



# Jeffrey B. Miller

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*Senior Counsel and Chair, Information Privacy and Cyber Security*

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## *Services and Industries*

- Information Privacy and Cyber Security
- Corporate Healthcare and Life Sciences
- Medical Device and Technology
- Investigations and Criminal Defense
- Business and Corporate
- Outside General Counsel
- Litigation

## *Education*

Widener University School of Law, J.D., 1995

The Pennsylvania State University, B.S. in Operations Management, 1991

## *Admissions*

Pennsylvania

Supreme Court of Pennsylvania

U.S. Courts of Appeals for the Third Circuit

U.S. District Court for the Eastern District of Pennsylvania

Jeffrey B. Miller, Esq. is a skilled and experienced transactional, commercial, and regulatory and compliance attorney who provides trusted advice and support to clients involved in healthcare and the life sciences, as well as other areas of business. He is chair of the Information Privacy and Cyber Security group, and a member of the firm's Corporate Healthcare and Life Sciences, Investigations and Criminal Defense, Business and Corporate, Outside General Counsel and Litigation groups.

With nearly 30 years of experience, Jeff represents and advises organizations across healthcare and the life sciences spectrums, including hospitals and health systems, physician practices and other healthcare providers, as well as management service organizations, medical device and biotech companies, pharmaceutical companies and healthcare-related supplier and services companies. Often working with organization's financial backers, including private equity, Jeff's work includes evaluating and designing M&A transactions, including strategic planning, execution and due diligence, designing and negotiating commercial transactions, developing and executing executive and professional agreements and relationships, addressing a wide variety of regulatory matters, counseling clients on information privacy and security matters and establishing and/or improving corporate ethics and compliance efforts. In this regard he helps sell-side organizations to prepare for sale, performs due diligence activities for buy-side organizations and helps organizations to address other transaction-related activities, including closing and post-closing matters.

As part of his practice, Jeff addresses matters pertaining to government compliance such as the Health Insurance Portability and Accountability Act (HIPAA) and related Office of Civil Rights mandates, Federal and state false claims acts and anti-kickback statutes, the Foreign Corrupt Practices Act and Federal and state conflicts of interest-related requirements, including the Stark Law and other legal and regulatory requirements. Jeff provides advice and representation to organizations involved with government agency or commercial payor legal actions, investigations, audits and reviews, including matters involving the U.S. Department of Justice (DOJ), the Food and Drug Administration (FDA), the Department of Health and Human Services, Office of Inspector General (OIG) and the Office of Civil Rights (OCR), among other federal and state authorities. Further, Jeff assists clients in avoiding potential legal and regulatory entanglements by providing experienced counsel on the design, development and implementation of effective and efficient legal and regulatory compliance programs that satisfy applicable guidelines while enhancing company operations and value.

An attorney and executive with more than a decade of international business experience, Jeff assists clients with legal, regulatory, compliance matters around the globe, including GDPR and country-specific privacy and security matters, import-export requirements, commercial contracts and transactions, and other matters involving legal and regulatory compliance.

Prior to joining Saxton & Stump, Jeff held professional and executive-level positions at healthcare and life sciences companies, including Mercy Health System of Southeastern Pennsylvania, a non-profit regional integrated delivery system, and DermOne, LLC, a multi-state, private equity-backed management service organization, where he served as general counsel, and compliance and privacy officer. Jeff served for nearly 10 years as vice president and chief compliance officer for Synthes, a leading international medical device company, which was acquired by Johnson & Johnson in 2012 and combined with DePuy to form The DePuy Synthes Companies, part of the Johnson & Johnson family of companies, the world's largest orthopedic and neurological businesses. Most recently, he served

as a managing director at a financial and economic consulting firm that concentrated in forensics, valuation, intellectual property and performance optimization.

Jeff is regularly invited to present at global, national, regional and local organizations including the U.S. National Academy of the Sciences, the Ethisphere Institute, the American Bar Association, the American Health Lawyers Association, the Health Care Compliance Association, the Society of Corporate Compliance and Ethics and Temple University. He is also a faculty member at Villanova University, Charles Widger School of Law, and at the Pennsylvania Bar Institute, the continuing legal education arm of the Pennsylvania Bar Association, where he instructs graduate students, attorneys and non-attorney compliance officers on transactional, commercial, regulatory and compliance-related topics.

Jeff also serves as Director-in-Charge for [Granite GRC Consulting](#), a firm that provides governance, risk and compliance services.

## ***Representative Experience***

- Led and managed a multi-state management service organization's response to an investigation by the Department of Justice (DOJ)/U.S. Department of Health and Human Services (HHS) Office of the Inspector General (OIG), negotiated a settlement that protected the private equity investor, limited liability to one entity within the platform and avoided a Corporate Integrity Agreement (CIA)
- Designed, built, and led global compliance function program from scratch – designed, developed and led compliance infrastructures, processes, activities and staff worldwide
- Designed and performed legal and compliance diligence for potential M&A transactions, addressing a variety of Federal and state legal and compliance regulatory matters
- Prepared and led the compliance function program through a \$2.1 billion acquisition
- Supported organizations through periods of transition and crisis, including preparing for and managing through M&A-related activities, expansions, downsizing and the integration of complex functional and business operations
- Co-led the negotiation of criminal and civil settlement agreements with the DOJ, HHS, OIG and U.S. Food and Drug Administration (FDA) resulting in the continued distribution of a company's key product line and the use of an internal motioning function instead of government-driven external audits
- Performed or oversaw more than 500 compliance investigations, including investigations of executive-level employees
- Assessed and mitigated risks through the design and implementation of more than 50 ethics and compliance programs across healthcare and the life sciences, including some of the first ethics and compliance programs for long-term care facilities in Pennsylvania

## ***Recognitions***

- Yale University School of Management, Rising Star of Corporate Governance Award, 2008

## ***Representative Publications***

- Keeping Your Secrets: Practical Information and Cyber Security Strategies and Tactics for You and Your Firm, The Pennsylvania Lawyer, The Pennsylvania Bar Association, March 2024

- Cybersecurity Strategies and Tactics for Pennsylvania Law Firms, *The Legal Intelligencer*, AMA Global, LLC, July 5, 2022
- A Prescription for Compliance Officer Burnout from the Psychoneurotic Institute for the Very, Very Nervous, *Wolters Kluwer Legal and Regulatory Solutions U.S. Law & Health Blog*, November 2015
- Strategic Perspectives: Learning from the Past and Building for the Future: Corporate Integrity Agreements in the Life Sciences Industry, *Wolters Kluwer Health Law Daily*, October 2014
- No Picnics in the Park for Responsible Corporate Officers: An Update and Overview of Individual Prosecutions in the Life Sciences Industry, *Health Care Compliance Letter*, Wolters Kluwer, Vol. 14, Issue 6, June 2011
- The Narrowing Landscape of Manufacturer-Physician Relationships, *Physicians News Digest*, *Physician's News Digest*, Incorporated, July 2009
- Teaching Under the Influence? Manufacturer Support of Continuing Medical Education Programs, *Health Care Compliance Letter*, Wolters Kluwer, Vol. 11, Issue 1, January 2008
- Keeping Your Friends Close and Your Business Partners Closer: Legal Dynamics in the Relationships Among Hospitals, Physicians and Manufacturers, *Health Care Compliance Letter*, Wolters Kluwer, Vol. 10, Issue 1, January 2007

## ***Representative Speaking Engagements***

- Keeping Your Secrets: Practical Information and Cyber Security Strategies and Tactics for You and Your Firm (Ethics), *Pennsylvania Bar Health Law Institute*, March 12, 2024
- Recent Updates to the DOJ Compliance Program Evaluation Criteria, *American Health Law Association*, *American Academy of Professional Coders*, *Collaborative Compliance Conference*, August 29, 2023
- Protecting your Secrets: Responsibilities and Strategies for Managing Cyber Threats in a World with Artificial Intelligence, *Dauphin County Bar Association*, October 31, 2023
- Current Issues and Practical Advice on Doing Risk Adjustment Right, *American Health Law Association*, *American Academy of Professional Coders*, *Collaborative Compliance Conference*, August 31, 2022
- Keeping Your Secrets: Practical Cyber Security Strategies for You and Your Firm, *Pennsylvania Bar Institute Health Law Institute*, March 16, 2021
- [COVID-19, Telehealth and Cybersecurity, \*Warehaus Speaker Series\*, April 17, 2020](#)
- Risky Business – Advancing Your Assessments and Analyses Beyond that Old Time Rock and Roll, *Pennsylvania Bar Institute 25th Annual Health Law Institute*, March 12, 2020
- Medical Device Liability – A Case Perspective, *National Academy of the Sciences*, *Biomedical Engineering Materials Applications Roundtable*, March 25, 2019
- Compliance Program Efficiency and Effectiveness, *Pennsylvania Bar Institute 23rd Annual Health Law Institute*, March 15, 2017
- Compliance and Conflicts of Interest, *Health Care Compliance Association Philadelphia Regional Conference*, June 3, 2016
- A Prescription for Compliance Officer Burnout from the Psychoneurotic Institute for the Very, Very Nervous, *Health Care Compliance Association Philadelphia Regional Conference*, June 3, 2016
- The Fundamentals of Designing, Implementing and Maintaining Corporate Compliance Programs, *Pennsylvania Bar Institute 22nd Annual Health Law Institute*, March 15, 2016
- Living in the Tempest: Studying Trends in Corporate Integrity Agreements for Better Future Compliance, *Pennsylvania Bar Association*, *Pennsylvania Bar Institute*, *20th Annual Health Law Institute*, March 13, 2014
- Ambien Anyone? The Issues that Keep Compliance Officers Awake at Night, *American Bar Association*, *Health*

- Law Section, 15th Annual Conference on Emerging Issues in Healthcare Law, February 28, 2014*
- Highly Regulated Industries, *The Ethisphere Institute, 2013 Global Ethics Summit, March 6, 2013*
- The Legal Impact of Misdemeanor Liability and the Responsible Corporate Officer Doctrine, *Center for Business Intelligence, Second Annual Life Sciences In-House Legal Counsel Congress, September 21, 2012*
- Implications of FCPA and Ex-U.S. Anti-Corruption Operations – How the Enforcement Environment is Evolving, *Center for Business Intelligence, Second Annual Life Sciences In-House Legal Counsel Congress, September 21, 2012*
- Ethics as Organizational Culture; Government as Stakeholders, *Temple University, Fox School of Business and Management, March 2010*

## ***Podcasts***

- Data Security in Healthcare. RevDive, Episode 37, April 13, 2023

## ***Community Involvement***

- Love INC. of Lancaster County, Board Member

## ***Professional Affiliations***

- Wolters Kluwer, Health Law Advisory Board Member
- Pennsylvania Bar Association, Member
- American Health Lawyers Association, Member
- Institute for Business Ethics, Establishing Member of the European Network of Integrity and Compliance Officers
- Open Compliance and Ethics Group, Member, GRC capability model task force, 2007 – 2009
- American Academy of Family Physicians, Member, Panel of Consultants, 2002 – 2004

## ***Media Mentions***

- Change Healthcare Cyberattack Chaos Continues as Temporary Loans for Providers Start, *Medscape Medical News*, (March 7, 2024)
- What can go Wrong When Doctors Grant Professional Courtesy?, *Medscape Medical News*, (March 8, 2023)
- [How to make the most of an online doctor's visit](#). Jeffrey B. Miller. *Lancaster Newspaper*. (May 3, 2020)

## ***Professorships***

- Adjunct Professor, Villanova University Charles Widger School of Law
- Faculty Member, Pennsylvania Bar Institute