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## PRACTICE AREAS

- Cyber Defense
- Cyber Insurance Defense
- Cyber Security
- Education
- Employer Defense
- Employment and Benefits
- Healthcare
- Medical Malpractice Defense
- Personal Injury Defense

## EDUCATION

- J.D., Brigham Young University, J. Reuben Clark School of Law, 2008
- B.A., Brigham Young University, English and Psychology, 2004

## ADMISSIONS

- Utah State Bar
- U.S. District Court, District of Utah

## ABOUT

Chris Droubay has extensive experience defending medical providers of all sizes in both regulatory and malpractice matters. For close to 15 years, Chris has represented and defended health care providers of all sizes in medical malpractice claims of all types, including hospitals, physicians, nurses, mental health care providers, and dentists. Chris has extensive experience defending complex birth injury cases involving catastrophic injury. Chris takes the time to stay up to date on trends in both plaintiff's tactics and emerging defenses in the malpractice sphere. He prides himself on taking a focused and thoughtful approach to his cases.

Chris also actively helps clients avoid malpractice claims and regulatory pitfalls. Chris advises and collaborates with hospital/corporate management and risk departments, including investigating and evaluating adverse medical events. Chris provides training to large industry groups on topics including medical malpractice, risk management, medical credentialing, and regulatory compliance.

Chris represents and counsels clients on several complex statutory and regulatory issues, including Health Insurance Portability and Accountability Act (HIPAA), Medicaid & Medicare issues, the Affordable Care Act, Anti Kickback and Stark Laws, and Credentialing issues. Christopher has represented numerous employers in understanding and establishing policies related to the employer mandate provisions of the Affordable Care Act. He has a unique emphasis in counseling clients on data breach issues involving HIPAA and HITECH. With the increased number of reported breaches and various "loss" types of all sizes, individuals and companies are at risk daily. This rapidly growing threat involves "thefts" of all kinds, from laptops to desktop computers, paper records, and network servers. He represents clients, large and small, in developing HIPAA-compliant policies and procedures and defending clients under investigation for HIPAA complaints.

Chris also looks for ways to give back to the community and utilize his healthcare law experience. He has served as pro bono Legal Counsel for the Ronald McDonald House Charities of the Intermountain Area for six years. In that position, he also served on the Executive Committee and Board of Directors, providing legal counsel and leadership to the Charity.

Within the Firm, Chris chairs the Technology and Cyber Security Committee. He is also a member of the firm's Board of Directors. Christopher has repeatedly been named as one of Utah Business Magazine's Utah Legal Elite and a Super Lawyer's Rising Star.

## HONORS / AWARDS / UNIQUE RECOGNITION

- Unique Recognition - Education, Law School: Brigham Young University, J. Reuben Clark School of Law, 2008
- Moot Court Board of Advocates, President
- Moot Court National Team
- Academic Scholarship Recipient
- Legal Research and Writing, Teaching Assistant
- Rated by Martindale-Hubbell® Peer review as AV® Preeminent™ 5.0 out of 5.0

## PROFESSIONAL AND CIVIC INVOLVEMENT

- Utah Bar Association
- American Bar Association

## REPRESENTATIVE MATTERS

- Berger v. Greenberg, et al.- Utah Second District Court/Utah Court of Appeals. Alleged Medical Negligence related to robotic lung surgery. After four years of litigation, I obtained summary judgment in the District Court related to the standard of care. Successfully briefed and argued the matter before the Utah Court of Appeals, which upheld the District Court's dismissal.
- The State of Utah v. Merck & Co., Inc. – Utah Third District Court. Represented Merck in lawsuit by the State of Utah related to painkillers associated with an increased risk of heart attack and stroke. Case involved alleged damages in the tens of millions of dollars. Case concluded in settlement.
- Favero v. Werner Transportation – Utah Third District Court. Part of litigation and trial team representing a Plaintiff who was catastrophically injured in collision by a semi-truck. After lengthy trial, we obtained a multi-million dollar jury verdict for Plaintiff.
- HIPAA Breach and Investigation – Health and Human Services/Office for Civil Rights Investigation. Successfully, represented health care provider in multi-year HIPAA investigation related to the breach of medical records of several hundred thousand patients. Investigation concluded with no fine or monetary penalty imposed.

## PRESENTATIONS AND PUBLICATIONS

- Speaker, Legal and Ethical Issues Facing Therapists, Annual Conference of Utah Association of Marriage and Family Therapists 2017-2020
- Speaker, Retaliation Claims in the #MeToo Era, Best Practices in Utah Public Employment Law Seminar, November 2018
- Speaker, Wrongful Death Verdicts, SCM Tort and Insurance Seminar, October 2018
- Speaker, Damages Caps, Utah Tort and Insurance Seminar, November 2017
- Speaker, Cyber Security & Healthcare, Utah Business Healthcare Solutions Summit, September 2017
- Speaker, Cyber Security - What are the threats and how can healthcare systems protect sensitive data?, Utah Business Healthcare Solutions Summit, September 2016
- Speaker, Cyber Security: Emerging Risks and Trends, Utah Valley University Business & Economic Forum, May 2016
- Speaker, Navigating the Legal Landscape: Recent Developments & Five Tips for Businesses, Lunch & Learn with The Buckner Company and Nexus IT Consultants, March 2016