

Robin Dale

Shareholder
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Areas of Practice

Robin Dale has an active litigation practice where he concentrates on governmental regulatory law with a special focus on long term care issues. He represents long term care providers in a wide range of disputes including certification, licensing, certificate of need, survey, reimbursement and the Fair Housing Act. Prior to joining Lane Powell, he served as an Assistant Attorney General assigned to represent the Aging and Disability Services Administration of the Department of Social and Health Services in long term care issues.

Professional Experience

Office of the Attorney General for the State of Washington (1992-2002)

Admitted to Practice

Washington
U.S. District Court, Western District of Washington
U.S. District Court, Eastern District of Washington
Ninth Circuit Court of Appeals
Idaho
Oregon

Academics

University of Puget Sound, School of Law (J.D., *cum laude*, 1992)
University of Texas (B.A., 1980)

Practice Group and Specialty Team Memberships

Business
Government
Health Care
Litigation
Long Term Care and Seniors Housing Client Service Team

Representative Matters and Clients

Marshall v. Washington State Dept. of Labor and Industries, 89 F. Supp. 2d 4 (D.D.C. 2000) (whether District of Columbia's long-arm statute was satisfied under the "minimum contacts" standard for establishing personal jurisdiction).

Casey v. Lower Columbia College, 92 Wn. 2d 1019, (Div. II, 1998) (unpublished) (question of whether superior court properly granted remittitur).

Seatoma Convalescent Center v. Department of Social and Health Services, 82 Wn. App. 495 (Div. II, 1996) (question of the meaning of an obscure phrase in the nursing home reimbursement statute) (potential economic impact to the State - 60 million dollars).

Evangelical Lutheran v. Department of Social and Health Services, 82 Wn. App. 1037 (Div. II, 1996)(unpublished) (question of whether nursing homes would be reimbursed for cost of providing therapy services outside of the reimbursement scheme) (potential economic impact to the State - 120 million dollars).

Care Services v. Department of Social and Health Services, 80 Wn. App. 1002 (Div. II, 1995) (unpublished) (question of whether the Department was estopped from calculating rates using facility's historical cost of construction) (potential economic impact to the State - \$2 million dollars).

Crista v. Department of Social and Health Services, 77 Wn. App. 398 (Div. I, 1995) (question of whether nursing home rates could be calculated using a reimbursement scheme invented by the nursing home industry) (potential economic impact to the State - 25 million dollars).

Publications

"Avoiding Marketing Pitfalls That Could Bring Litigation to Your Doorstep," *In-House Defense Quarterly*, Winter 2010 (Co-Author)

"Landlord Can't Exclude Folks Who Need a Little Help," *Puget Sound Business Journal*, May 2007

"How Seemingly Reasonable Precautions Sparked Decades of Litigation Over The Use Of Side Rails," *American Health Lawyers Bulletin on Long Term Care and the Law*, 2005

"Skilled Nursing Facility Consolidated Billing: Services Furnished Under An Arrangement With an Outside Entity," *Lane Powell Long Term Care Practice Bulletin*, 2004

Speaking Engagements

"Fair Housing Challenges in Assisted Living and Independent Living Providers," American Health Lawyers Association, Long Term Care and the Law Program, February 17, 2010

"Residency Rights Revisited -- Assisted Living Focus," Washington Health Care Association Webinar, February 5, 2010

"Fair Housing Across the Continuum," American Association of Homes and Services for the Aging Annual Meeting and Expo, November 10, 2009

"The Legal and Regulatory Framework for Health Care Decision Making and Advance Directives in Washington," Seattle-based CCRC presentation, September 30, 2009

"Take Away Tools for Retirement Communities - Are Your Pet and Motorized Vehicle Policies Really Compliant With the ADA and the FHA?" Aging Services of Washington Webinar, September 29, 2009

"Death with Dignity Disclosure and Documentation," Washington Health Care Association Fall Conference, September 16, 2009

"Time for Your Assisted Living Admission Agreement Check-Up," Washington Health Care Association Fall Conference, September 15, 2009

"Legal Issues and Challenges: Update," Washington Health Care Association Owners Conference, July 10, 2009

“Washington Death with Dignity Act,” May 28, 2009

“Washington Death with Dignity Act,” Washington Health Care Association Annual Convention, May 5, 2009

“Are Your Marketing Materials Compliant?” Washington Health Care Association Annual Convention, May 5, 2009

“Informal Dispute Resolution and Resident Rights,” A+ Program Administrator Training, Washington Health Care Association, April 14, 2009

“Access to Housing for People with Disabilities.....Assistance Animals,” Seattle-based CCRC presentation, March 31, 2009

“Admission, Disclosure and Transfer Discharge,” Aging Services of Washington Audio Conference, March 12, 2009

“Fair Housing Challenges for Senior Housing Providers,” American Health Lawyers Association Long Term Care and the Law Conference, February 26, 2009

“Arbitration Agreements,” Oregon Health Care Association, December 12, 2008

“Fair Housing Act Update,” Aging Services of Washington, November 20, 2008

“Plans of Correction and Informal Dispute Resolution,” Washington Health Care Association Survey Boot Camp, November 18, 2008

“Marketing Your Assisted Living Community: Avoiding Risky Pitfalls,” Lane Powell/NCAL Webinar, November 6, 2008

“Marketing Pitfalls,” Idaho Health Care Association Fall Workshop, October 24, 2008

WHCA A+ Training, October 17, 2008

“Fraud, Abuse, Anti-Kickback, and Stark: A Compliance Update,” Washington Health Care Association Fall Conference, September 24, 2008

“The Fair Housing Act: Trends Affecting Providers,” Oregon Health Care Association Webinar, Broadcast August 13, 2008

“Legal Trends Affecting Assisted Living Providers,” Washington Health Care Association Assisted Living Summit, July 16, 2008

“Fair Housing Act,” American Healthcare Association Webinar, Broadcast, May 15, 2008; American Health Lawyers Association Long Term Care and the Law Conference, February 29, 2008

“The Last Fair Housing Act Presentation You Will Ever Need,” Woodmark Management Team, April 23, 2008

“Risk Management 101,” Oregon Health Care Association, December 18, 2007

“Informal Dispute Resolution and Resident Rights,” Washington Health Care Association, October 18, 2007; April 23, 2007

“The 2007-2008 F-Tags Release – Are You Ready for the New Guidance?,” Washington Health Care Association Fall Conference, September 17, 2007

“Facility License vs. Nursing Home Administrator License,” Board of Directors for Josephine Sunset Homes, August 28, 2007

“Risk Management” Washington Health Care Association Long Term Care and Senior Housing Litigation Issues Seminar, August 23, 2007

“What’s Tipping the Scales . . . of Justice,” Washington Health Care Association 2007 Convention and Exhibition, May 23, 2007

“Discharging Disruptive Residents and Other Legal Issues,” Idaho Health Care Association Spring Workshop, April 27, 2007; Idaho Health Care Association Fall Conference, October 20, 2006

“Emergency Preparedness,” Oregon Health Care Association, February 8, 2007

“Plans of Care and Resident Rights,” WHCA A+ Program Administrator Training, October 10, 2006

“Arbitration Agreements,” WHCA Fall Conference, September 19, 2006

“Legal Consideration of Aging In Place,” AHMA Annual Meeting and Conference, August 17, 2006

“Plans of Correction and Informal Dispute Resolution,” Washington Health Care Association, August 16-17, 2006; May 18, 2006; October 21, 2005; May 19, 2005

“LTC Regulatory & Legislative Issues Update,” WHCA Chapter Meeting, July 18, 2006

“Use of Arbitration Agreements in the Long Term Care Setting,” WAHSA Annual Convention, June 5, 2006

“The Last Fair Housing Act Presentation You Will Ever Need,” WHCA/WCAL Annual Convention, May 6, 2006

“The Fair Housing Act and Senior Housing,” WAHSA Assisted Living Committee Meeting, January 10, 2006

“When the Police Come to Your Office with a Search Warrant: A Game Plan to Manage a Disruptive Situation,” King County Prosecutor’s Investigatory Program, December 12, 2005

Professional and Community Activities

Fellow, Litigation Counsel of America (2009)

Member, American Health Lawyers Association (2003-Present)

Diversity Committee Washington State Bar Association (2003-2005)

Opportunities For Minorities in the Legal Profession Bar Committee (1996-1998)