



Richard D. Barton, Partner

Practice Areas	Health Care Litigation
Admissions	California
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Professional Summary

Rick has represented health care providers and health systems for over 30 years. As trial counsel, he has tried and arbitrated over 100 matters on behalf of health systems, hospitals, physician groups and individual providers in business, class action, professional liability, fraud and abuse and administrative matters in both Federal and State court. Rick's litigation career includes over 60 Superior Court jury trials and he has represented clients before the California Court of Appeal and the California Supreme Court.

In 2000, Rick was appointed Medical Staff Counsel for the Sharp Healthcare system. Since that time, he has been retained by numerous hospitals and health systems to serve in a consultative role to assist hospitals, medical staffs and physician groups in their oversight responsibilities. His role as a consultant has included addressing hospital, medical staff and physician group compliance and governance, and the drafting of bylaws, policies and procedures and rules and regulations. Given his background as a litigator, Rick has represented medical staffs in administrative hearings and litigated matters arising from medical staff proceedings in Superior Court and before the California Court of Appeal where he is responsible for several published decisions. In 2005, Rick was also admitted to practice before the Supreme Court of the United States.

Rick serves as an Adjunct Professor of Law at the University of San Diego School of Law where he teaches Health Care Law and Policy.

Rick began his career in 1982 with McInnis, Fitzgerald, Rees, Sharkey and McIntyre representing health care providers in professional liability actions. He served as managing partner of the McInnis firm in 1996 and 1997. In 1999, he joined Higgs, Fletcher & Mack, LLP and remained there until 2009 when he joined Procopio.

Education, Distinctions & Community Involvement

Education

- JD, University of Southern California Gould School of Law, 1981
- BA, University of California, Los Angeles, 1977

Distinctions

- *The Best Lawyers in America*® – 2007-2015 (Medical Malpractice Law – Defendants, Personal Injury Litigation – Defendants)
- Martindale-Hubbell® AV Preeminent Rating
- *Southern California Super Lawyers*® – 2007-2014 (Health Care)
- Southern California's Top Rated Lawyers – 2007-2014
- San Diego Magazine's Best Lawyers
- ADL Torch of Liberty Award

Community Involvement

- University of California President's Advisory Council on Campus Climate, Culture, and Inclusion
- American Board of Trial Advocates
- Anti-Defamation League - San Diego Regional Advisory Board Chairman (1998-2002), an ADL National Commissioner (2000-present), National Executive Committee (2002-present), Vice Chair of International Affairs (2003-2006), National Chair of Leadership (2006-2009), National Chair of Education (2009-2012), Chair Education Equity Task Force (2012-present)
- County of San Diego – Access to Health Care Commission
- Litigation Counsel of America – Fellow
- San Diego County Bar Association and San Diego County Medical Society – Co-Founder Joint Medical Legal Committee
- San Diego County Medical Society – Co-Founder
- UCSD Climate Council

News Publications & Events

Recent Publications

- “Whistleblowers and the California Supreme Court’s Decision in *Fahlen v. Sutter Central Valley* – Toward a Workable Balance for Promoting Advocacy for Patient Care,” February 2014.

Recent Seminars

- Co-Presenter. “Medical Staff Bylaws: Meeting New Medicare Conditions of Participation and Joint Commission Requirements,” Strafford, Webinar, September 11, 2014.
- “Assessing the Aging Physician – Legal Aspects,” CPPPH, Los Angeles, CA, July 26, 2014.
- Co-Presenter. “Meet Your Counterpart: Landmark Healthcare Legislation – Revealing the Real Impact of the ACA – 2014 Update,” Association of Corporate Counsel, San Diego, CA, June 19, 2014.
- “Assessing the Aging Physician – Legal Aspects,” CPPPH, Oakland, CA, June 7, 2014.
- “The Dilemma of the Aging Physician: Legal and Practical Challenges,” 43rd Annual CAMSS Education Forum, Sacramento, CA, May 9, 2014.
- “Assessing the Aging Physician – Legal Aspects,” CPPPH, Sacramento, CA, May 3, 2014.
- “Medical Staff Boot Camp,” Sharp Chula Vista Medical Center, Chula Vista, CA, February 27, 2014.
- “The Dilemma of the Aging Physician: Legal and Practical Challenges,” Association of Corporate Counsel, San Diego, CA, February 20, 2014.
- “Age-Based Policies for Physician Faculty: Legal and Practical Challenges,” Legal Issues Affecting Academic Medical Centers and Other Teaching Institutions Conference, Washington, DC, January, 23, 2014.

CSHA Hearing Officer Program

- Counties available to serve as a hearing officer: All
- Dates and types of CSHA hearing officer training programs attended: Hearing Officer Training Program, June 2, 2012
- 2 references: Carlo Coppo, Esq. 760.918.0500 and Cary Miller, Esq. 619.233.1323
- Completed hearings served as lead counsel: 10-20
- Hearing (completed or not) served as lead counsel: 20
- Completed hearings served as hearing officer: 1
- Hearing (completed or not) served as hearing officer: 1