

Erin L. Muellenberg

PRINCIPAL

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Erin L. Muellenberg is a seasoned legal professional who practices exclusively in the area of medical staff law. With a deep understanding of hospital governance, credentialing, peer review, and regulatory compliance, Erin provides practical, client-centered advice that aligns with each organization's operational and strategic goals.

Erin represents medical staffs and governing bodies in fair hearings, disputes between providers and organizations, and litigation related to governance. She also assists clients in the development and refinement of governance documents that strengthen immunities and legal protections, and organizes process flows that support consistent, defensible decision-making.

Clients value Erin's responsiveness, clarity, and collaborative approach. Whether advising on bylaws, policies, investigations, or medical staff structure, she brings strategic insight and a commitment to service that fosters long-term partnerships built on trust and results.

Before entering private practice, Erin served as Director of Medical Staff Services at a large community-based hospital, gaining firsthand experience with the complexities of medical staff operations. This unique perspective informs her legal counsel, allowing her to deliver solutions that are not only technically sound but grounded in real-world application. Erin continues to hold dual certification as a Certified Professional in Medical Staff Services (CPMSM) and a Certified Provider Credentialing Specialist (CPCS), underscoring her deep expertise in the field. In recognition of her leadership and contributions to the profession, Erin was designated as a fellow of the National Association of Medical Staff Services (FMSP).

Erin is a frequent speaker and author on medical staff issues, presenting to state and national associations across the country. She regularly provides training to medical staffs, governing bodies, and medical staff professionals, helping organizations build stronger, more compliant, and more effective governance structures.

In addition to her legal practice, Erin provides customized leadership training for governing boards, medical staffs, medical staff professionals, and other key team members. These programs are designed to enhance governance, foster collaboration, and support regulatory compliance. Training topics include effective communication and meeting

Capabilities

- Medical Staff Governance, Operations & Disputes
- Health Care Litigation
- Hospitals & Health Systems

management, conflict resolution, credentialing and privileging, peer review processes, roles and responsibilities, and navigating complex regulatory environments. Formats range from concise presentations to immersive multi-day retreats, and sessions are available both in person and virtually to meet the unique needs of each organization.

Erin's representative work includes –

- Strategic redesign of governance documents to accurately reflect the structure, functions, roles, and responsibilities of the medical staff organization, ensuring alignment with legal standards and operational realities
- Creative design and implementation of matter-specific plans to address individual performance concerns and disruptive behavior issues, helping organizations navigate sensitive situations with clarity, fairness, and legal protections.
- Successfully representing and advising Medical Executive Committees in conducting corrective action investigations, managing fair hearings and board appeals, and navigating subsequent writ proceedings
- Successfully represented and guided hospital governing board in stepping into the role of the medical staff to implement corrective action, ensuring compliance with medical staff bylaws and regulatory requirements while maintaining medical staff organizational integrity
- Collaborating with health systems and medical staff organizations to develop comprehensive medical staff well-being programs and regional support committees, including the creation of charters and policies that establish robust confidentiality protections and clearly defined boundaries to safeguard sensitive information
- Organize multi-state provider groups into a legally protected peer review body to promote candid dialogue, enhance patient safety, and maximize confidentiality protections under applicable state and federal laws

Education

- Western State College of Law at Argosy University (B.S., *cum laude*, 1987)
 - Law
- Western State College of Law at Argosy University (J.D., *cum laude*, 1988)
 - Law Review contributor
- Certified Professional Medical Service Management (Certificate)

Bar Admissions

- California, 1989

Court Admissions

- U.S. District Court, Central District of California

Memberships

- California Association of Medical Staff Services
- National Association of Medical Staff Services
 - Chair, Education Committee 2020-2022
- California Society for Healthcare Attorneys
 - Education Committee
- American Health Law Association
 - Medical Staff, Peer Review & Credentialing Practice Group

Recognition

- Selected for inclusion in *Best Lawyers in America*® for Health Care Law, 2021-2026
- Selected by Daily Journal for inclusion in, Top Health Care Lawyers, for Health Care Law, 2020

Matters

- Represented Medical Executive Committee ("MEC") in contentious hearing with a dedicated hearing panel that was able to be completed within two weeks. Finding for the MEC and upheld on appeal.
- Successfully represented hospital in identification and self-disclosure of multiple missing attestation forms, saving approximately \$4 million.
- Successfully negotiated a resolution and exit strategy for disruptive provider with state and federal reporting.
- Successfully managed a senior physician through the well-being process and assisted hospital in development of late career practitioner policy. Reached settlement and resolution of contentious hearing through mediation.
- Advised and assisted a governing board in understanding and accepting the recommended provider termination action.
- Assisted a large medical group in becoming an organized peer review body and developing corresponding governance structure and fair hearing plan.
- Developed corrective action and hearing procedures for peer review bodies which included mediation, alternative dispute resolution and dedicated hearing panel clauses.
- Established peer review sharing arrangements between acute care hospitals and clinics, foundations and medical groups.
- Unified medical staffs of hospitals within same system and completed unified governance documents and sharing arrangements.
- Established chief's table for sister hospital.
- Established and provided external peer review services to multiple hospitals and health systems throughout the country; negotiating to successful resolution physician disciplinary matters.
- Assisted medical staffs and hospitals in understanding and implementing disaster privileging.
- Worked with ethics committees to establish scare allocation resource policies.
- Litigated multiple medical staff hearings, governing board appellate hearings and wrote and responded to associated writs of mandamus.
- Successfully guided an all physician Board to develop and implement a strategic plan and recruitment and retention program that has improved care and increased profits.