

Tracey L. Klein

SENIOR PARTNER

she / her / hers

Chicago, IL | 312.873.3613

tklein@polsinelli.com



Tracey L. Klein counsels and provides legal advice and strategic counsel to a continuum of health care providers, including integrated health care delivery systems, hospitals and health systems, physician groups, individual health care professionals and tax-exempt organizations. She leverages more than 30 years of experience in regional and national transactions involving health care providers and health insurance companies, which include:

- Formation of joint operating entities
- Hospital affiliations and mergers
- Formation of physician group practices
- Formation and reorganization of provider-based health insurance companies
- Physician group practice and alignment strategies
- Establishment of international clinics and telemedicine arrangements
- Establishment of small format hospitals and alternative care models
- Advice on establishment of patient centered medical homes
- Development of co-management arrangements

Tracey has substantial experience advising boards on matters involving board structure, fiduciary duties and effective oversight. She attended the Kellogg School of Management Program on “Strategies for Improving Directors’ Effectiveness” and continues to draw from her experience when counseling health system board of directors. Tracey also conducts educational sessions regarding audit and governance committees, approaches to hospital governance that further quality care, best governance practices and the role of the compensation. Tracey’s commitment to clients in the health care industry include:

- Acute care hospitals
- Multi-provider health care systems
- Multi-specialty clinics
- Multi-managed care companies
- Health insurance companies
- Tax-exempt organizations

Capabilities

- Health Care
- Hospitals & Health Systems

Education

- Marquette University Law School (J.D., *cum laude*)
- University of Wisconsin-Madison (B.A.)

Bar Admissions

- Wisconsin
- Illinois
- District of Columbia

Court Admissions

- U.S. Court of Appeals, Seventh Circuit

Memberships

- Advisory Board of MedPower, an mobile Electronic medical record training firm
- Minocqua Country Club Board of Directors
- University of Wisconsin Board of Regents
 - Term 2016 – 2023; gubernatorial Appointee
 - Board Member
 - Executive Committee Member
- Greater Milwaukee Committee
- Milwaukee Film
 - Member of the Board of Directors
 - Governance Chair
 - Former President
- Milwaukee Women Inc.
 - Steering Committee Member and Past Board Member
- Southeast Wisconsin Professional Baseball Park District
 - Member of the Board of Directors; Gubernatorial Appointee
- Marquette University Law School Advisory Committee
 - Member
- TEMPO
 - Member and Past President
- Skylight Music Theatre
 - Former Board Member and Governance Chair
- Southeastern Wisconsin Baseball District Board
 - Past Member; Gubernatorial Appointment

Recognition

- Recipient of 2018 *Wisconsin Law Journal* Leader in the Law Award
- Recipient of *Business Journal of Greater Milwaukee's* 2008 Women of Influence Award in the community supporter category
- Wisconsin Top Rated Lawyer *Martindale-Hubbell AV*[®] Preeminent[™] Peer Review Rated
- Selected for inclusion in *Best Lawyers in America*[®] for Health Care Law, 2010-2026
- Selected for inclusion in Wisconsin Super Lawyers
- Named by Wisconsin Law Journal as a “2016 Woman in the Law”

Matters

- Served as strategic counsel to a multi-hospital system in its assessment and selection of an affiliation partner
- Served as strategic counsel to a health system in its affiliation with a major academic medical center
- Served as legal counsel to a health system in a governance redesign initiative after its affiliation with another health system
- Served as transaction counsel to a health system in its acquisition of a large multi-specialty clinic
- Served as strategic counsel to a multi-hospital system in its exploration of the development of joint-venture hospitals with a multi-specialty clinic
- Represented the lender in a \$50 million revolving line of credit secured by a pool of real property located across the United States.
- Served as special counsel to a health system in the revision and modernization of medical staff by-laws
- Routinely assists hospitals in the conduct of physician disciplinary proceedings and fair hearings
- Served as special counsel to a large, multi-hospital system in a medical staff consolidation initiative to establish consistent medical staff by-laws and procedures
- Served as general counsel to a health system with respect to the construction of a \$100 million replacement hospital and supervised the filing of the application for certificate of need with the Illinois Health Facilities and Services Review Board
- Served as strategic counsel to a hospital in obtaining a favorable property tax exemption ruling from the Illinois Department of Revenue in the immediate aftermath of the Provena decisions
- Routinely counsels health care providers and health insurance clients in handling credentialing matters, medical and legal bioethics issues, compliance and billing issues, managed care contracting strategies, FDA issues and patient confidentiality matters, as well as issues involving fraud and abuse, antitrust, tax exemption, and Medicare and Medicaid reimbursement