

Barbara J. Duffy

Shareholder
duffy@lanepowell.com
206.223.7944



Areas of Practice

Barb Duffy focuses her trial practice on complex, commercial, health care and regulatory disputes. She is “AV” rated by Martindale-Hubbell. Barb is the director of the Lane Powell Litigation Department firm-wide. She chairs one of the Lane Powell Litigation practice groups, and is also chair of the Lane Powell Long Term Care and Seniors Housing Client Service Team.

Professional Experience

Member, American Health Care Association, Legal Subcommittee
Chair, American Health Lawyers Association, Long Term Care, Senior Housing, In-Home Care, and Rehabilitation Practice Group

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

Academics

University of Minnesota (J.D., *cum laude*, 1989; B.A. 1985)
Phi Beta Kappa
Phi Kappa Phi
Golden Key National Honor Society

Practice Group and Specialty Team Memberships

Director, Litigation Department
Chair, Long Term Care and Seniors Housing Client Service Team
Chair, Litigation Practice Group
Class Action Defense
Wage and Hour

Representative Matters

WHCA vs. Dreyfus, 2009 WL 2432005 (W.D.Wash.) (Order granting motion for temporary restraining order enjoining Medicaid rate cuts by the state of Washington)

Steele vs. Extencicare, 607 F.Supp.2d 1226 (W.D. WA 2009) (Order dismissing class action claims under the Washington Consumer Protection Act in the context of long term care)

Bernstein vs. Extencicare, 607 F.Supp.2d 1027 (D. Minn 2009) (Order dismissing class action claims under Minnesota consumer protection act claims)

WHCA vs. Arnold-Williams, 601 F.Supp.2d 1224, Med & Med GD (CCH) P 302,740, (W.D. WA 2009) (Order invalidating legislation requiring assisted living providers to retain Medicaid residents after termination of their Medicaid contracts in violation of the Contracts Clause of the United States Constitution)

Olson, v. Alterra, 2008 WL 4379056 (W.D.Wash.) (Order enforcing Arbitration Agreement in context of assisted living)

Naylor et al. v. Sunwest Management Inc. et al. (Class action litigation under Oregon Unfair Trade Practices Act)

Residents Council et al. v. HHS (Lane Powell represented the American Health Care Association as Amicus in class action challenge to regulation)

Seelhoff v. Welch (Plaintiff's antitrust action trial to judgment)

Publications

"Innovators Expand Senior Housing Even in a Downturn," *Puget Sound Business Journal*, Quoted (September 9, 2011)

Feeding Assistants in Class Action, Co-author (2004)

National Trends in Admission Contract Arbitration Agreement Enforcement, Co-author (2004)

Skilled Nursing Facility Consolidated Billing: Services Furnished Under An Arrangement With an Outside Entity, Co-author (2004)

Speaking Engagements

"Resolving Government Self-Disclosures: What LTC Providers Should Consider," Health Care Compliance Association's 16th Annual Compliance Institute (April 29-May 2, 2012)

"Risks and Issues Involved with Aging in Place," National Center for Assisted Living In-House General Counsel Roundtable (February 27, 2012)

"View From the Bench: The Judicial Perspective on Litigating a Long Term Care Case," Second Annual Preventing and Defending Long Term Care Litigation Seminar (February 1, 2012)

"Hot Topics in Long Term Care," American Health Lawyers Association's Annual Meeting (June 27, 2011)

"Medicaid Rate Litigation Update," American Health Lawyers Association's Long Term Care and the Law Seminar (February 21, 2011)

"Smart Document Management in an Evolving World of Information and Legal Exposure" and "Understanding the Interactions Between Federal and State Integrity Recovery Programs in the Post-Acute Healthcare Setting," Health Care Compliance Association's 14th Annual Compliance Institute (April 18-21, 2010)

American Health Lawyers Association (Various topics in 2006-2011)

Washington Health Care Association (Frequent speaker at various member conventions on various topics affecting long term care)

Oregon Association of Medical Staff Services (Fair hearing process and procedure)

Awards and Honors

Peer Review Rated “AV” in Martindale-Hubbell

Named as one of *The Best Lawyers in America*®, Long Term Care and Seniors Housing (aka Elder Law) (2010-2012)

Named as a “Washington Super Lawyer,” *Super Lawyers* magazine, Business Litigation, Multiple years (“Top 50 Women Attorneys in Washington,” (2008 and 2011))

Selected “Local Litigation Star” by *Benchmark Litigation*, Commercial Litigation (2011 and 2012)

Professional and Community Activities

Member, American Health Lawyers Association

Chair, Long Term Care, Senior Housing, In-Home Care, and Rehabilitation Practice Group

Member, American Health Care Association Legal Subcommittee

Fellow, Litigation Counsel of America, Trial Lawyer Honorary Society (2009)

Former President, Friends of Seattle Public Library Board

Member, Federal Bar Association Health Law Section Editorial Board

Member, Oregon Health Care Association