

Kelli Carpenter Fleming

Partner

Birmingham, AL
(205) 458-5429
kfleming@burr.com



“My depth of knowledge in the health care field makes me an advisor my clients can trust as they navigate risk at every turn.”

Kelli’s experience includes health care privacy and security matters, licensure and certificate of need issues, contract drafting and negotiation, fraud and abuse compliance, Medicare/Medicaid regulatory guidance, third-party payor audits and disputes, employment matters, and various other corporate and regulatory concerns health care providers may face. Kelli has a focus within the area of HIPAA compliance, ensuring her clients adhere to the privacy and security policies and procedures that are required of them. Kelli assists all types of clients within the health care industry, including hospitals, surgery centers, physician practices, diagnostic centers, and home health and hospice agencies.

Having a father who is also an attorney, Kelli has been around the profession all her life. She has developed the ability to guide clients in overcoming challenges and seizing opportunities within the legal framework impacting the highly-regulated health care industry. Resourceful and collaborative, Kelli values the interaction she has with her clients and places her focus on assisting them with growing their businesses and achieving their goals.

Kelli is a member of the firm’s Recruiting Committee, Charitable Contributions Committee, and Health Care Group. Kelli is also a contributing writer for the *Birmingham Medical News* and the Medical Association of the State of Alabama.

When she’s not in the office, Kelli is involved in the activities of her two children and loves to travel.

PARALEGAL/ASSISTANT

Legal Practice Assistant

Carol Jones
(205) 458-5163
cjones@burr.com

CAPABILITIES

Health Care
Health Care Litigation
Insurance
Insurance Regulation
Health Care Compliance
Health Care Business, Governance & Transactional
Cybersecurity & Data Privacy
Corporate Law
Government Investigations
Long Term Care

EDUCATION

J.D., University of Alabama School of Law
magna cum laude
Order of the Coif
Alabama Law Review
Hugo L. Black Scholar Award
B.S., Washington and Lee University

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Kelli earned her J.D. from the University of Alabama School of Law and her B.S. from Washington and Lee University.

Experience

- Assisting numerous clients in responding to and addressing HIPAA breaches, including determining if there is a reportable breach, coordinating the breach notification process, and reviewing and revising HIPAA Compliance Plans and HIPAA forms.
- Handling a physician practice's challenge and appeal of a Medicare suspension, followed by a multi-million dollar Medicare overpayment finding.
- Retained to assist a client in navigating the Certificate of Need process to develop and operate the first FED in Alabama. This representation included handling all aspects of the contested case hearing, assisting with the presentation to the Certificate of Need Review Board, and defending the Board's decision on appeal.
- Assisted an acute care hospital in drafting and negotiating various employment and recruitment agreements for both primary care and specialty physicians. In addition, helped create a primary care compensation plan for the hospital.
- Assisted home health care provider in filing suit and ultimately collecting amounts owed by a large health insurer. The amounts owed related to over 600 different claims and had remained unpaid for over a year.
- Assisted a physician practice in forming a medical services organization.

Honors & Recognition

- Named, *Chambers USA*, Health Care (2017-2023)
- *Mid-South Super Lawyers* "Rising Star," Health Care (2019-2020)
- Listed in *The Best Lawyers in America*®, Health Care Law since 2018, Litigation - Health Care since 2022, Corporate Law (2024)
- Listed in *The Best Lawyers in America*® "Lawyer of the Year", Health Care Law (2024)
- *Birmingham Magazine's* "Top Attorneys" (2017)
- *Birmingham Business Journal's* "Health Care Rising Stars" (2016)
- *Birmingham Business Journal's* "Top 40 Under 40" (2014)

magna cum laude

LICENSED IN

Alabama

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News

- Best Lawyers® 2024 Honors 242 Burr Attorneys, Including 17 "Lawyers of the Year"
Firm News, 08.17.2023
- 61 Burr & Forman Attorneys Ranked in 2023 Chambers USA
Firm News, 06.01.2023
- "How Online Reviews Can Lead to HIPAA Violations," McKnights Long-Term Care News
Firm News, 05.12.2023
- 63 Burr & Forman Attorneys Ranked in 2022 Chambers USA
Firm News, 06.03.2022
- Burr & Forman Launches Microsite and Enhances Cybersecurity & Data Privacy Team Across The Southeast
Firm News, 05.09.2022

Speaking Engagements

- AAHIM Legal Manual and Workshop
Speaking Engagement, In-Person in the Auditorium at Burr and Forman, 07.29.2022
- Alabama MGMA Conference
Speaking Engagement, 03.03.2022
- Healthcare Fraud Summit
Speaking Engagement, Webinar, 10.13.2021
- AAHIMA Group Presentation
Speaking Engagement, Cullman, AL, 03.08.2019

Articles

- Proposed Penalties for Information Blocking Violations
Articles / Publications, *Reprinted with permission from Birmingham Medical News*, 12.28.2023
- Do I Believe You? Scienter Standard in a FCA Case
Articles / Publications, 07.20.2023
- Potential HIPAA Changes Related to Reproductive Health on the Horizon
Articles / Publications, 06.06.2023
- Focus on Electronic Health Information
Article, 05.12.2023
- End of an Era: COVID-19 Public Health Emergency is Ending
Article, 03.07.2023

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Civic Activities

- Junior Women's Committee of 100-Emmett O'Neal Library (2017-Present)
- March of Dimes, Market Board (2017-Present)
- Alabama Symphony Orchestra, Symphony 30 (2017-Present)
- Baptist Health Foundation, Wine, Women, and Shoes, Event Committee (2016-2017)
- UAB School of Nursing, Junior Board of Visitors (2014-Present); Vice Chairman (2018); Chairman (2019); Immediate Past Chairman (2020)
- Children's Art Guild, Member (2016-Present)
- Alabama Ballet Pointe Ball Decorations Committee (2018-Present)
- Canterbury United Methodist Church, Member

Professional Activities

- American Health Lawyers Association
- Alabama Medical Group Management Association
- Birmingham Medical Group Management Association
- Alabama Bar Association
- Birmingham Bar Association