

Celebrating Women's Leadership—Profiles of AHLA Members

By Radha V. Bachman, Carlton Fields Jordan Burt PA, Tampa, FL, Member, Women's Leadership Council

As we draw nearer to the second annual AHLA Women's Leadership Institute to be held in Nashville in May 2016, we are using this issue of AHLA Connections magazine to celebrate women leaders. We have selected female role models from different areas of practice:

- » The managing partner of the Los Angeles, CA, office of a large law firm;
- » The former AHLA President and founder of a leadership and organizational development consulting firm; and
- » The General Counsel of a large public health system in Florida.

These women have achieved many successes in their professional lives and have taken the time to share some tidbits of their experience with readers.

We are also excited to welcome **Gloria Feldt** as the keynote speaker for the Women's Leadership Institute. Gloria is a *New York Times* best-selling author, speaker, commentator and leader focused on women's rights and initiatives. In 2013, she founded Take the Lead, a 501(c)(3) organization dedicated to propelling women to take leadership position in all sectors by the year 2025. Make plans to attend the WLI—it promises to again be a one-of-a-kind opportunity to learn from and interact with inspiring women across the country! Register today at www.healthlawyers.org/programs.



Vivian M. Gallo

Senior Vice President and General Counsel
Halifax Health
Daytona Beach, FL

Interviewed by **Radha Bachman**, Carlton Fields, Tampa, FL

Vivian M. Gallo serves as the Senior Vice President and General Counsel for Halifax Health. She is a Board Certified Health Law attorney and also a Licensed Healthcare Risk Manager. At Halifax, she reports to the CEO and governing Board, is responsible for all legal matters impacting Halifax, and oversees Risk and Claims Management for the organization. Ms. Gallo's experience includes health care fraud and abuse laws and regulations, corporate governance, risk management, facility and provider licensure, physician and health care

contracting, hospital operational and patient care issues, and managed care and health care financing.

What is your current position and how did you find your way to this role?

I joined Halifax Health as Senior Vice President and General Counsel in May 2015. My path to this role was a bit unexpected, but I am very happy to work with the great individuals and health care providers at Halifax. I was recruited to join Halifax while I was working as Deputy General Counsel at the UF Health Shands, and had planned to stay there as I had a great team and loved working at my alma mater. Prior to Shands, I worked in pediatrics, as General Counsel at Miami Children's Hospital, and in-house at Nemours. Then last spring, Halifax approached me to join their team, and I was immediately impressed with both the individuals on the leadership team and their comprehensive infrastructure for health care regulatory compliance. I believe I have learned valuable lessons in each position I've held, both from a leadership and legal perspective, and am grateful to have worked with such talented individuals over the years.

What do you like most about your career?

I like the fact that I can be involved in improving the quality and efficiency of patient care, as well as lowering risk for health care providers. Early in my career I practiced medical malpractice and insurance defense litigation and that emphasis was on resolving liability after a bad result or adverse incident had occurred. Working as an in-house resource in a health care system affords me the opportunity to contribute to implementing best practices to improve care and avoid bad results wherever possible. I can be proactive, as opposed to just reactive.

How do you think about the issue of women and leadership in the context of your own career?

I think I'm fortunate because I have had strong women leaders in every position I've worked in throughout my career. There were female partners in my first law firm job, and then I went into academic medicine at the University of Pennsylvania, where the majority of the leaders I worked with were very accomplished women. So I have approached my career with the expectation that I would eventually obtain the roles I wanted.

What is the key mistake you have observed other women in your workforce making from a career perspective, and how would you (or did you) counsel them accordingly?

I think women make a mistake if they try to approach leadership from either extreme—too aggressive or too accommodating. I do think women still face a challenge with how they are perceived by male leaders, and extremes in behavior are tolerated more when the leader is male. It is also vital to listen first, plan and prepare, then act. This seems true for any leader, but especially for women. Competence is essential, but it is how a woman presents information and advice that will be a significant factor in her success.

If you were allotted one sentence to provide career advice to women seeking leadership positions in their organization, what would it be?

Be willing to take risks, and remember the path to your goal may not be a straight path.

To what extent do you think larger structural change in the profession is needed, if any, to help support women seeking career advancement and leadership roles?

More flexibility is still needed in the legal profession for women who choose to work and have a family. Given the technological advancements, there is really no reason why the legal profession can't embrace women working remotely or during flexible hours. The traditional rule of putting in as many hours at the office as possible or billing a huge number of hours becomes irrelevant as the clients (such as hospitals) move away from hourly rates and demand per project or flat fee billing arrangements.



Beth Schermer

Owner
Christofolo||Schermer LLC
Phoenix, AZ

Interviewed by **Victoria Alae**, Shumaker Loop & Kendrick LLP, Tampa, FL

Beth Schermer is a co-founder of Christofolo||Schermer LLC, and for more than 25 years has worked with health care systems, trade associations, foundations, non-profits and other organizations across the country, developing strategic plans and business initiatives and providing advice to navigate related regulatory and transactional concerns. In 1998, Ms. Schermer founded the firm that became Coppersmith Schermer & Brockelman LLC, a nationally recognized law firm in healthcare, employment, litigation and corporate matters. Throughout her career, Ms. Schermer has been engaged in

workforce engagement and mentoring. Ms. Schermer served as President of the American Health Lawyers Association, and is active in community organizations including the board of St. Luke's Health Initiative and the Arizona Health-E Connection Roadmap Steering Committee. Her awards and honors include AHLA's David J. Greenburg Service Award, Best Lawyers in America for Healthcare, and Southwest Super Lawyers in Healthcare.

Did you always know that you wanted to practice health care law?

I always knew that I wanted to be involved in health care. I worked in health clinics during and after college, but ultimately, I decided to attend law school. After graduation, I joined Lewis and Roca in Phoenix where I started in medical defense but was later given the opportunity to help build their health care corporate practice. After practicing in a large firm and then starting my own small firm, Coppersmith Brockelman PLC, I had the chance to serve as Vice Dean, Administration—Phoenix for the University Of Arizona College Of Medicine, coordinating the University of Arizona's expansion of its Phoenix based College of Medicine into a four-year program. Based on these experiences, I co-founded a consulting firm, Christofolo||Schermer LLC, with my good friend Rosemarie Christofolo to assist organizations of all types with leadership development, strategic planning, communications and executive coaching.

Describe a challenge you faced early in your career as you worked to advance to a leadership position and give your advice for women early in their careers to overcome similar challenges.

I had to learn not to try to "be all things to all people." I think it's important to take on leadership positions, however large or small, in the professional setting to learn how to be fair and firm in dealing with those around you and to be a clear and effective communicator. While attorneys tend to focus on the achievement aspect of their work, it is equally important to spend time learning the communication and influence skills needed to become a leader and to guide those who work around you.

What would you consider to be your greatest achievement in your professional career? And to what do you attribute this success?

I have been fortunate to practice health care law in many different arenas and have been involved in a lot of situations and organizations that have been both interesting and stimulating. I am most proud of being part of a group that created and sustained a law firm that did great and satisfying work while fostering a sense of community. It is not so much what my partners and I did, but how we did it and the community that we shaped.

If you could give one piece of advice to a young attorney practicing health law, what would it be?

In all legal fields, but particularly in health care given the complexity of the regulatory environment, a level of mastery needs to be gained before a young attorney is able to practice meaningful and interesting work. Even if you do not always like the project you are assigned as a young attorney, dive in and keep swimming in order to gain a mastery of the subject matter and become effective in your communications and leadership skills in order to influence and help the people around you to reach their goals.



Sharon R. Klein
Pepper Hamilton LLP
Los Angeles, CA

Interviewed by: **Dayna Nicholson**, Pepper Hamilton LLP, Los Angeles, CA

Sharon R. Klein (CIPP/US) is a partner in the Corporate and Securities Practice Group of Pepper Hamilton LLP. Ms. Klein is the partner in charge of the firm's Orange County office and chair of the Privacy, Security and Data Protection practice. She handles a variety of corporate and intellectual property matters, in particular, helping technology and outsourcing clients grow and succeed.

Ms. Klein advises businesses on planning, drafting and implementing privacy, security and data protection policies and best practices, compliance with applicable laws, regulations and rules, and crisis management and litigation strategies for non-compliance. She is certified as an information privacy professional by the International Association of Privacy Professionals (IAPP). Ms. Klein is a frequent writer and presenter on privacy, security and data protection matters.

Can you tell readers about your career path to this point?

I am the Partner in Charge of the Orange County, CA, office of Pepper Hamilton LLP, and Chair of the firm's Privacy, Security and Data Protection practice. As a partner in the Corporate and Securities practice group, I advise health care businesses in regulatory and transactional matters. Frequent regulatory topics include planning, drafting and implementing privacy, security and data protection policies and best practices, compliance issues and crisis management, particularly with regard to HIPAA/HITECH and the Federal Trade Commission regula-

tions in the telehealth area. On the transactional side, I handle a variety of corporate and intellectual property matters in the information technology space, assisting with the exchange of health care and transaction data, and advising covered entities and business associates in all types of commercial transactions, including outsourcing and mobile medical applications.

After my clerkship for a Federal judge, I started at Dechert in Philadelphia as a commercial litigator. Although I handled health care-related cases, I was not focused on that industry particularly. I determined that I would like to move into a transactional/corporate role because I enjoyed handling deals, drafting documents, and providing creative business solutions. I decided to go in-house to get that experience, and was excited to find an Associate General Counsel position at Shared Medical Systems (then Siemens Medical, now Cerner). In that capacity, supporting an EMR vendor, I learned about hospital and physician group operations and I was hooked on health care from then on.

Getting the in-house experience paid off, and Dechert asked me to return in a transactional capacity after Siemens acquired SMS. I eventually moved over to Pepper Hamilton in Philadelphia, and then moved to California in 2004, to open the firm's Orange County (and first California) office.

Did you have mentors or role models, how have they helped, and how did you find these mentors?

My first job out of law school was a clerkship with Hon. J. William Ditter Jr. at the U.S. District Court for the Eastern District of Pennsylvania. Judge Ditter was a terrific role model and we still keep in touch to this day. He drilled critical thinking into my practice through the Socratic method. He would expect his clerks to read all of the documentation, and then he'd debate points on both sides with us, following which we would draft an opinion for his review. There were not a lot of women available to act as mentors when I was coming up. I was the first female law clerk for Judge Ditter, and the first woman to try cases in multiple Pennsylvania courts.

What do you determine to be key issues that impact women lawyers early in their career? And do you see new issues emerge with years of professional experience?

A key issue that everyone faces early in their career is learning how to develop business. This was particularly difficult for me, because I came from a working class background and did not have a lengthy list of contacts. Asking for business and networking did not come naturally. I started by forcing myself

to take ten business cards to networking meetings, and not leave until all of the cards were handed out.

Did you know you wanted to practice health law when you were in law school?

No. I was not targeting health care when I went to SMS, but was excited about it. My undergrad degrees were in social work and psychology, and I considered a legal career as another way to help people. SMS was attractive because it fulfilled that need. Since then, I have continued to enjoy practicing in health law because I really do feel I am able to have a professional career that results in the provision of better health care to the patients with whom my clients interact.

Describe an example of a challenge or roadblock you faced in the early part of your career, as you worked to advance to a leadership position. Do you think women face similar challenges or roadblocks today, and if so, to what extent?

I've been working in health care technology for decades. For many of those years, I was the only woman at executive meetings involving important technical issues. This did not make me uncomfortable, but on occasion I had to learn to make my ideas appear to have originated with one of the male executives, so that they actually would be considered.

There is still a dearth of women in health care technology. We need to project our thoughts and ideas so that we are heard and respected.

What is the key mistake you have observed other women in your workforce making from a career perspective, and how would you (or did you) counsel them accordingly?

Thinking that if you work really hard, people will notice your efforts and reward you. That is not typically the case. Women in general do not seem to be as good at self-promotion as men.

To what extent do you think larger structural change in the profession is needed, if any, to help support women seeking career advancement and leadership roles?

I believe it is important for women to keep up their network of connections, even in those times when they are not as active in the practice of law for family or other reasons. It is terrific that organizations like AHLA can be an outlet for women who may need to be inactive for a number of years, but may want to stay connected so they can rejoin the workforce in the future. 

About the Interviewers



Victoria Alae (valae@slk-law.com) is a partner with Shumaker Loop & Kendrick LLP in Tampa, FL, practicing primarily in health law.



Radha Bachman (rbachman@cfblaw.com) is a shareholder with Carlton Fields in Tampa, FL. As a member of the firm's health care practice, she represents a diverse array of health care entities including hospitals and health systems, small and large physician groups, MSOs, ambulatory surgery centers, assisted living facilities and hospice/home health providers. Ms. Bachman is one of only 122 attorneys in Florida to be board certified in Health Law by The Florida Bar. Additionally, she is licensed as a Health Care Risk Manager in Florida. She is a member of AHLA's Women's Leadership Council.



Dayna C. Nicholson (nicholsond@pepperlaw.com) is a senior associate in the Corporate and Securities Practice Group of Pepper Hamilton LLP in Los Angeles, CA, where she focuses her practice on health care-related matters, such as licensing and other regulatory compliance, peer review and credentialing and corporate and medical staff governance. Her clients include hospitals, medical staffs, managed care organizations, medical groups, medical device retailers and other health care providers. Ms. Nicholson also has experience in patient information privacy issues, appeals of state-issued administrative penalties, Medicare and Medi-Cal certification, emergency care requirements and litigation arising out of peer review matters.