

CURRICULUM VITAE

Mark T. Phelps
September 12, 2019

Education

South Texas College of Law, Houston, Texas
August 1985 to December 1988. Received Doctor of Jurisprudence.

Trinity University, San Antonio, Texas
Graduate School of Health Care Administration. June 1977 to August 1979.
Received Master of Science in Health Care Administration.

Baylor University, Waco, Texas
August 1973 to May 1977. Received B.A. in Business Administration.

Professional Certification/Licensure

State Bar of Texas, May 1990 to present.

Mediation Training- *University of Houston*, Houston, Texas
July 22-26, 2002

Arbitration Training- *University of Houston*, Houston, Texas
January 9–12, 2008

Employment

University of Texas School of Public Health- Houston

January 2019- present
Associate Professor
Division of Management, Policy, and Community Health
Healthcare Management

Texas Woman's University, Houston, Texas

September 2013 to December 2019
Associate Clinical Professor
Department of Health Care Administration

January 2008 to August 2013
Assistant Clinical Professor
Department of Health Care Administration

September 2007 to January 2008
Visiting Assistant Clinical Professor-Lecturer
Department of Health Care Administration

August 2002 to August 2007
Adjunct Professor- Master of Science in Health Care Administration Program
Health Law; Organizational Theory; Human Resources; and Marketing;

January 2007 to January 2008
Adjunct Professor-Executive Masters of Business Administration Program-
Business Ethics and Law

Mark T. Phelps, P.C., Houston, Texas

August 2001 to present.
President and Attorney.
Health Care Law; Health Care Litigation; Contract review and representation

Clients and Work History for Mark T. Phelps, P.C.

Angleton Danbury Medical Center, Angleton, Texas

August 2001 to August 2017
General Counsel (October 2007 to present); In House Counsel- Contractual Basis (August 2001 to October 2007); Health Care Law; Health Care Litigation; Broad base experience dealing with managed care contracts; various health care contracts; compliance issues, including Stark laws, Fraud and Abuse, EMTALA, and HIPAA; and, various regulatory agencies at State and Federal level.

Independent Contractor and Of Counsel

July 2002 to present

Independent Contractor and Of Counsel work with various law firms concerning Health care related litigation including, but not limited to, medical negligence defense; Health Care Law; General litigation; Regulatory Compliance and Representation of Health Care Providers on Credentialing and licensure issues before State Regulatory Agencies; Counsel for Special Deputy Receiver for AmCare HMO.

All Nursing Home Health Services, Inc., Houston, Texas

July 2000 to July 2004.

Regulatory Compliance Attorney. Maintain, administer, and monitor Legal Regulatory Compliance Program for largest independent home health agency in Greater Houston area.

Hudgins, Hudgins & Warrick, P.C. Houston, Texas

February 1992 to August 2001.

Attorney; Shareholder, Participating Associate, and Associate levels. Handled various functions of defense of health care related litigation including medical negligence, nursing home negligence, professional negligence, automobile, DTPA, and general negligence cases; Appellate, Federal, District, County, and Justice of Peace courts; First and Second Chair trial experience. Also performed work on health care contractual issues.

John D. Ellis & Associates. Houston, Texas

May 1988 to February 1992.

Associate Attorney. Performed duties of defense of health care related litigation including attending oral hearings, conducting depositions, second chair trial experience, proceeding in pre-trial discovery, writing appellate briefs, oral arguments in Appellate Court, and performed work on health care contractual issues.

Medical Legal Assistant. Performed assorted paralegal and clerical duties.

Perdue, Turner & Berry. Houston, Texas

August 1986 to May 1988.

Law clerk. Performed various law clerk duties including drafting of State Bar Papers, State Bar Specialization Exams, pleadings, interrogatories, various motions, speeches, legal research, memoranda, and deposition summaries.

TEACHING

Courses taught at UTSPH

PH 3715 Management and Policy Concepts in Public Health

PH 3747 Healthcare Operations

Courses Taught at TWU

HCA 5193 Health Services Law

HCA 5343 Human Resources

HCA 5393 Health Law & Ethics

HCA 5712 Managing the Hospital

HCA 5732 Managing Outpatient

HCA 5762 Marketing for Health Services

HCA 5372 Ethical Analysis in Health Services

HCA 5722 Managing Long Term Care

HCA 5633 Health Policy Analysis
HCA 5933 Capstone in HCA

Referred Publications or Other Creative Achievements

“Regulatory Compliance”, Health Niche Advisor, July 2000.

“How To Seek Early Termination or Amendment of Agreed Orders Before the Texas State Board of Medical Examiners”, Doc Talk, January 2005.

“Physician Advertising Issues Before the TSBME”, Doc Talk, April 2005.

“Informed Consent”, TNP (Texas Nurse Practitioner) News, Summer 2008.

“Intellectual Property”, TNP (Texas Nurse Practitioner) News, Fall 2008.

“Nurses as Expert Witnesses”, TNP (Texas Nurse Practitioner) News, Spring 2009.

“Quid Pro Quo or Hostile Work Environment”, TNP (Texas Nurse Practitioner) News, Summer 2009.

“Sexual Harassment in the Operating Room”, TANA (Texas Association of Nurse Anesthetists) Newsletter, Summer 2009.

“Impaired Nurses”, TANA (Texas Association of Nurse Anesthetists) Newsletter, Fall 2009.

"Standard of Care: What is it?", TANA (Texas Association of Nurse Anesthetists) Newsletter, Winter 2009.

“Prescriptive Authority for APRN'S”, TNP, (Texas Nurse Practitioner) News, Spring 2010

“Arbitration”, TNP, (Texas Nurse Practitioner) News, Fall 2010

"Transforming the Work Environment of Nurses, To Err Is Human", TANA (Texas Association of Nurse Anesthetists) Newsletter, Fall 2010

"The ADA and Nurses" TNP, (Texas Nurse Practitioner) News, Summer 2010

“Issue of NP's signing orders on behalf of physicians”, TNP, (Texas Nurse Practitioner) News, Winter 2010

“Texas Board of Nursing ("BON") Adopts Rules Concerning Failure to Renew a License and Inactive Status”, TANA (Texas Association of Nurse Anesthetists) Newsletter, Winter 2010

“Hospital Patient Protection Act”, TNP, (Texas Nurse Practitioner) News, Spring 2011

“Nursing Bills That Passed the Legislature this Session”, TNP, (Texas Nurse Practitioner) News, Summer 2011

“CMS Bundled Payment Initiative”, TNP, (Texas Nurse Practitioner) News, Fall 2011

“Recent Proposed Amendments to Occupations Code by Texas Board of Nursing”, TNP, (Texas Nurse Practitioner) News, Spring 2012

“Hospital Readmission Reduction Program”, TNP, (Texas Nurse Practitioner) News, Fall 2012

“New ACOs Selected For Shared Savings Program”, TNP, (Texas Nurse Practitioner) News, Spring 2013

“Insurance Exchanges - State and Federally Controlled”, TNP, (Texas Nurse Practitioner) News, Summer 2013

“Medicaid Expansion Options”, TNP, (Texas Nurse Practitioner) News, Fall 2013

“APRNs’ Prescriptive Authority Expanded”, TNP, (Texas Nurse Practitioner) News, Winter 2013

“Recent Updates from the Texas Board of Nursing”, TNP, (Texas Nurse Practitioner) News, Spring 2014

Presentations at Professional Meetings

“Managed Care and Ethics”, Business Expo, Harris County Medical Society, March 17, 2001.

“Corporate Compliance- To Implement or Not?” Dickey, Rush, Duncan, Ansell & Co., P.C. Medical Seminar, August 23-24, 2001, Houston, Texas.

“Medicare Compliance for Physician Practices”, Medical Practice Survival 2001 Summit, South Padre Island, Texas, September 20-22, 2001, Sponsored by The IPA Association of America.

“Managed Care: Issues Raised by HIPAA”, Business Expo, Harris County Medical Society, October 6, 2001.

“HIPAA Presentation”; Chiefs of Medical Specialty Sections, Harris County Medical Society, February 20, 2002.

“HIPAA Presentation”; Gulf Coast MGMA, March 6, 2002.

“HIPAA Presentation”; Southwest Section, Harris County Medical Society, March 7, 2002.

“HIPAA Compliance: Understanding and Implementing the Security and Privacy Regulations in Texas”; “Getting Started, Forms”, Lorman Education Services, Houston, Texas, August 13, 2002, Omni Hotel.

“Impact of HIPAA Regulations”; TSCPA; October 11, 2002, Houston, Texas

“Impact of HIPAA Regulations on Endoscopy”; American College of Gastroenterology; 2002 Annual Meeting & Postgraduate Course; Seattle, Washington; October 18, 2002

“Impact of HIPAA Regulations in Clinical Research”; Biomedical Technology Club of Houston; Houston, Texas; April 1, 2003.

“HIPAA Compliance: Understanding and Implementing the Security and Privacy Regulations in Texas”; “Getting Started, Forms”, Lorman Education Services, Houston, Texas, August 26, 2003, Hyatt Regency Hotel.

“Summary of House Bill 4- The New Medical Malpractice Law”, Cypress Fairbanks Medical Center, Medical Education Department, CME for Staff Physicians, September 10, 2003.

“The New Texas Grievance Procedures & Their Relationship to Legal Malpractice Cases”, by The Bennett Law Firm, Continuing Legal Education, Houston Bar Association, November 6, 2004, Houston, Texas.

“How to Prevent Grievances and Legal Malpractice and Still Make a Living”, by The Bennett Law Firm, Continuing Legal Education, Houston Bar Association, South Texas College of Law, April 22, 2005, Houston, Texas.

“How to Prevent Grievances and Legal Malpractice and Still Make a Living”, by The Bennett Law Firm, Continuing Legal Education; Shook, Hardy & Bacon, L.L.P.; May 26, 2005, Houston, Texas.

“Managing with Organized Labor”, August 9, 2007, Sunrise Senior Living, Regional Management Seminar, Kingwood, Texas.

Harris County Medical Society, Medserv Expo, Reliant Arena, Houston, Texas,
“Frequently Asked Questions in Human Resources, 2012”, July 28, 2013

Harris County Medical Society, Medserv Expo, Reliant Arena, Houston, Texas,
“Frequently Asked Questions in Human Resources, 2012”, October 4, 2013

“Healthcare Liability Claims Against Public Hospitals: Navigating The Interplay Between The MEDICAL LIABILITY ACT and The TEXAS TORT CLAIMS ACT”-
“Plea to the Jurisdiction”, Health Law Section, Houston Bar Association, January 8, 2014, Houston, Texas

“Balanced Billing in Healthcare”, Houston Bar Association Speaker, Hockley Community Center, March 4, 2019

“Implementing Senate Bill 11: Texas’ New Do Not Resuscitate Law”, Houston Bar Association, Health Law Section, September 11, 2019

Honors and Awards

Dean’s List, Fall 1988

Mock Trial Finalist, Advanced Evidence Competition, Spring 1988.

Mock Trial Quarterfinalist, Intramural Competition, Spring 1988.

Negotiations, Top Ten Teams, Intramural Competition, Fall 1987.

Varsity Client Counseling Team, Lubbock Competition, Spring 1988.

Client Counseling Quarterfinalist, Intramural Competition, Fall 1987.

Moot Court Competition, Fall 1986; Member, Board of Advocates.

Health Law Organization, Vice President, 1986 to 1988.

Student Bar Association President’s Meritorious Service Award, Spring 1988.

Phi Theta Kappa Honor Society, 2010

Scholarly Works in Progress

PROFESSIONAL SERVICE

Service Activities for the Component, College, University

Adjunct Committee, Member, Fall 2008

CHS Awards Committee, member, 2010-2011; 2013-2013

DPT Transition Course, Health Law Presentation, Houston, Texas, January 29, 2010

DPT Transition Course, Health Law Presentation, Houston, Texas, January 28, 2011

Search Committee Program Director in Health Care Administration-2012, Member

DPT Transition Course, Health Law Presentation, Houston, Texas, February 13, 2014

Search Committee Dean of Business School- 2018, Member

University Promotion & Tenure Committee – 2017-2018, Member

Service to the Profession

State Bar of Texas, May 1990 to present.

Health Law Section- Council Member at Large 2011-2012

Houston Bar Association

American Health Lawyers Association

American College Healthcare Executives- South East Texas Chapter- Board of Directors

Member- Executive Committee of Board

AUPHA Medical Group Practice/Ambulatory Care Body of Knowledge Committee

Certified Mediator- State of Texas

Certified Arbitrator- State of Texas

Clinical Ethics Consultation Committee, M.D. Anderson Cancer Center, Houston, Texas, January 2012 to present. Member at Large

Mock Trial Judging, South Texas College of Law, April 16, 2013

Service to the Community

Kingwood United Methodist Church- Adult Leader- “This Old House” Youth Mission Work Project- Summer 2008

Kingwood United Methodist Church- Adult Leader- UM Army- Senior High School Mission Work Project- Summer 2009

Kingwood United Methodist Church- Adult Leader- UM Army, Lufkin, Texas, Youth Mission Work Project- Summer 2010

Kingwood United Methodist Church- Member- Mens’ Prayer and Service Group- AHP (Accepting His Promises)