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- TONY R. BERTOLINO, MANAGING PARTNER

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## Employee Spotlight

Welcome Chris Henderson to the BERTOLINO LLP family! Some of his particular areas of expertise and experience include: medical/dental malpractice, professional licensure issues, personal injury litigation, maritime accidents, product liability, crop insurance, insurance coverage opinions, nursing home/hospice litigation, toxic tort/environmental law and administrative healthcare. He has successfully obtained multi-million dollar jury verdicts and favorable defense verdicts and settlements for clients. Chris also has experience in handling a variety of family law issues such as elder-law, estate planning, and divorce.

Chris has counseled various hospitals and

health systems, county owned medical facilities, medical groups and other health care providers in regulatory matters, as well as business transactions, including acquisitions, telemedicine initiatives and strategies, management, physician and hospital contracting, physician employment and recruitment issues; physician and dental practice management, management service agreements, fraud and abuse and Stark Law compliance.

Prior to his graduate studies, Chris received his Bachelor of Science degree in Biology from Mississippi College where he was involved in various academic, research and leadership organizations. Upon graduation from Mississippi College, Chris followed a path to become a dentist before realizing his passion for the practice of law. His years in dental school have proved to be a tremendous asset in relating with the health care system, health care providers and the various boards of different health disciplines.



**Chris Henderson**  
**Senior Associate Attorney**

Chris is active in his community, where he volunteers with his church, various community enrichment programs and youth sporting groups. Chris is the proud father of three daughters and is married to Dr. Kristi Henderson, Vice President of Virtual Care & Innovation with Seton Healthcare Family in Austin, Texas. Dr. Henderson is nationally known for her leadership in telehealth and transformation of the national healthcare system using innovative technology driven solutions. She serves on several national Boards such as the American Telemedicine Association and is a Robert Wood Johnson executive nurse fellow.

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## **I'm being investigated by the boards, Do I need a Lawyer?**

Allegations of misconduct against a licensed professional are serious. Regulatory and licensing boards have the power to revoke a license, suspend it, or put a licensee on probation. Any complaint against a licensed professional must be treated with the highest level of importance and should be handled with the utmost competence.

If you have been notified of a complaint against you, you may feel equipped to handle the matter on your own. But properly responding to and defending against allegations is time consuming and emotional.

There are countless dangers in do-it-yourself license defense. You spent years earning your professional license, but you may not be familiar with licensing and regulatory board investigations. You may not be familiar with the law or your rights. You need someone who can protect your rights and put forward the best defense for you.

## **Irreparable Economic Harm - *Recognize that Your Career May Be In Jeopardy***

Understand that if someone files a complaint against you, even if you feel the complaint is unfounded, your career could be in jeopardy. Your professional license is one of your most valuable assets. Revocation or suspension of your license, and harm to your reputation, can cause irreparable economic harm.

Understand that the licensing board exists to protect the public. The licensing board is not on your side, it does not serve your interests and is not designed to protect you. A strong defense protects your credentials, career, reputation, and earning capability.

## **Hiring An Attorney Will Not Make You Look Guilty - *It Is Your Right To Be Represented***

You have the right to be represented at every stage of a complaint. You have the right to defend yourself. Hiring an attorney to help you mount a strong defense serves to protect your license, reputation, financial interests, and your career; it does not make you look guilty.

A [license defense attorney](#) can guide you through the complaint process. First, the attention and care you put into your initial response to the allegations are crucial. Second, depending on the facts of your case and which regulatory body or board you must appear before, you may have legal rights you are not aware of. For example, you may have the right to conduct a trial before an Administrative Law Judge. You may have the right to confront and cross examine witnesses, to make discovery requests, or to subpoena witnesses and documents.

To protect and assert your rights, and to put forth a defense most likely to lead to a positive outcome in your case, it is imperative you seek the counsel of an experienced license defense attorney.

## **Get It Right The First Time - *Appeals Are Expensive & Difficult to Win***

The truth is, if you attempt do-it-yourself license defense you may irretrievably forfeit important legal rights by making mistakes or not fully understanding the complain process.

If a regulatory board or licensing agency rules against you, the appeals process is expensive and difficult. Mounting a strong defense early on significantly improves the likelihood of a positive outcome for you.

## **Build A Rock-Solid Defense - *Gathering Evidence, Questioning Witnesses & Protecting Your Legal Rights***

If you are facing allegations of misconduct or investigation by a licensing or regulatory board, you need someone who thoroughly understands the law. Licensed professionals are highly trained in their industry, but we are highly trained in ours. We know how to navigate the complaint process, gather evidence, question witnesses, and prepare powerful defenses against allegations of misconduct.

Our job is to protect your rights and mount the best possible defense. We are here to make the process less stressful for you. You have enough to worry about with

your professional license at risk. [Our firm](#) believes that immediately consulting an experienced license defense attorney to review allegations of misconduct helps ensure the most favorable outcome in your case.

The lawyers at [Bertolino LLP](#) know how to carefully research every potential case. We know where to look for evidence and how to use that information to build a successful legal strategy. We will do whatever it takes to find the facts to build a rock-solid defense. We are experienced and knowledgeable in the law and procedure of administrative hearings and boards and agencies who regulate professional licenses.

***Our law firm helps professionals, like you, keep their licenses when those licenses are under attack by a state agency or board.***

The professional license defense lawyers at Bertolino Law Firm have consistently won significant cases for doctors, nurses, lawyers, architects, pharmacists and other professionals dealing with issues that could jeopardize their ability to work. We know how to [build a strong case](#) to protect your license - and your livelihood. [Our results](#) speak for themselves.

If you have received a licensing complaint, [Bertolino LLP](#) can help. We represent licensed professionals across the entire State of Texas. Our honest, experienced attorneys will fight aggressively on behalf of your license and reputation. [Contact us](#) today or call (800) 210-0126 and schedule a case evaluation.

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## **Hallmark Achievements | March 2017**

***A Month of Dismissals The Firm secures maximum results at minimal cost***

*Texas Board of Nursing v. D.F.*

Our Client, a Licensed Vocational Nurse, was alleged to have fallen asleep on duty. LVN DF initially responded to the Board's allegations without legal representation. The Board replied by proposing an Agreed Order which would have required LVN DF to abandon working in home health, beloved patients and plans to establish a home health practice this year. Shortly after being engaged by LVN DF, the Firm submitted its proprietary Response Packet, and secured an outright dismissal of the allegation. The Firm protected LVN DF's license at minimal cost.

Take-away: The Firm secured a dismissal with a single move.

*Texas Board of Nursing v. C.R.*

Our Client, a Certified Registered Nurse Anesthetist with a Doctorate in Nursing Practice, was alleged to have improperly counseled an elderly patient with severe co-morbidities on the risks of general anesthesia. The Board went so far as to allege that the patient's subsequent traumatic incidents were related to CRNA CR's conduct. The Firm shut down the Board's allegations immediately, securing an outright dismissal upon submission of a Response Packet. The Firm protected CRNA CR's license at minimal cost.

Take-away: The Firm secured a dismissal with a single move.

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## Q & A

### Q: What if I have a DWI or DUI arrest and/or conviction?

**A:** A DWI/DUI arrest or conviction may require you to alert the Board now or at some time in the near future. Once again, an attorney may be able to assist you in determining the course of action that protects your license in this stressful time.

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*"Our law firm helps professionals, like you, keep their licenses when those licenses are under attack by a state agency or board."*

-Tony R. Bertolino, Managing Partner