

## Ingeborg E. Penner

### Partner/Retired

San Francisco



Ingeborg E. Penner is an A-V rated retired partner of Foley & Lardner LLP. She was a member of the firm's Health Care Industry Team where she practiced primarily in the Provider Operations Group. Ingeborg has counseled a broad spectrum of clients in the health care industry, including hospitals, health systems, medical groups, and long-term care facilities. She specialized in advising hospitals with respect to medical staff, accreditation, licensing and certification, regulatory, compliance and operational issues. Her clients include private nonprofit, district and county hospitals, academic medical centers, and hospitals in large metropolitan areas as well as rural settings.

Ingeborg has particular experience in medical staff credentialing, peer review and disciplinary proceedings. She has helped clients design and implement constructive and creative solutions to complex disciplinary issues, advised clients with respect to well-being and impairment issues, and has represented clients in hearings and appellate reviews. In conjunction with these credentialing and peer review activities, she has developed substantial knowledge in federal and state reporting requirements, peer review confidentiality and immunities from liability for peer review activities. Her experience includes advice with respect to governing documents, medical staff bylaws, rules and regulations, related operational policies and procedures, and notice and comment procedures.

Her hospital clients have asked Ingeborg to help them achieve and maintain compliance with JCAHO accreditation, Medicare conditions of participation, licensing and other regulatory requirements. She has assisted clients with mergers, acquisitions, changes of ownership and facility closures. She has also assisted hospitals in creating and implementing corrective action plans in response to alleged violations of the Emergency Medical Treatment and Active Labor Act (EMTALA), the law prohibiting improper emergency transfers by hospitals ("patient dumping"). She has extensive experience in defending clients against actions by the Centers for Medicare and Medicaid Services (CMS) to terminate Medicare provider agreements.

Ingeborg's practice also encompasses operational issues such as bioethics, consent, patient confidentiality and HIPAA. Formerly co-chair of the Health Law Department Credentialing and Peer Review Practice Group, Ingeborg has lectured on a variety of topics, including credentialing and peer review procedures, reporting requirements and confidentiality. She is a member of the Bar Association of San Francisco and the California Society for Healthcare Attorneys.

## **Affiliations**

Ingeborg was a hospital social worker at the Philadelphia Geriatric Center, where she also served on the hospice and rehab teams.

## **Education**

- Temple University (J.D., 1986; M.S.W. 1979)
- University of Kansas (B.A., cum laude, 1969)

## **Admissions**

- Pennsylvania (1986)
- California (1989)