

Charlotte L. Kohler

President

ckohler@kohlerhc.com

Headquarters

2929 Hernwood Rd.
Woodstock, MD 21163

Phone: 410.461.5116

Cell: 615.497.4627

Fax: 410.461.5117 (HIPAA Secure)

Education and Professional

University of Maryland – Business, 1973

University of Maryland/WAVE – Nursing

[RN no longer maintained]

State of Maryland – Springfield – LPN, 1965

[LPN no longer maintained]

Certified Public Accountant, 1974

Certified Patient Accounting Manager, [Now CRCE], 1998

Certified Valuation Analyst 1996

Certified Professional Coder 2004

Board of Advanced Medical Coding, 2006

Certified Healthcare Business Consultant, 2008

Certified Professional Compliance Officer, 2020

Prior Employment

Navigant Consulting, Inc. 2003-2009

Kohler HealthCare Consulting, Inc. 2000-2003; 2009

Kohler HealthCare Consultants, Inc. 1993- 1999

Kohler & Co. 1984-1996

Helix Health, Inc. 1996-2000

Walpert, Smullian & Blumenthal, P.A. 1994-1996

Professional Health Services, Inc. 1980-1984

Arthur Andersen & Co. 1973-1979

Professional Associations

Medical Group Management Association

(MGMA) national and local member, 1984 to present, President 1996

Healthcare Financial Management Association

(HFMA), advanced, national, and local member

1984 to present. Awards: Follmer Bronze, Reeves Silver, and Muncie Gold Merit, and The President's Award

American Association of Health Administrative

Management (AAHAM), national and local

member 1984 to present

National Association for Ambulatory Urgent Care

(NAFAC), National Treasurer and board member

1991-1997, national member 1991 to present

National Association of Certified Healthcare

Consultants (NACHC), formation member

Society of Ambulatory Care Professionals [Now

AHA]

National Association of Certified Valuation Analysts

(NACVA) 1996 to present

American Institute of Certified Public Accountants

(AICPA), 1973 to present

Maryland Association of CPA (MACPA),

current and active Maryland License No. 4052, 1973

to present

Healthcare Business Management Association

(HBMA)

American Health Lawyers Association (AHLA), non-

attorney member, 2008 to present

Urgent Care Association of America (UCAOA)

Charlotte Kohler, [RN], CPA, CVA, CRCE, CPC, CHBC, CPCO, CEMC is President of Kohler HealthCare Consulting, Inc. She specializes in healthcare regulatory compliance, finance, coding, consulting, litigation, and investigation. She has over 40 years of healthcare experience starting with the clinical nursing side to the finance, operational, and compliance side of healthcare.

Ms. Kohler has assisted clients in evaluation of issues, expert testimony, litigation support, valuation damages, medical coding/billing related to potential fraud, abuse, and kickback issues, as well as damage disputes. Ms. Kohler has assisted in many complex regulatory matters including:

- Specific issues relating to a joint defense group in a nationwide managed care litigation brought by a class of 700,000 physicians against large health insurers, all Blue Cross/Blue Shield plans and similar state cases.
- Claims by payers against hospitals, physicians, and other suppliers/providers for billing practices and non-compliance.
- Claims by providers against payers regarding non-payment.
- Claims of improper coding and billing practices on State and Federal levels, including Hierarchical Condition Category (HCC) risk adjustment.
- Disputes between payers and providers regarding-payment.
- Disputes regarding Medicare, Medicaid, and Tricare Qui Tam cases.
- Challenge of documentation to support services claimed.
- Inappropriate placement of patients in inpatient status.
- Litigation between providers and billing companies
- (Hospital, pro-fee, other services).
- Disputes regarding valuations, including damages and
- covenant not to compete.

During her years at Kohler HealthCare Consulting (KHC), she and her firm have provided regulatory compliance services to over 60% of the hospitals in Maryland, as well as hospitals and other health related organizations across the United States on an ongoing basis. For any litigation engagement it is based on a foundation of a broad range of consulting services including reimbursement regulatory support to providers and attorneys regarding billing, coding, documentation in the areas of home care, radiology, hospital billing, DME, Therapy, ASC, anesthesia, laboratory, pharmacy, and physician practices. KHC, under the direction of Ms. Kohler, provides services as an Independent Review Organization (IRO) for providers under Integrity Agreements.

Ms. Kohler spent eight years at the Arthur Andersen & Co. audit and consulting practice, where she progressed from Staff Auditor to Manager. Her audit and consulting experience included publicly traded, privately owned, governmental and not-for-profit organizations. Significant audit clients include health care organizations, hospitals, manufacturing, and retail establishments. Ms. Kohler prepared cost reports and provided training on cost reports while at Arthur Andersen & Co.

Later, Ms. Kohler was the Regulatory Compliance Officer and an internal consultant for a five-hospital integrated health delivery system in Baltimore. In that role, she provided overall compliance guidance, and provided the necessary assistance to investigate/evaluate and resolve compliance issues at the hospitals. She also developed an Ambulatory Surgery Center, a Home Care Agency, and maintained overall administrative and management responsibility for a wholly owned physician billing company, which billed for over 500 teaching and non-teaching physicians.

Ms. Kohler currently assists attorneys and their clients (hospitals and other healthcare providers) in understanding the regulatory requirements to code and bill properly often related to self-reporting situations. She also performs educational surveys, including the review of Revenue Integrity, current charging, and coding methodology (CPT and ICD-10 CM) to determine potential "audit liability." She provides training to staff and physicians to correct misunderstandings and avoid future problematic issues.

Compliance is a significant component of the professional services provided by Ms. Kohler from the application of standards to the investigation of how and why standards are not met. KHC performs compliance reviews for hospitals, specialty medical practices, home health agencies, and other health care organizations and often acts as an Independent Review Organization (IRO) under government mandated integrity agreements.

For litigation, Ms. Kohler provides investigative assistance to legal counsel and works to develop a strategy for trial defense and corrective action plans. In the consulting arena, many clients have been working with Ms. Kohler and KHC for over 30 years.

LITIGATION SUPPORT

Due to the nature of litigation support, not all cases in which Ms. Kohler has been designated as an expert have required deposition or testimony beyond the preparation of an Expert Report. Ms. Kohler is qualified in both Federal and State Courts. For criminal cases, demonstratives have been developed.

- Provided Expert and Consulting Services to King, Tilden, McEttrick & Brink, P.C.: Dinesh Verma Medical P.C. and State Farm Mutual Automobile Insurance Company. Case No. 17-20-1158-7147. Ongoing.
- Provided Expert and Consulting Services to Fredrikson & Byron, P.A.: Amerita Inc. v. Optum Public Sector Solutions, Inc. et al, AAA Case No. 01-23-0000-7997. Ongoing.

- Provided Expert and Consulting Services to Duane Morris, LLP: Knox County Hospital District v. Aetna Health Management, LLC. AAA Case No. 01-22-0004-5541. Ongoing.
- Provided Expert and Consulting Services to Charles River Associates: Life Point Corporate Services General Partnership et al. v. Cigna Health and Life Insurance Company. Claim No. 6721. Testified 2/20/2023.
- Provided Expert and Consulting Services to Walraven & Westerfeld, LLP: The Regents of the University of California, UCLA v. United Healthcare Military Veterans Services, LLC. Case No. 2:19-cv-06190. Settled February 2024.
- Provided Expert and Consulting Services to King & Spalding, LLP and Prime HealthCare Services: Prime Healthcare Services vs. CalOptima, Varis, LLC. Case No. 30-2023-01315976-CU-BC-CXC. Ongoing.
- Provided Expert and Consulting Services to Thomas Farrington, Esq. Taivon Giles v. David Dean Marler, International Marketing Group, Inc. Settled 12/2023.
- Provided Expert and Consulting Services to Torricella Law, PLLC.: Gabrielle Assouline v. Southwest Airlines. Case No. CACE-22-003982. January 2024 was settled.
- Provided Expert and Consulting Services to Morgan, Lewis & Bocklus LLP and TEVA Pharmaceuticals: Fort Payne Hospital Corporation et. Al. v. McKesson Corporation. Case No. CV-2021-900016. Settled June 2023.
- Provided Expert and Consulting Services to Markham Read Zerner, LLC.: Health Care Service Corporation, A Mutual Legal Reserve Company v. Toth Enterprises II, P.A. D/B/A Victory Medical & Family Care, and Victory Urgent Care, LLC. Claim No. 6644. Settled July 2023.
- Provided Expert and Consulting Services to King & Spalding, LLP: Prime HealthCare Services-St. Francis Medical Center, Centinela Hospital Medical Center, Garden Grove Hospital Medical Center, Desert Valley Hospital, San Dimas Community Hospital, West Anaheim Medical Center V. Kaiser Foundation Health Plan, Inc., Medliminal, LLC. Ongoing.
- Provided Expert and Consulting Services to King & Spalding, LLP: Valley Health System, LLC D/B/A Valley Hospital Medical Center, et al. v. JSA P5 Nevada, LLC D/B/A Healthcare Partners Nevada. Settled June 2023.
- Provided Expert and Consulting Services to King & Spalding, LLP: Prime Healthcare Centinela, LLC dba Centinela Hospital Medical Center et. Al. v. Easy Choice Health Plan et al. Settled June 2023.
- Provided Expert and Consulting Services to King, Tilden, McEttrick & Brink, P.C.: Southeast MI Surgical Hospital, LLC, Integrated Hospital Specialists, P.C. Alliance Anesthesia, P.L.L.C., and Insight Anesthesia, P.L.L.C., (Anthony Duane Jackson, Jr.) v. Allstate Insurance Company. Case No. 21-006296-NI.
- Provided Expert and Consulting Services to King, Tilden, McEttrick & Brink, P.C.: Walker vs. Allstate Insurance Company. Case No. 22-000511-NF. Settled October 2023. Ongoing.
- Provided Expert and Consulting Services to King, Tilden, McEttrick & Brink, P.C.: Great Lakes Professional D/B/A Doc's Physical Therapy & Rehab Services, (Tony Brantley) v. Allstate Insurance Company. Case No. 21-014823-CZ.

- Provided Expert and Consulting Services to King, Tilden, McEttrick & Brink, P.C.: Therapy Professionals, PLLC, (Deaivon Buckley) v. Allstate Insurance Company. Case No. 2021-191078-NF. Settled June 2023.
- Provided Expert and Consulting Services to King, Tilden, McEttrick & Brink, P.C.: CET Pharmacy Service, (Fatema Jackson) v. Allstate Insurance Company. Case No. 22-000306-NF. Settled in August 2023.
- Provided Expert and Consulting Services to King, Tilden, McEttrick & Brink, P.C.: American Center for Pain Management, Paramount Physical Rehab, Discount Drugs (Tabria Moore) v. Allstate Insurance Company. Case No. 21-012380-NI. Settled August 2023.
- Provided Expert and Consulting Services to King, Tilden, McEttrick & Brink, P.C.: McLaren Macomb, Lakeside Anesthesia Associates, PLLC, GLPS Staffing Solutions, LLC, and Movement Orthopedics, PLLC, (Pricilia Rodriguez-Trillo) vs. Allstate Insurance Company. Case No. 22-008486-NF. Settled in August 2023.
- Provided Expert and Consulting Services to King, Tilden, McEttrick & Brink, P.C.: Paramount Physical Rehab, LLC, and A-Z Rides, LLC (Jaylen Pharr) v. Allstate Insurance Company. Case No. 2021013102-NF. Settled in 2023.
- Provided Expert and Consulting Services to King, Tilden, McEttrick & Brink, P.C.: The Surgical Institute of Michigan, LLC, Northland Radiology, Michigan Business Management Group, Dependable Transportation (Hussein Sayed), v. Cedrick Garner Vanhook, Allstate Insurance Company. Case No. 21-008285-NI. Settled in 2023.
- Provided Expert and Consulting Services to King, Tilden, McEttrick & Brink, P.C.: Aquatic Solutions Physical Therapy, Discount Drugs Pharmacy, Elite Diagnostics, Inc., Michigan Business Management Group, Inc., Northland Radiology, Pioneer Labs Houston, Waller Health Center on Cathedral Green, (Sarah McGee& Darian Ward) v. Allstate Insurance Company). Case No. 20-008472-NI. Settled in 2023.
- Provided Expert and Consulting Services to King, Tilden, McEttrick & Brink, P.C.: Flint Region ASC, MI Clinic Neurosurgery, PLLC, (Bridget Strick), v. Allstate Insurance Company, Case. No. Settled in 2023.
- Provided Expert and Consulting Services to VerisLaw, PLLC. NextGen Wellcare Group, LLC. v. Wellhealth Ventures, LLC, et al. Case No. 471-06681-2021. Ongoing.
- Provided Expert and Consulting Services to Akerman LLP: Jerry Berg v. Northwest Texas HealthCare System, Inc. Cause No. 110799-2-CV. Settled July 2023.
- Provided Expert and Consulting Services to Charles River Associates: Ambry Genetics Corporation v. Anthem Blue Cross and Blue Shield. JAMS Reference No.: 1220071554. Testified September 2022.
- Provided Expert and Consulting Services to Reminger Co., LPA: Concord Psychiatry, LLC V. Advanced Billing and Consulting Services, Inc. Case No. 21CV7476. Settled July 2023.
- Provided Expert and Consulting Services to GS Labs LLC vs. Blue Cross Blue Shield of Kansas City. No. 4:21-cv-00525-FJG. Report to Counsel.
- Provided Expert and Consulting Services to Butler Snow, LLP: Apolonia Scott vs. Tennessee Steel Haulers, LLC. No. 4:22-CV-00063-DMB-JMV. Settled April 2023.

- Provided Expert and Consulting Services to Thompson Hine LLP. Gravity Diagnostics, LLC v. Laboratory Billing Solutions, INC. Civil Action No.:2:21-cv-00002. Settled April 2023.
- Provided Expert and Consulting Services to Miles & Stockbridge: Infusion Management, L.L.C. and Altus Infusion Billings, L.L.C., v. Matthew P. Mardiney, M.D., P.C. Civil Action No. 4:22-cv-679. Settled December 2023.
- Provided Expert and Consulting Services to Charles River Associates. United States of America against Harold Bendelstein. Case No. 1:18-cr-00309-SJ. Testified July 2022.
- Provided Expert and Consulting Services to Pain Specialists of America regarding laboratory testing. Vivek Mahendru, M.D., Central Texas Pain Institute vs. Pain Specialists of America LLC, and PSA Group Holdings. Settled November 2021.
- Provided Expert and Consulting Services to Charles River Associates. EABS III, LLC vs. Project Build Behavioral Health, LLC. Arbitration No. 01-19-0000-8657. Settled August 2021.
- Provided Expert and Consulting Services to Charles River Associates. United States of America vs. Crescendo Bioscience, Inc. and Myriad Genetics, Inc. Case No. 3:16-CV-2043-TSH. September 2021.
- Provided Expert and Consulting Services to Nichols Brar Weitzner & Thomas LLP. Spectrum Diagnostic Labs LLC vs. Health Care Service Corporation, a Mutual Legal Reserve Company, d/b/a Blue Cross and Blue Shield of Texas. Case No. 01-21-0004-7229. Settled in Aug. 2022.
- Provided Expert and Consulting Services to Nichols Brar Weitzner & Thomas LLP regarding insurance payment dispute. Jason Bailey, MD., P.S. vs. CJS Pathways LLC d/b/a Christian Brothers Automotive Health Benefit Plan and United Healthcare Services, Inc. Completed November 2021. Settled.
- Provided Expert and Consulting Services to Markham & Read; Mission Toxicology, LLC and Sun Clinical Laboratory, LLC et al vs. UnitedHealthcare Insurance Company, Inc., et al. Case No. 5:17-CV-01016. Settled in 2022.
- Provided Expert and Consulting services through Charles River Associates to Bardy Diagnostics Inc. Bardy Diagnostics, Inc. a Delaware Corporation vs. Hill-Rom Inc. C.A. No. 2021-0175-JRS. Testified May 7, 2021. Arbitration ruling and settlement July 2021.
- Provided Expert and Consulting Services to the Gunster Law firm and Physician Partners of America LLC regarding Cigna's Clinical Review of ambulatory surgery center billing. In settlement discussions as of September 2022.
- Provided Expert and Consulting Services to Scripps Health, regarding Analysis of Revenue Cycle process and Damages claimed by the Plaintiff. Scripps Health vs. nThrive Revenue Systems LLC, formerly known as MedAssets Analytical Systems LLC. United States District Court for Southern District of California. Case No. 19-CV-0760-H-BLM. Expert Report Submitted January 4, 2021. Settled October 2021.
- Provided Expert and Consulting services to Knox County Hospital District regarding failure to pay for covered laboratory service claims. Knox County Hospital District vs. Blue Cross & Blue Shield of Texas, an Unincorporated Division of Health Care Services Corporation, a Mutual Legal Reserve Company. Arbitration Claim No. 5608. Settled March 2022.

- Provided Expert and Consulting Services to relators Gregory Duncan, M.D., and Gary Hulbert regarding hospital billings of recovery times. *The State of California, ex rel Gregory Duncan and Gary Hulbert vs. Sutter Health, et al.*; State of California Superior Court. Case No. RG17846895. Testified July 2023.
- Provided Expert and Consulting Services to Hausfeld LLP regarding the billing of services. *District Council #16 Northern California Health and Welfare Trust Fund vs. Sutter Health*. Case No. RG15753647. In process as of October 2022.
- Provided Expert and Consulting Services to RA Pain Services to determine damages. *Tox Design Group, LLC vs. RA Pain Services, PA*; Expert Report. Settled June 2022.
- Provided Expert and Consulting Services to Krishna Parchuri, MD regarding alleged insurance fraud, kickbacks, and bribes. Criminal Case. *The United States of America vs. Krishna Parchuri, et al.*; U.S. District Court for the Northern District of Oklahoma. Case No. 18-CR-251-CVE; Dismissed without Prejudice; case closed August 17, 2020.
- Provided Expert and Consulting Services to Jaimee Martocci under Attorney-Client Privilege, Civil Matter. *Jaimee Martocci vs. MDX Diagnostics, et al.*; State of New Jersey Superior Court – Monmouth County. Case No. MON-L-2450; Expert Report submitted December 31, 2019. Settled in October 2022.
- Provided Expert and Consulting Services to Gerald Champion Regional Medical Center regarding payment issues between the hospital and the insurance company. *Otero County Hospital Association d/b/a Gerald Champion Regional Medical Center vs. United Healthcare Insurance Company*. Case No. 01-18-0002-5952. Arbitration was settled in March 2022.
- Provided Expert and Consulting Services to Gerald Champion Regional Medical Center regarding payment issues between the hospital and the insurance company. *Otero County Hospital Association d/b/a Gerald Champion Regional Medical Center vs. BlueCross BlueShield*. Case No. 01-19-0002-8871. Arbitration. Ongoing.
- Provided Expert and Consulting Services to Butzel Long regarding a federal fraud case. *United States of America vs. James Letko, Steven King, Rami Lazecki, Patricia Flannery, and Katherine Peterson*. Case No. 19-CR-20652. Settled in October 2022.
- Provided Expert and Consulting Services to Jeffrey Gross, MD regarding alleged mail fraud, wire fraud, and conspiracy. Criminal Case. *United States of America vs. Jeffrey David Gross*; United States District Court for the Central District of California. Case No. 18-00014-CJC. Settled October 2020.
- Provided Expert and Consulting Services to Remus Repta, MD regarding licensing and accreditation for an Ambulatory Surgery Center. *Pablo Prichard, MD vs. Remus Repta, MD and Pablo Prichard, MD vs. Arizona Aesthetics Associates, LLC, et al.*; Superior Court of the State of Arizona in and for the County of Maricopa. Case Nos. CV2018-009323 and CV2018-056062. Expert Report submitted May 2020. Settled December 2021.
- Provided Expert and Consulting Services to WellCare of Florida regarding wrongful denials and underpayments of claims for reimbursement submitted to WellCare by multiple hospitals within the Steward Healthcare system of Florida *CGH HOSPITAL, LTD. d/b/a Coral Gables Hospital; DELRAY MEDICAL CENTER, INC., d/b/a Delray Medical Center; GOOD SAMARITAN MEDICAL CENTER, INC., f/k/a Tenet Good*

Samaritan, Inc., d/b/a Good Samaritan Medical Center; HIALEAH HOSPITAL, INC., f/k/a Tenet Hialeah HealthSystem, Inc., d/b/a Hialeah Hospital; LIFEMARK HOSPITALS, INC., d/b/a Palmetto General Hospital; NORTH SHORE MEDICAL CENTER, INC., f/k/a Tenet HealthSystem Northshore, Inc., d/b/a North Shore Medical Center, Florida Medical Center; PALM BEACH GARDENS COMMUNITY HOSPITAL, INC., d/b/a Palm Beach Gardens Medical Center; ST. MARY'S MEDICAL CENTER, INC., f/k/a Tenet St. Mary's, Inc., d/b/a St. Mary's Medical Center, Palm Beach Children's Hospital; and WEST BOCA MEDICAL CENTER, INC., d/b/a West Boca Medical Center vs. Wellcare of Florida, Inc. Case No: 2018-022675-CA-01. Settled August 2021.

- Provided Expert and Consulting Services to Hallett & Perrin regarding HIPAA violations. Stephen Courtney, M.D. and Stephen P. Courtney, M.D., P.A. vs. Plano Orthopedic and Sports Medicine, P.A. Cause No. 417-03159-2018. Settled January 2022.
- Provided Expert and Consulting Services to Wheeler Trigg O'Donnell LLP regarding medical billing and reimbursement. Premier Medical Corporation vs. Quality Air LLC. Settled September 2021.
- Provided Expert and Consulting Services to Pribanic & Pribanic regarding physician negligence. Marilyn J. Mogush vs. Allegheny Health Network; Forbes Regional Hospital. Settled September 2021.
- Provided Expert and Consulting Services to WellCare of Georgia regarding alleged reimbursement issues. North Fulton Medical Center, Inc., et al. vs. WellCare of Georgia, Inc. American Arbitration Association. Case No. 01-18-0002-7150. Expert Report provided May 2020. Settled December 2020.
- Provided Expert and Consulting Services to Douglas Sung Won, M.D. and Nick Nicholson, M.D., [21 total defendants] regarding alleged insurance fraud, kickbacks, and bribes for a Grand Jury Indictment case. Criminal Case. United States vs. Barker, et al.; U.S. District Court for the Northern District of Texas, Dallas Division, January 24, 2017, Case No. 3:16-CR-516-D (N.D. Tex. Jan. 24, 2017). Provided trial testimony. Case closed April 2019.
- Provided Expert and Consulting Services to Victory Medical Center Landmark regarding HealthSmart's failure to pay Victory Medical Center Landmark ("VMCL" or "Victory") for services rendered based on the information provided by HealthSmart. Neil Gilmour, III, Solely in his Capacity as Trustee of the Victory Medical Center Landmark Center Landmark Unsecured Creditors' Grantor Trust vs. HealthSmart Benefit Solutions, Inc., et al.; U.S. District Court for the Southern District of Texas, Houston Division, September 8, 2017, Case No. 4:17-CV-02714 (S.D. Tex., Sep. 8, 2017). Some testimony excluded. Case settled December 2019.
- Provided Expert and Consulting Services to Victory Hospitals regarding HCSC failure to pay Victory according to the Out-of-Network ("OON") reimbursement terms contained in the governing plans for services provided to HCSC insureds during the Period of Interest. Victory Medical Center Beaumont, LP, et al., (Plaintiffs) vs. Health Care Services Corporation, (Defendants); Civil Action No. 3:17-cv-00110. Provided deposition. Settled. Partial exclusion of testimony.
- Provided Expert and Consulting Services to Management Services Network, LLC regarding claims being made against them for failure to pay Casper Medical Imaging, PC. Casper Medical Imaging, PC; and Outpatient Radiology, LLC vs. Management Services Network, LLC; American Arbitration Case No. 01-18-0001-3752. 2018. Deposed in May 2019. Case settled December 2019.
- Provided Coding and Reimbursement Consulting Services to Blank Rome Aventis; U.S. ex rel. Gohil vs.

Aventis; Provided Expert Report December 2020. Settlement under seal. August 2021.

- Connecticut General Life Insurance Company and Cigna Health and Life Insurance Company vs. Elite Center for Minimally Invasive Surgery LLC; Houston Metro Ortho and Spine Surgery Center LLC; and Elite Ambulatory Surgery Centers LLV d/b/a Elite Surgical affiliates. Civil Action No. 4:16-cv-571 in the United States District Court for the Southern District of Texas. Settled after expert report. May 2018.
- Medical Transcription Billing, Corp. (Plaintiff) vs. Associated Gastroenterology Medical Group and AGMG Endoscopy Center (Defendant); DOCKET No. SOM – L 1428 15. Settled May 2018.
- Provided Expert Support on billing company process in The United States District Court for The Eastern District of Pennsylvania; Moore Eye Care, P.C., et al., Plaintiffs - CIVIL ACTION NO: 15-CV-05290-SD vs. SOFTCARE SOLUTIONS INC., et al., Defendants. Expert Report. Settled May 2019.
- SHARP – ASC, et al; Litigation Assistance and Possible Expert Testimony for two lawsuits by several entities. April 2017. Settled May 2019.
- Allstate Insurance Company, Allstate Indemnity Company, Allstate Fire and Casualty Insurance Company, Plaintiffs, vs. David Shawa, M.D., Andrew Morris, D.C., Nicholas Loloee, D.C., the S.H.A.R.P. Treatment of South Bay, Inc., Sharp Surgery, Inc., and DOES 1 through 100, Inclusive. Case No. BC525911, located in the Superior Court of the State of California, County of Los Angeles-Central District. Deposition given. Settled November 2018.
- Community United Methodist Hospital, Inc. vs. WellCare Health Insurance Company of Kentucky, Inc., Commonwealth of Kentucky, Jefferson Circuit Court. Case No. 16-CI-001536. Settled April 2018.
- Provided Billing Review Litigation Support and Expert Testimony. Tyler vs. Dong Thy Vn, LLC, Case# CO15-867, Circuit Court of Fredericksburg, VA. Deposition provided. Settled June 2017.
- Provided Professional Services as an Independent Review Organization (IRO) for Zwanger Pesiri Radiology Group, LLP and all other covered entities as defined in the Corporate Integrity Agreement (CIA) effective November 1, 2016, including a Claims Review. 2017-2021.
- Review documentation and provide consultation regarding third party payer issues for Faith Hospital vs. Blue Cross Blue Shield of Texas. July 2017. Expert Report. Ruling August 2019. Testified in Arbitration.
- Litigation Assistance and potential Expert Testimony – Re: Cause No. 2014-73373 – Nool P. Nigam, M.D., Plaintiff, vs. Anjali Jain, M.D. and Houston Physical Medicine Associates, P.A. in the District Court, Harris County, Texas, regarding breach of contract, fiduciary duty, defamation, and fraud. Settled August 2017.
- American Anesthesia Associates (Willis) vs. Allstate Property and Casualty Insurance Company, Case No. 15-002772-NP in the State of Michigan. Litigation Assistance and Expert Testimony for Allstate Property and Casualty Insurance Company regarding Anesthesia Billing and Charges (Initial and Subsequent Engagements). Deposition provided. Settled June 2017.
- Litigation Support, including record reviews in the areas of insurance billing, coding, providing research and analysis, providing written report and potential Expert Witness. Nick Nicholson, M.D. d/b/a Nicholson Clinic vs. Aetna Health, Inc. IMS Project #10748, Case # 01-2015-0005-9783. American Arbitration Association of Dallas, TX. August 2016. Settled January 2017.

- Litigation Support for Dr. Mehta for presentation to New Jersey Board of Examiners challenging allegations by N.J. Office of the Attorney General-John J. Hoffman, Acting AG of NJ. Testified at hearing.
- *Carlascio Orthopedics vs. Horizon New Jersey Health* in the Superior Court of New Jersey. Provided support assistance to Plaintiff for billings challenged by Horizon. Settled November 2016.
- *Ochsner Clinic Foundation v. Lexington Insurance Company*. Litigation and evaluation of Business Interruption Loss Assistance; Expert Report and deposition provided. Settled and sealed February 2017.
- Several small cases during 2016 regarding Medical Board License issues and Insurance Company payment issues. Varied – depositions and testimony at hearing. Sealed.
- Litigation Assistance and Expert Testimony in support of St. Joseph Medical Center – Case No. 10-10290 (SR); *Berks Behavioral Health, LLC, vs. St. Joseph Regional Health Network d/b/a St. Joseph Medical Center, et al.* in the U.S. Bankruptcy Court for the Eastern District of Pennsylvania. Expert Report submitted July 2015. Deposition December 2019. Case settled January 2021.
- Provided Expert services to Law offices of Joseph M. Jagielski regarding reasonableness of charges. *Kecia Northington vs. Eileen Frances Stopa*. Settled 2019.
- Litigation Assistance and Expert Testimony. *Gulf Coast Billing, Inc. vs. Texas Neurodiagnostic Associates, Inc.* in the County Court of Law No. 4, Harris County, Texas in support of Gulf Coast Billing, Inc. Case No. 1047666; Cause #2014-42455. Deposition provided. Settled after initial data submission April 2, 2015.
- *Kettering Anesthesia Associates, Inc. vs. PST Services, Inc.* Civil Action No. 3:13-cv-00145; September 2014. Expert report provided and deposition on February 11, 2015. Settled July 2015.
- *Alliance Oncology, LLC vs. HARVARD VANGUARD MEDICAL ASSOCIATES, INC., ET AL.*; Case NO. 13-CV-11438-NMG (D. MASS.). Provided Expert Report; Deposition April 7, 2015. Settled and sealed by Court without trial November 2015.
- Provide Litigation Support and Potential Expert Testimony - *United States of America and State of Texas, ex rel. Katherine J. Simms vs. Austin Radiological Association*. Civil Action No. A-10-CA-914-AWA regarding Adequacy of Internal Controls and Processing Standards Utilized within defendants’ operations for credit balance handling. February 2014. Settled and sealed by Court without trial June 2014.
- *Acacia Mental Health Clinic, LLC* – Results of Probe Audit of Services Provided by Acacia Mental Health Clinic, LLC, and Answer to DOJ/AUSA Demands/Comments. Provided testimony at hearing. Settlement with Government June 2015.
- *Radiology LTD., P.L.C., an Arizona professional limited liability company; and Tucson Imaging Associates, L.L.C., an Arizona limited liability company vs. Carondelet Health Network, an Arizona non-profit corporation*; private arbitration settled before testimony. Expert Report. Settled January 2014.
- *Aetna Life Insurance Co. vs. Humble Surgical Hospital, LLC*, No. 4:12-cv-1206 in United States District Court, Southern District of Texas. Reasonableness of charges. Finalized June 2017.
- *Connecticut General Life Insurance Company and Cigna Health and Life Insurance Company vs. Humble Surgical Hospital, LLC*. Civil Action No. 4:13-CV-03291. United States District Court, Southern District of Texas. Reasonableness of charges and non-participating provider billing and related damages for non-

payment of claims by Cigna. Expert Report filed December 2015; expert testimony January 2016; Judge written decision June 1, 2016, in favor of Humble. Subsequently overturned on appeal.

- *US Imaging* – Provide Litigation Support and Potential Expert Testimony – for Chopra & Associates, PA in dispute regarding reading fees owed. Case No. 2012-26531; October 2013; deposition given February 2015. Settled April 2015.
- Litigation Support and Potential Expert Testimony for X-Ray X-Press. Damages for breached contract: *X-Ray X-Press Corporation v. Cantex Continuing Care, LLC et al.* Case No. 2012-60883; October 2013. Settled October 2014.
- Litigation Support and Potential Expert Testimony – *Hanley Limited Partners, LLC, Ray Hanley, Marsha Hanley vs. Doctors Express Franchising, LLC, Rhino 7 Franchise Development Corp, Doug Schedule, Peter Ross, Scott Burger, Tony Bonacuse*; March 2013. Expert Report. Settled January 2014.
- *Alliance Healthcare, Inc. vs. Argonaut Private Equity, LLS and Medical Outsourcing Services, Inc.* Case No. 73 103 Y0027 10. Expert Report support position for Argonaut, et al regarding billing of fluorodeoxyglucose (FDG). May 2011. Settled 2013.
- *Tushar Tripathi, MD vs. Centrastate Medical Center*; No. A-032510-822 – American Health Lawyers Association Arbitration, New Jersey. Hospital’s obligation to make guaranty payments to a physician under agreement. Testified February 2010. Settled 2010.
- *Guardianship of Dana Clyde Jones*. Circuit Court of the 17th Judicial Circuit in and for Palm Beach County, Florida (Broward County Courthouse). File No: 06-1125(60). Reasonableness of charges and balance billing. Expert Report. Settled without testimony 2010.
- *Stephen B. Eigles vs. Jong Kook Kim, et al.* Civil Action No. AMD 1:07-CV-2223. Expert assistance to attorney in radiologist’s compensation and restraint of business services at the hospital. September 2009. Settled 2013.
- *South Florida Bone Marrow/Stem Cell Transplant Institute*; Case No. 1:06-CR-028-SPM and *United States of America vs. Dipnarine Maharaj and Jacqueline Gouvea*; Case No. 9:07-CR-80024-DTKH. The inappropriateness of billing to private medical payers (Mail Fraud). South Florida District Court. Testified April 2008. Settled April 2008.
- *Troy M Rowland vs. Wesley Medical Center LLC and American Family Mutual Insurance*; Case No. 06- CV-300. 18th Judicial District, District Court, Sedgwick County, Kansas, Civil Department. Settled 2007.
- *USA vs. John A. Kiely, MD. Case No. 1:11-CV-00668*. Litigation Support in providing Expert Report for first attorney. Government review of laser procedures 2006. Concluded March 2007.
- *Dennis G. Kleban, M.D. vs. Jacqueline S. Eghrari-Sabet, M.D.* in the Circuit Court for Montgomery County, Maryland. Civil Action #256314. Deposed December 13-14, 2005. Qualified with limited testimony. Trial February 15, 2006.
- *Albemarle Eye Center, PLLC vs. Marshall Redding, MD* Case # 01-CVS 342 and *Marshall Redding, M.D. vs. Albemarle Eye Center, LLC*, Case #01-CVS 382 in the General Court of Justice Superior Court Division, Pasquotank County North Carolina. Deposition June 2004. Settled December 2004.

- Group Anesthesia Services vs. American Medical Partners of North Carolina, Inc.; Case# CV817199. Breach of contract, fraud and negligent misrepresentation. Superior Court of California, City and County of Santa Clara. Filed May 2003. Report October 2004. Deposition February 7-8, 2005; March 11, 2005. Testimony (Arbitration) March 16-17, 2005.
- Jimmy L. Nungesser vs. Wesley Medical Center, LLC, a Delaware limited liability company and Quinlyn Foules; Case No. 03 CV 0171. 18th Judicial District, District Court, Sedgwick County, Kansas Civil Department. Provided Expert Report. Case settled 2005.
- Tenet Health System Hospitals, Inc. dba Doctors Medical Center, Modesto, Inc. vs. Aetna U.S. Healthcare, Inc. DOES 1-20, Inclusive. Case No. 348881 Trial Date: June 7, 2005. Expert Declaration. April 27, 2005. Settled 2005.
- Compliance Dispute on Behalf of Bayside Medical Group – Navigant Consulting. [Aetna Modifier Case]. Compliance dispute of Dr. Budd N. Shenkin and California Medical Association against Aetna. Mediations: Testified August 3, 2005, District Court--August 16, 2005, Chicago--August 29, 2005. Case settled.
- Re Managed Care Litigation, MDL 1334. As an expert under Navigant Consulting for the defendants (Aetna). Provided expert testimony on the sun issue that was arbitrated in Chicago regarding the use of modifiers. 2005.
- Strauss vs. Strauss, No. 92-7978-S Civil, Remanded from: Howard Strauss v. Josephine M. Strauss, 101 Md. App. 490, 647 A.2d 818 (1994). Court of Special Appeals of MD 1994. Testified 1994, Circuit Court Allegany County Maryland.
- State of MD vs. Tsinberg. Expert Report December 2000. Testimony to State of Maryland for settlement, 2001. Baltimore, Maryland.
- United States of America vs. Mary H. Fang, et al. 97-0444. Medicare fraud; mail fraud; selling drug samples; aiding and abetting. Final Order and Consent Order 1999.
- Michael J. Webb, M.D. as general partner of Webb Medical Services, Ltd. vs. Marion Community Hospital, Inc. d/b/a Columbia Ocala Regional Medical Center. Case No. 00-1047-CAG. Litigation Support for breach of contract regarding sales management agreement. Circuit Court of the Fifth Judicial Circuit in and For Civil Action, Marion County, Florida, 2000. Settled.
- Marion Community Hospital, Inc. vs. WEBB Medical Services, Ltd., No. 99-0103-CA-D. Eviction, breach of lease. Circuit Court of the Fifth Judicial Circuit in and For Civil Action-Marion County, Florida, 1999. Settled.
- United States of America vs. Richard Markoll, Ernestine Markoll and Bio Magnetic Therapy Systems, Inc. Case No. 3:00CR133 (EBB). Inappropriate device billing. United States District Court of Connecticut, 2001. Settled.
- Eutaw Oncology Associates vs. Carol L. Rubin, Esq. et al. Case No 9812/13/CC37988. Legal malpractice in the Circuit Court for Baltimore City, 2000. Closed.
- Matossian Eye Associates P.C. vs. Barry Oppenheim, MD. Litigation support regarding buy-in valuation;

breach of contract; shareholder agreement; covenant not to compete. Testified June 1999.

- *Timothy Huzzard and Hanna Huzzard vs. Douglas Caldwell, M.D. of Redi Care Medical Center of Taylor, Inc.* No. 94-CV-4631. Civil Action. Jury trial demanded. Medical malpractice. Testified for Court of Common Pleas of Lackawanna County Pennsylvania, 1997.
- *FCCM vs. Furst vs. FCCM* (Falls Church Medical Center); At. Law No. 145972. Covenant not to compete and damages. In the Circuit Court for the County of Fairfax, Virginia. Settled after Expert Report, 1997.
- *Carolyn J. Harrington, M.D. vs. Erik B. Young, M.D., P.C.*; No. 154701-V. Breach of contract; duty of good faith and fair dealing. Circuit Court Montgomery County, Maryland 1996. Settled.
- *Leo I. Donovan, M.D. vs. Albert K. Lee, M.D.*; Civil #43705. Breach of contract on sale of practice. Circuit Court Montgomery County, Maryland 1992. Settled.
- *Ducey vs. Ducey*; #FM-07-2977-06. Valuation of ownership interest in the Femino-Ducey Orthopedic Group, P.A. (two cases). Ocala, Florida 1994. Settled.

Continuing Professional Education

Ms. Kohler has published several manuals in the areas of billing, coding, and practice management. She continues to provide educational courses to clients on a local and national basis. Her most recent books are by Kohler Healthcare Consulting via Amazon.

She also has been awarded the status of LIFE MEMBER in the Maryland Association of Certified Public Accountants. effective 7/1/2015. This is considered a special status awarded only to those who have been MACPA members in good standing for a period of 40 continuous years or more.

Community Involvement

Ms. Kohler is a current Board Member for the Jayne Koskinas Ted Giovanis Foundation.

Ms. Kohler has received the Follmer Bronze Merit Award, Reeves Silver Merit Award, Muncie Gold Merit Award, as well as the President's Award from HFMA. She continues to be active with HFMA and served on educational committees as Chair and member. Additionally, she was named President of the Maryland MGMA in the 1990s.

Publication/Articles and Presentations by Charlotte Kohler

- ***KHC – Pieces for Success*** – Industry newsletter sent to 1800+ distribution list of interested parties. Articles in each issue; monthly from 2010 to present.
- ***HCPPro-Physician Practice Billing from A to Z*** – Book, April 2015 – in Process of Updating under Kohler HealthCare Consulting.
- ***HCPPro-Hospital Billing from A to Z*** – Book, June 2014 -- in Process of Updating under Kohler HealthCare Consulting.
- ***HCPPro-Long Term Care Billing from A to Z*** – Book, November 2016 -- in Process of Updating under Kohler HealthCare Consulting.

- *Revenue Integrity and Revenue Cycle A to Z* – Book, April 2022 [Amazon]

Copyrighted Manuals by Kohler HealthCare Consulting, Inc. (Many are now out of print.)

- Billing Compliance and HIPAA Checklist for Medical Practices
- Collector's Assessment Tool
- HCPro: Hospital Billing from A to Z (Available from HCPro)
- HCPro: Physician Practice Billing from A to Z (Available from HCPro)
- Health Insurance Training Manual
- Imaging Center Policies & Procedures Manual – Published under License from KHC/NCI (copyright). For use by Radiology Business Management Association.
- Improving Collections in the Physician's Office
- Medical Office Biller's Questionnaire (Assessment Tool)
- Navigating Denial – Tools to Stay Afloat-For Hospitals
- Policies and Procedures for the ASC
- Policies and Procedures for the Medical Office and Ambulatory Care Centers
- Revenue Integrity and Revenue Cycle A to Z (Published April 2022)

Speaking Engagements Held for the Following Organizations

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| <ul style="list-style-type: none"> • Federal Ambulatory Surgery Association (FASA) • National Association for Ambulatory Care Centers (NAFAC) • HealthCare Financial Management Association (HFMA) – National, Maryland, Pennsylvania, North Carolina, Iowa • American Healthcare Administrative Management Association (AAHAM) – National and Maryland • Maryland Association of Home Care (MAHC) • Medical Group Management Associations (MGMA-MD, MGMA-DC, MGMA-Eastern Section) • National Association for Home Care (NAHC) • Urgent Care Association of America | <ul style="list-style-type: none"> • AHIMA – Western Region • Temple University • National Health Care Lawyers Association • Florida Bar Association • National Health Care Lawyers Association • Maryland Association of Certified Public Accountants (MACPA) • American College of Medical Genetics • National Society of Healthcare Business Consultants • Maryland Hospital Association • Maryland Hospital Education Institute • Ohio Health Information Management Association (OHIMA) • Health Ethics Trust – National Symposium on Quality and Compliance • American Academy of Professional Coders (AAPC) |
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Seminars and Speaking Engagements – Many speaking engagements over the years and continuing.

Providing educational session regarding coding, litigation in health care, revenue cycle, revenue integrity, regulatory issues, and compliance. On local and national level and organizations.

Quick Bits Education Series: Charlotte Kohler with others at Kohler HealthCare Consulting, Inc. host virtual discussions regarding various healthcare topics that can be found on our website or UTube.

Kohler Connections

Free Half-Hour Webinars for interested parties on current topics of interest, which can be repeated upon request. Began in 2013 and continued to current.