

Curriculum Vitae

Phil Hurd MHA, CPC
BERKELEY RESEARCH GROUP, LLC

307 International Circle, Suite 400
Hunt Valley, MD 21030

Mobile: 443.956.1330

Direct: 443.863.6890

Fax: 443.541.4948

phurd@thinkbrg.com

Phil is a Director with over thirty years' experience in healthcare. He has managed the central billing office for a large well know faculty practice plan in the mid-Atlantic region, assisted payors in implementing and complying with class action settlement agreements related to coding, billing and claims processing and provided litigation support to counsel for several documentation and coding matters including critical care, oncology, anesthesiology, emergency department, evaluation and management services, dental and other specialties.

He has a deep working knowledge of coding and documentation related to healthcare billing and was a team member for an Independent Review Organization engagement assisting the Office of Inspector General (OIG) with assuring the billing was compliant for laboratory, radiology and physician evaluation and management services for a multi-State provider of physician home services functioning under a Corporate Integrity Agreement (CIA). Phil has provided expert testimony regarding billing and coding of physician evaluation and management services and appropriateness of referrals to other providers. He is well versed in CPT coding and documentation requirements, Correct Coding Initiative (CCI) claims edits and other government regulations, payor billing and reporting guidelines, medical necessity and compliance.

He is frequently retained to assist clients in reimbursement and coding compliance matters and has conducted numerous assessments and audits concerning coding and billing compliance in litigation matters. He was the lead support to counsel for a large national class action lawsuit against commercial insurers regarding the billing, documentation, claims edits and claims adjudication for physician and chiropractic services. Phil earned his Master's degree from Duke University and is a Certified Professional Coder.

EDUCATION

Ohio Wesleyan University, BA, 1974

Duke University, Masters in Health Administration, 1977

Harvard University School of Public Health, Cambridge, MA
Certificate "Program on Managing Multi-Institutional Collaboration", 1979

The Wharton School, University of Pennsylvania, Philadelphia, PA.

Certificate "Executive Programs in Strategic Planning", 1986

American Association of Professional Coders (AAPC) – Certified Professional Coder (CPC), 2003

PRESENT EMPLOYMENT

2012 – **Berkeley Research Group, LLC**
Director

PREVIOUS POSITIONS

2011 - 2012 **PricewaterhouseCoopers (PwC), Baltimore, MD**
Director - Health Advisory

2003 - 2011 **Navigant Consulting, Inc., Baltimore, MD**
Director

2001- 2003 **Kohler Healthcare Inc., Baltimore, MD**
Director (Company merged with Navigant Consulting, Inc. Summer 2003)

1998 - 2001 **University of Maryland Medical System, Baltimore, MD**
Senior Administrator - Department of Pediatrics

1990 - 1998 **Johns Hopkins School of Medicine - Clinical Practice Baltimore, MD**
Senior Director Finance and Administration

1984 - 1989 **Medlantic Healthcare Management Corp (now MedStar Health)**
Strategic Planning/Business Development

1980 - 1984 **Shared Health Resources, Inc.**
Consultant

1977 - 1980 **Maryland Healthcare System**
Program Coordinator

Relevant Experience

- *Victory Medical Center Mid-Cities, LP et al. v. Connecticut General Life Insurance Company*, Case No. 15-452373, Adversary No. 17-04000-rfn. U.S. bankruptcy Court Northern District of Texas Ft. Worth Division. Expert Report on behalf of Cigna December 22, 2017. Deposition to be scheduled.
- *Millennium Health, L.L.C. v. Blue Shield California Arbitration, San Diego, CA*. Expert Report on behalf of Millennium Health August 21, 2017. Deposition August 25, 2017. Case resolved August 25, 2017.
- *The Christ Hospital Surgery Center, CON #059-07-5770(1)*, Healthcare Fraud and Abuse Litigation Support, Commonwealth of Kentucky, Cabinet for Health and Family Services, Division of Administrative Hearings, Administrative Hearings Branch,

HSAHB CON 16-1904. Testified at Administrative Hearings presided over by Administrative Law Judge January 6, 2017 as coding expert. Approval issued June 8, 2017.

- John R. McGee M.D. v Horizon Blue Cross Blue Shield of New Jersey and counterclaim, Docket Number: UD-L-1492-14, Superior Court of New Jersey, Law Division – Hudson County. Expert Report on behalf of Horizon Blue Cross Blue Shield February 24, 2017. Consent judgment signed by Dr. McGee March 30, 2017.
- Benjamin Buttolph as receiver for Mobile Doctors USA, LLC, Plaintiff v. Dike Ajiri et al. defendants. Civil Action No. 14-L-009268, Circuit Court of Cook County, Illinois, County Department, Law Division. Prepared testimony summary November 2015. Submitted Affidavit January 15, 2016.
- Memorial Clinical Associates v. Amy Rozell, executor for the estate of Craig M. Jefferies, M.D., American Arbitration Association, Houston, Texas, Arbitration No. 01-14-0000-5861, Expert Report April 1, 2015, Affidavit September 3, 2015. Deposition canceled.
- United States of America ex rel. State of Georgia Ex Rel. Richard Barker, v. Columbus Regional Healthcare System, et al. Civil Action No. 4-12-cv-108(CDL), United States District Court for the middle district of Georgia, Columbus division. Expert Report December 24, 2014. Deposition canceled by Plaintiff attorney.
- Blue Cross Blue Shield of North Carolina v Jemsek Clinic P.A., et al. In the United States Bankruptcy Court for the Western District of North Carolina. Civil No. 07-03006 and Counter Claim Defendants, and Blue Cross Blue Shield of North Carolina, Plaintiff, Counterclaim defendant and Counterclaim Plaintiff Case Number 07-03008 in the United States bankruptcy Court, Western District of North Carolina, Charlotte Division. Expert Report October 28, 2013. Deposition January 7, 2014.
- United States of America ex. Rel. Lucas W. Matheny and Deborah Loveland vs. Medoco Health Solutions, INC, Polymedia Corporation, Liberty Healthcare Group, INC, Liberty Medical Supply, INC, Liberty Commercial Health Services Corp., Liberty Direct Services Corp., Liberty Medical Supply Pharmacy, INC, Carl Dolan and Arlene Perazella. In the U.S. District Court of the Southern District of Florida. Case #08-14201-CIV-GRAHAM/Lynch. Filed May 10, 2012; Expert Report: January 29, 2013. Deposition to be scheduled.
- United States of America vs. Mikhail Zemlyansky, Michael Danilovich, Tatyana Gabinskaya, Joseph Vitoulis, D.O., Billy Geris, D.O. In the U.S. District Court for the Southern District of New York. Case #12-CR-171 (JPO). Filed February 28, 2012; Expert Testimony in the Criminal Court of the Southern District of New York. Testimony October 17, 2013. Jury acquitted both physicians on all 4 counts November 4, 2013.
- Encompass Office Solutions, Inc. vs. Humana Health Plan and Humana Health Plan of Texas, Inc. - Civil Action #4:12-CV-0011. Provided coding and billing expertise to counsel regarding outpatient surgery billing in a physician's office. Supported counsel during settlement process. Settlement of Case: December 6, 2012.
- Managed Care Solutions, Inc. vs. Baptist Health Systems, Inc. – Case No.: 07-61263. In the District Court for the Southern District of Florida, Fort Lauderdale Division. Expert Paper April 16, 2008. Deposition: May 1, 2008. Settlement of Case: August, 2008.

- Dr. Thomas A. Kopitnik & Central Wyoming Neurosurgery, LLC vs. MacGuire – Civil Action #84414A. In the District Court, Natrona County, State of Wyoming, Seventh Judicial District. Expert Report: August 31, 2007. Deposition: December 7, 2007.
- Dennis G. Kleban, M.D. vs. Jacqueline S. Eghrari-Sabet, M.D. – In the Circuit Court for Montgomery County Maryland. Civil Action #256314. Issued: February 2005. Provided technical support to plaintiff counsel during deposition. Deposition: December 13-14, 2005; Trial: February 15, 2006
- Aetna, Inc. Joint Expert Recommendations for Settlement through Mediation of Compliance Dispute Issue Involving CPT Code Modifiers 25 & 59. Prepared settlement language: August 22, 2004
- Grider vs. Keystone. – In the U.S. District Court for the Eastern District of Pennsylvania – Civil Action #01-05641. Filed October 5, 2001; Expert Report: July 23, 2004; Deposition: August 3, 2004; Settlement of the case; April 2008
- Albemarle Eye Center, PLLC vs. Marshall Redding, MD Case # 01-CVS 342 and Marshall Redding, M.D. v. Albemarle Eye Center, LLC, Case #01-CVS 382. In the General Court of Justice Superior Court Division, Pasquotank County North Carolina-Provided technical support and analysis for the expert report.

Compliance and Regulatory

- Lead compliance due diligence engagements on behalf of private equity interested in various health care provider entities.
- Conduct medical record chart review to determine appropriateness of chart documentation and codes billed and reimbursement received from payer.
- Manage Independent Review Organization (IRO) engagements related to compliant billing, coding and documentation for providers under a Corporate Integrity Agreement.
- Assess compliance process and effectiveness and recommend appropriate changes.
- Support provider in appeal process and defense of alleged non-compliant claims.
- Provide expert testimony regarding billing, documentation and coding.

Billing/Claims Processing – CBO and Functions

- Review and recommend revisions to improve billing office operations and efficiency.
- Successfully managed the transition of a large decentralized billing and collections operation with 200+ employees to a centralized revenue cycle enterprise for a large faculty practice plan on the east coast. Functioned as Director of Revenue Cycle Operations after transition. Designed and prepared monthly management reports to monitor performance. Developed cash projection models.
- Managed the process of out-sourcing the professional fee billing for a large multi-specialty faculty group. Managed the overall process including contract negotiation, front-end, A/R follow-up, denials and reporting.
- Managed claims processing operation for capitated managed care claims office. Adjudicated claims negotiated appeals with physicians and resolved issues.

Physician Private Group and Academic Group Practice

- As Senior Administrator of a large academic practice, with a \$35 million dollar budget, over 100 physicians and 500 employees, managed the day-to-day operations, working directly with the Department Chairman. Centralized scheduling, redesigned clinic space and merged practices into new space.
- Physician training on the business aspects of practice management, managed care, contracting, A/R management, practice development and documentation, coding and compliant billing.
- Developed billing compliance model for use by national dental services company with over 65 locations in 26 states.
- Manage day-to-day operations of physician practices.
- Complete Fair Market Value analyses of physician management services organization offerings, physician compensation for clinical, on-call directorship and other services.
-

Affiliations

Member MGMA National

Member MGMA Maryland

HFMA

Past Board Member and Treasurer Johns Hopkins Federal Credit Union

Board Member and Treasurer Graham Equestrian Center, 2001 - present

Publication by Phil Hurd

Phil Hurd, MHA, CPC and B. Bo Martin, Ph.D., CFE. "Do You Collect the Right Data For Defending Your Paid Claims?" *Health Care Informatics*, October, 2010.

Hurd, Phil. "Late Charges?...Not in my hospital!", American Association of Health Care Administrative Management, *The Star Spangled Banner*, Spring 2001.

Other

Numerous speaking engagements