

# BRIAN J. KILBANE

Shareholder

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## PRACTICES

Health Law  
Medical Malpractice Defense

## EDUCATION

Indiana University School of Law (J.D., 1984)  
University of Notre Dame (B.S. in Biology, 1980)

## ADMITTED

State Bar of Michigan, 1984  
U.S. District Court for the Eastern District of Michigan, 1984  
U.S. District Court for the Western District of Michigan, 1984

## ATTORNEY

For over 30 years, Brian has represented clients in the health care industry. Currently serving as chair of the firm's Health Law Practice Group, he also serves as a respected general counselor and advisor to health care facilities and providers throughout Michigan. He provides his clients with proactive guidance on issues such as regulatory compliance, Stark, Anti-Kickback, fraud and abuse, Self-Referral Disclosure Protocol, health care regulated business transactions/contracting, institutional governance, physician credentialing, medical staff matters, HIPAA/HITECH, medical records management, professional licensing, employment, real estate, construction, and health law generally.

Brian also litigates health law, employment, professional licensing, tax, and medical malpractice claims in federal and state courts and administrative courts and tribunals. He advises on claims to determine appropriate resolution strategies including negotiation, settlement, mediation, arbitration and/or trial as may be required for each case and client. He has represented hospitals, private practices, physicians, executives, health care insurance entities, long term care facilities, nursing homes, and advanced practice and nursing professionals.

Brian works with all types of licensed health care professionals to resolve complaints and investigations brought by the Michigan Department of Licensing and Regulatory Affairs, Quality Improvement Organizations, the Centers for Medicare and Medicaid Services, and the Office of the Inspector General. He also has successfully resolved physician and medical staff privilege disputes in administrative fair hearings.

Brian is frequently invited to appear before healthcare institutions, physician groups, and nurses to address healthcare and health professional litigation issues, including guest lectures at nursing and physician assistant college programs in Western Michigan. He is also active in his community, having served as an elected school board member and as a member of the Allegan County United Way Board, while regularly coaching youth soccer and basketball.

Brian and his wife Paula raised their five children on a small farm near Hopkins, Michigan.

## PROFESSIONAL AFFILIATIONS

American Bar Association (Member, Litigation Section)

State Bar of Michigan (Member, Sections on: Healthcare, Negligence, and Labor and Employment)

Grand Rapids Bar Association

American Health Lawyers Association

Michigan Society of Healthcare Risk Managers

Michigan Defense Trial Counsel

Defense Research Institute

## COMMUNITY AFFILIATIONS

Allegan County United Way Board, Former Member

St. Stanislaus School Board, Former Member

Hopkins Youth Sports Organization, Youth Soccer and Basketball Coach

Sacred Heart Church

## NOTEWORTHY

AV Peer Review Rated, Martindale-Hubbell

Included in the 2012-2024 editions of the Best Lawyers in America® for Medical Malpractice Law - Defendants

Selected to the 2007-2018 Michigan Super Lawyers lists for Defense: Medical Malpractice

Named a Grand Rapids Magazine Top Lawyer for Medical Malpractice Law and Health Care Law (2021-2022)

Listed in Leading Lawyers (2014) -- Medical Malpractice Defense Law, Personal Injury Defense Law: General

Elected Member, Representative Assembly for the State Bar of Michigan, 1992-1994

## PUBLICATIONS

"Pollution Exclusion: Will it Survive in Michigan?", Michigan Environmental Law Journal, Vol. 9, No. 3, 1990.