



## Amanda M. Wilwert

Partner

### Contact

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## Overview

**Amanda Wilwert counsels a broad range of health care providers through complex and evolving state and federal regulatory landscapes by providing sound advice on health care business transactions, state license and certification requirements, Medicaid and Medicare participation, and reimbursement rules. She regularly appears before federal and state regulatory agencies, including state licensing boards, state survey agencies, the Departmental Appeals Board, and the Office of Medicare Hearings and Appeals.**

A powerful advocate for hospitals, skilled nursing and long-term care facilities, home health agencies, and licensed health care practitioners, Amanda assists with everything from routine risk management implementation and day-to-day operations to high-stakes government investigations. Her compliance practice specifically focuses on conditions of participation, conditions of coverage, state licensure and regulation, HIPAA, HITECH, and reimbursement issues as well as highly sensitive matters pertaining to patient capacity to consent, patient care and treatment issues, and end-of-life care.

As providers approach critical business decisions, Amanda's comprehensive assistance extends to factors unique to health care, such as change-of-ownership licensing issues, operating transfer agreement, admissions agreements, and managed care agreements.

## Education

- Washburn University School of Law, 2011 (J.D.), *cum laude*
- Drake University, 2008 (B.A.)

## Bar Admissions

- Kansas
- Missouri

- District of Columbia

## Court Admissions

- U.S. Court of Federal Claims
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court for the District of Kansas

## Community Involvement

- Enlisted Association of the National Guard of Kansas (EANGKS) Auxiliary, Vice President, 2021-2023; President, 2023-2025
- Enlisted Association of the National Guard of the United States (EANGUS) Auxiliary, Parliamentarian, 2024-present
- Kappa Kappa Gamma Alumni Association
- E.O. Sisterhood
- S. Masters Swimming
- U.S. Golf Association

## Distinctions

- *Best Lawyers in America*, Ones to Watch
  - Administrative / Regulatory Law, 2023-2025
  - Health Care Law, 2021-2025
  - Corporate Governance and Compliance Law, 2023-2025
  - Privacy and Data Security Law, 2023-2025
- YWCA of Northeast Kansas, Woman of Excellence Honoree, 2021

## Memberships

- American Health Lawyers Association
- Kansas Association of Hospital Attorneys
- Missouri Society of Health Care Attorneys
- Greater Kansas City Society of Healthcare Attorneys, Secretary, 2019-2020; President, 2020-2024; Immediate Past President, 2024-present
- Kansas Bar Association
- The Missouri Bar
- Johnson County Bar Association
- Kansas City Metropolitan Bar Association
- Kansas Women Attorneys Association, Lindsborg Conference Program Committee Chair, 2020; Lindsborg Conference Co-Chair, 2022-2023
- Military Spouse JD Network

## Presentations and Publications

- "Health Law Chapter," *Annual Survey of Law*, Kansas Bar Association, 2016-2025
- "Health Law Update," Health Innovations Network of Kansas (HINK), Board of Directors Meeting, 2021-2025

- "Residency Agreements: Strategies for Avoiding Pitfalls," LeadingAge Kansas, 2025 Virtual Assisted Living & Residential Care Conference, February 2025
- "Reproductive Health Privacy: Breaking Down OCR's Final Rule Strengthening Privacy Protections for Reproductive Health Care," Kansas Health Information Management Association (KHIMA), 2024 Virtual Winter Educational Program, November 2024
- "Managing Mental Health Record Requests," Kansas EMS Association, Annual Conference, August 2024
- "HIPAA Hodgepodge," Kansas EMS Association, Annual Conference, August 2024
- "Everything Ethics, Everywhere, All at Once," Earl E. O'Connor Inn of Court, G. Thomas Van Bebber Ethics CLE, 2024
- "Managing Mental Health Record Requests," KHIMA, Annual Meeting, April 2024
- "HIPAA Hodgepodge," KHIMA, Annual Meeting, April 2024
- "Do Not Block: The Information Blocking Rule," KHIMA and MoHIMA Joint Annual Meeting, August 2024
- "Legal Issues in Nursing – How to Stay out of Court and Jail," Association of Perioperative Registered Nurses KC, New Trends in Health Care 2023 Conference & Vendor Fair, 2023
- "CMS Interim Final Rule Calls for Healthcare Staff Vaccinations by January 4," *Midwest Employment Law Letter* (Vol. 3, No. 1), 2022
- "HIPAA Hustle," KHIMA, Fall Meeting, 2022
- "Chapter 6: Payer Programs and Policies: Utilization Management and Quality Assurance," *AHLA Health Plans Contracting Handbook: A Guide for Payers and Providers 8th Edition*, 2021
- "What's Next? Information Blocking Compliance," Missouri Rural Health Association, Annual Conference, 2021
- "Keep Calm and Compliance On – Compliance Basics and Beyond," Missouri Rural Health Association, Annual Conference, 2021
- "HIPAA Breach Notification Manual and Information Blocking," Great Plains Health Alliance, Inc., 2021
- "Information Blocking and Beyond," Kansas Hospital Association, Noon Briefing, 2021
- "Ethical Fairy (and Scary) Tales," Greater Kansas City Society of Healthcare Attorneys, 2021
- "Your Authentic Legal Brand 2.0," Kansas Women Attorneys Association, 31st Annual Lindsborg Conference, 2020
- "Chapter 14: Medical Necessity, Claims, and Payment Processes," *AHLA Health Care Compliance Legal Issues Manual 5th Edition*, 2019
- "Compliance Conundrums," Greater Kansas City Society of Healthcare Attorneys, 2019
- "Risk Management, EMTALA, and Damage Caps," Great Plains Health Alliance, Inc., Risk Management Roundtable, 2019
- "Compliance 101: Creating a Culture of Compliance," Missouri Rural Health Association, Annual Conference, 2019
- "Practical Approaches to Behavioral Healthcare in Emergency Departments," Missouri Rural Health Association, Annual Hungry, Hungry HIPAA, Kansas Women Attorneys Association, 30th Annual Lindsborg Conference, 2019
- "Your Authentic Legal Brand," Kansas Women Attorneys Association, 30th Annual Lindsborg Conference, 2019
- "Storms They Are A-Brewing: CMS' Final Rule on Emergency Preparedness Requirements & Management Plans," 2019 South Central Kansas Health & Medical Symposium, 2019
- "Keep It Secret; Keep It Safe: HIPAA Privacy and Security Update," Greater Kansas City Society of Health Attorneys, 2019
- "Health Care in the USA," Kansas Women Attorneys Association, 29th Annual Lindsborg Conference, 2018
- "HIPAA Update: Enforcement, Security, Audits, & More," Kansas Bar Association, Health Law CLE, 2017

## Related Experience

- Developed, revised, and implemented compliance programs and HIPAA policies for health care providers, long-term care providers, and group health plans.
- Represented health care providers in administrative proceedings involving Medicare and Medicaid reimbursement.
- Successfully assisted a newly constructed skilled nursing facility with state licensure and Medicare enrollment.
- Assisted health care providers with facility transfer of ownership.

- Advised and assisted health care clients with internal investigations related to HIPAA, data security breaches, false claims, and other compliance-related matters.
- Assisted health care providers with the development of plan of correction in response to survey deficiency findings and informal dispute requests.
- Represented individual health care providers in medical staff and peer review matters.
- Assisted providers on Medicare certification, recertification, and facility licensure.
- Advised and assisted providers with negotiation of managed care contracts.
- Assisted with development and implementation of medical staff bylaws.
- Served as a research attorney for the Honorable Marla J. Luckert of the Kansas Supreme Court from 2012–2014.