida's consumer protection statutes, the Racketeering Influenced and Corrupt Organization Act, or federal consumer protection laws. Subject matter of cases includes telecommunications "slamming" issues, energy deregulation, health care, satellite broadcasting services, health maintenance organizations, charitable solicitations, illegal debt collection, 900 number (pay-per-call) calls, credit repair, and internet issues. These cases are joint investigations and prosecutions with the Attorneys General of other states. Cases that have recently concluded include:

- DIRECTV: Florida led this investigation into whether this satellite broadcasting company engaged in unfair and deceptive business practices by soliciting consumers to prepay for an annual subscription for certain programming and then removing some of the channels from the programming packages before the annual subscription had expired. Consumers who were unsatisfied with DIRECTV's conduct received full restitution in the form of cash or a credit for services, and DIRECTV paid over \$800,000 to the states investigating the case.

- FEDERATED DEPARTMENT STORES: Federated, which includes Lord & Taylor stores in Florida, engaged in unfair and deceptive trade practices by coercing consumers who had filed for bankruptcy to enter into agreements to reaffirm their debts with the company, and then failing to file those agreements with the Bankruptcy Court in order to obtain the Court's approval of the agreement. Any consumers whose reaffirmation agreements were not filed with the Court receive a full refund of any amount paid under the agreement, and any remaining amount due is discharged. Federated will pay approximately \$5 million to consumers pursuant to the settlement, and will discharge \$2.5 million of unpaid debt, in addition to a payment of \$2.5 million to the states involved in the investigation.

- CREDIT AND DEBT CONSULTANT INSTITUTE - Florida filed a complaint and emergency motion for temporary injunction and asset freeze against a credit repair company that was providing illegal advice to consumers regarding judgment-proofing obtaining an alternate credit file, and removing negative items from a credit report. The motion and asset freeze was granted, and within a month the company entered into a consent judgment wherein they are prohibited from providing credit repair counseling services in the future, they will immediately remove all references to illegal activities from their materials sold to consumers, and they will pay penalties and attorney's fees to the state.

Administrative Law Section, Nov. 1996 - July 1997: Advised and represented professional boards in administrative matters before the Division of Administrative Hearings and in state and federal court and at board meetings regarding proper operation and application of laws and rules. Litigation responsibilities included rule challenges, appeals of licensure denials and of disciplinary matters. Drafted and implemented legislation including amendments to state law and administrative rules. Responded to public inquiries regarding duties and powers of boards and various agencies. Boards represented include Psychology, Podiatry, Nursing Home Administrators, Opticians, and Geologists.

1994-1996 SENIOR ATTORNEY, Florida Agency for Health Care Administration, Tallahassee, Florida

Prosecutor for the State of Florida in administrative disciplinary proceedings against physicians. Conducted trials, depositions, discovery, and settlement negotiations in approximately 175 cases. Appeared before and worked closely with the Florida Board of Medicine and expert physicians throughout rite state. Wrote motions, proposed recommended orders, briefs, and all other necessary documents for cases. Occasional appearances in Circuit Court representing the Physicians Recovery Network. Assisted on cases involving regulation of hospitals, nursing homes, and other health care providers. Drafted newspaper articles and other documents relating to medical regulation in Florida.

1993-1994 ATTORNEY/LAW CLERK, Katz, Kutter, Haigler, Alderman, Marks & Bryant, Tallahassee, Florida

Participated in research and preparation of cases involving state and federal issues in the areas of health care law, insurance regulation, professional regulation, mortgages, social security, and other areas. Assisted with hearings and trials at state agencies and local courts. Interviewed and corresponded with clients. Prepared and filed documents for hearings and other matters.

**Legal Affiliations/
Memberships:**

Florida Bar (1993)
United States District Court, Middle District of Florida (1995)
United States Southern District of Florida (2001)

American Health Lawyers Association
Florida Bar (Health Law Section)
Florida Society of Healthcare Risk Managers (FSHRMPS)

Lectures:

"When Supporters Become Reporters: Navigating the DOH Process," FSHRMPS 29th Annual Meeting and Educational Conference, Orlando, Florida, August 2009.

"Protecting Your License to Practice Nursing," South East Florida Association of Neonatal Nurses, Miami, Florida, March 12, 2009.

"Preventing Medical Errors," Bascom Palmer Eye Institute, Miami, Florida, November 6, 2008.

"EMTALA," Bascom Palmer Eye Institute, Miami, Florida, September 26, 2008.

"EMTALA Basics," Bascom Palmer Eye Institute, Miami, Florida, April 22, 2008.

"Code 15" Webinar, Dresnick & Rodriguez, P.A., Miami, Florida, June 20, 2007.

HCA Lecture for Risk Managers, June 14, 2007.

"Code 15 Reporting: Adherence Without Assassination," Westin Diplomat, Falk, Waas, Hernandez, Cortina, Solomon & Bonner P.A , Fort Lauderdale, Florida, March 17, 2007.

"Avoiding/Handling Medical Errors: Tips on Staying Out of Trouble and What to do When You Don't," Kendall Regional Medical Center, Miami, Florida, October 13, 2006.

"When the BOM Comes Knocking: Essential Information to Help You Protect Your Physician Clients," Health and Tax Law Sections of the Florida Bar, Hyatt Regency, Miami, Florida, January 20, 2006.

"Avoiding/Handling Medical Errors: Tips on Staying Out of Trouble and What to do When You Don't," Cedars Medical Center, Miami, Florida, December 3, 2005.

"Risk Management: Strategies to Reduce the Risk of Medical Errors," Kendall Regional Medical Center, Miami, Florida, November 3, 2005

"Living Wills: Ensuring Your Health Care Decisions are Followed," Kendall Regional Medical Center, Miami, Florida, April 14, 2005

“Department of Health Disciplinary Process/Pain Management,” 2005 Health Law Institute sponsored by The Florida Bar Health Law Section, Orlando, Florida, February 16, 2005

“Avoiding/Handling Medical Errors: Tips on Staying Out of Trouble and What to Do When You Don’t,” Cedars Medical Center, Miami, Florida, October 15, 2004

“The Tort Reform Act: Its Impact on the Regulation of Physicians and the New EMTALA Regulations,” Mount Sinai Medical Center, Miami Beach, Florida, January 13, 2004

“Guardianship/Restraints” Florida Hospital Association, Orlando, Florida, July 31, 2003

“How Nurses Get Into Trouble with the Board of Nursing,” Cedars Medical Center, Miami, Florida, November 15, 2002

“EMTALA Compliance: Avoiding Investigations and Penalties,” St. Lucie Medical Center, Port St. Lucie, Florida, September 19, 2002

“Code 15 Incident Reporting,” Orange Park Medical Center, Orange Park, Florida, July 16, 2002

“Update on Practitioner Regulation,” Annual Meeting of the Florida Bar, Boca Raton, Florida, June 21, 2002.

“EMTALA and Emergency Access to Care Laws,” Bethesda Medical Center, Boynton Beach, Florida, October 24, 2001

“EMTALA and Advance Directives Update, St. Lucie Medical Center,” Port St. Lucie, Florida, October 9, 2001

“Risk Management/Quality Management Update,” Plantation General Hospital, Plantation, Florida, April 20, 2001

“Overutilization in Psychiatric Facilities,” Cedars Medical Center, Miami, Florida, April 11, 2001

“A Review of the Laws on Emergency Access to Care and Treating Involuntary Patients Under the Baker Act,” Miami Heart Institute, Miami Beach, Florida, March 9, 2000

“From Both Sides of the Fence: A Guide to Understanding Investigations and Rules of the Department of Health,” Dade Association for Healthcare Quality, Miami, Florida, March 27, 1999

“Review of Baker Act Statutes and Rules,” Palmetto General Hospital, Hialeah, Florida, April 19, 1999

“Regulation of Florida Health Care Facilities and Health Care Providers by the Agency for Health Care Administration and the Department of Health,” Miami Heart Institute, Miami Beach, Florida, October 2, 1998

Publications:

“Does Tougher Disciplinary Action Help Eliminate Wrong-Site Surgery? The Florida Experience”
Physician Organizations, American Health Lawyers Association, June, 2006

“Doc Suspended After Anesthesia Mishap”
Florida Medical Business, January 30, 2006

“Right Procedure, Wrong Patient: Doc Mistakenly Relied Solely on Nurse Verification”
Florida Medical Business, April 4, 2005

“Since Doc Wasn’t Notified of Results, Board’s ‘Failure to Order Test’ Charge Doesn’t Stick”
Florida Medical Business, November 26, 2002

“Don’t Let DOH Trick You into Talking to Investigators”
Florida Medical Business, October 1, 2002

“Disciplinary Cases Top Board Agenda”
Florida Medical Business, September 3, 2002

“Board Revisits Office Surgery Rule”
Florida Medical Business, August 6, 2002

“Board Victorious in Appeal of Office Surgery Rule Challenges”
Florida Medical Business, March 19, 2002

“Board Honed in on Illegal Prescribing of Oxycontin”
Florida Medical Business, November 13, 2001

“Doc Fined for Prescribing to Partner’s Girlfriend”
Florida Medical Business, September 4, 2001

“Patient Notice of Investigations May Increase Malpractice Cases” co-authored with Sean M. Ellsworth, Esquire, Florida Medical Business, July 24, 2001

“Failing to Disclose Past Crimes Could Cost You”
Florida Medical Business, June 26, 2001

“Penalties Substantial for Wrong-Side Surgery”
Florida Medical Business, May 29, 2001

“Must I agree with Adverse Incident Report?”
Florida Medical Business, May 16, 2000

**Other Activities/
Accomplishments:**

2010	Secretary, Executive Council, Health Law Section of the Florida Bar
2009	Chair, Nominating Committee, Health Law Section of the Florida Bar
2006- Present	Florida Super Lawyers
2006	Who’s Who of Emerging Leaders
2003	Chair of the Administration Committee, Health Law Section of the Florida Bar Member, Florida Bar CLE Committee
2002-2010	Executive Council Member, Health Law Section of the Florida Bar
2001-2002	Continuing Legal Education Co-Chair, Health Law Section of the Florida Bar
2001	Who’s Who in American Law
2001-2009	Big Brothers/Big Sisters of Greater Miami and Mentoring Resource Center