

Sarah G. Benator

COUNSEL

Sarah is counsel in the Health Care group.



Industries

Health Care

Education

University of California, Berkeley, Boalt Hall School of Law JD, Order of the Coif; Recipient of the Grace C. Barbee Fellowship in Law and Medicine (1998), 1999

Emory University BA, magna cum laude, Phi Beta Kappa, 1996

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Sarah also serves as editor of the Health Care group's blog named "HealthCare Counsel" which features the latest news, trends, and legal developments in the health care space.

Client Work

Sarah advises a broad range of health care clients, including medical staffs, hospitals, health systems, long-term care facilities, medical groups, and durable medical equipment suppliers in regulatory, operational, and medico-legal matters.

She regularly advises health care organizations on medical staff bylaws, peer review matters, practitioner credentialing, disciplinary hearings, state licensing, Medicare certification, Joint Commission accreditation, EMTALA (the federal law prohibiting "patient-dumping"), governing body bylaws, bioethics, medical records, and consent and confidentiality.

Previous Work

Prior to joining Arent Fox, Sarah was senior counsel at a large international law firm and was a 2003 recipient of the firm's award recognizing community service.

Professional Activities

Sarah is the Editor of the Arent Fox Health Care Counsel Blog. Sarah has served on the board of directors for the California Society for Healthcare Attorneys, and has served as the society's president, chief financial officer, publications committee chair, and editor-in-chief of its journal, the *California Health Law News*

She has written and lectured on a variety of health law topics, including EMTALA, The Joint Commission Standards, credentialing and peer review, the medical staff fair hearing process, and impaired practitioners.

Sarah is a member of the American Bar Association, the American Health Lawyers Association, and the California Association Medical Staff Services. In 2003, Sarah received Public Counsel's Homelessness Prevention Law Project "Volunteer of the Year" Award.

Publications, Presentations & Recognitions

Sarah has been repeatedly recognized in *Best Lawyers in America* for her achievements in health care law.

Sarah is a frequent speaker at various seminars, and has authored articles in numerous publications; an overview of both her speaking engagements and publications is listed below.

- "Dealing with New Technology: Telehealth and Credentialing," Medical Staff Leaders and the Law Seminar, February 1, 2019 (Costa Mesa, CA) and March 1, 2019 (San Francisco, CA)
- California Association of Medical Staff Services Long Beach Chapter 20th Annual Education Conference, October 26, 2018 (Torrance, CA)
- "Do Your Medical Staff Bylaws Hurt or Help?" California Association of Medical Staff Services San Fernando Valley/Ventura County Chapter, August 25, 2018 (Calabasas, CA)
- "Investigations: The Why's, How's, and What-Did-I-Get-Into's," California Association of Medical Staff Services San Fernando Valley/Ventura County Chapter, April 21, 2018 (Mission Hills, CA)
- "Investigations: The Why's, How's, and What-Did-I-Get-Into's," Medical Staff Leaders and the Law Seminar, February 2, 2018 (Costa Mesa, CA)
- "Credentialing, Privileging, and Peer Review: Protecting Patients While Reducing Legal Fees," Chief of Staff Boot Camp, The Institute for Medical Leadership, January 2018 (Santa Monica, CA)
- California Association of Medical Staff Services Long Beach Chapter 19th Annual Education Conference, October 20, 2017 (Torrance, CA)
- "Allied Health Practitioners and the Medical Level of Care," California Society for Healthcare Attorneys (CSHA) Annual Meeting and Spring Seminar, April 21, 2017 (Huntington Beach, CA)
- "Thorny Issues: Late Career, Impaired and Disruptive Practitioners, and What About Retaliation Claims?" Medical Staff Leaders and the Law Seminar, February 3, 2017 (Costa Mesa, CA)
- "Credentialing, Privileging, and Peer Review: Protecting Patients While Reducing Legal Fees," Chief of Staff Boot Camp, The Institute for Medical Leadership, January 2017 (Santa Monica, CA)
- California Association of Medical Staff Services Long Beach Chapter 18th Annual Education Conference, October 14, 2016 (Torrance, CA)
- "Examining Integrated Peer Review Within Integrated Systems," Medical Staff Leaders and the Law Seminar, February 5, 2016 (Costa Mesa, CA)
- "Credentialing, Privileging, and Peer Review: Protecting Patients While Reducing Legal Fees," Chief of Staff Boot Camp, The Institute for Medical Leadership, January 2016 (Santa Monica, CA)
- California Association of Medical Staff Services Long Beach Chapter 17th Annual Education Conference, October 16, 2015 (Torrance, CA)

- “Making Peer Review Sharing Work,” Medical Staff Leaders and the Law Seminar, February 6, 2015 (Newport Beach, CA)
- “Credentialing, Privileging, and Peer Review: Protecting Patients While Reducing Legal Fees,” Chief of Staff Boot Camp, The Institute for Medical Leadership, January 2015 (Santa Monica, CA)
 - California Association of Medical Staff Services Long Beach Chapter 16th Annual Education Conference, October 17, 2014 (Torrance, CA)
 - “Allied Health Practitioners: As the Scope of Practice Expands, What Are the Hospital’s and Medical Staff’s Responsibilities?,” Medical Staff Leaders and the Law Seminar, February 7, 2014 (Newport Beach, CA)
 - “Credentialing, Privileging, and Peer Review: Protecting Patients While Reducing Legal Fees,” Chief of Staff Boot Camp, The Institute for Medical Leadership, January 2014 (Santa Monica, CA)
 - California Association of Medical Staff Services Long Beach Chapter 15th Annual Education Conference, October 18, 2013 (Torrance, CA)
 - “Proposed California Regulations for Health Care Facilities: A Punitive Approach to Improving Hospital Quality?,” Bloomberg BNA *Health Law Resource Center*, February 14, 2013
 - “805 Reporting: Balancing Patient Safety and the Physician's Career,” and “Bylaws Flash Points,” Medical Staff Leaders and the Law Seminar, February 8, 2013 (Newport Beach, CA)
 - “Credentialing, Privileging, and Peer Review: Protecting Patients While Reducing Legal Fees,” Chief of Staff Boot Camp, The Institute for Medical Leadership, December 8, 2012 (Las Vegas, Nevada) and February 2, 2013 (Orlando, Florida)
 - California Association of Medical Staff Services Long Beach Chapter 14th Annual Education Conference, October 12, 2012 (Torrance, CA)
 - “Credentialing, Privileging, and Peer Review: Protecting Patients While Reducing Legal Fees,” Chief of Staff Boot Camp, The Institute for Medical Leadership, December 10, 2011 (Las Vegas, Nevada) and February 25, 2012 (Marina Del Rey, California)
 - California Association of Medical Staff Services Long Beach Chapter 13th Annual Education Conference, October 14, 2011 (Torrance, CA)
 - “The Old, the New, and the Maybe: Protections for Peer Reviewers, New Reporting Laws, and Potential Game Changers,” California Association of Medical Staff Services, San Fernando Valley/Ventura County Chapters, September 8, 2011
 - “Credentialing, Privileging, and Peer Review: Protecting Patients while Reducing Legal Fees,” Chief of Staff Boot Camp, The Institute for Medical Leadership, December 10, 2010 (Marina Del Rey, California) and February 6, 2011 (Orlando, Florida)
 - California Association of Medical Staff Services Long Beach Chapter 12th Annual Education Conference, Torrance, CA; October 15, 2010
 - “Legal Update,” California Association of Medical Staff Services, San Diego/Orange County Chapters, Mission Viejo, CA; March 12, 2010
 - “Fundamentals of Peer Review (Teleconference),” ABA Health Law Section, January 14, 2010
 - “Credentialing, Privileging, and Peer Review: Protecting Patients while Reducing Legal Fees,” Chief of Staff Boot Camp, The Institute for Medical Leadership, December 5, 2009 (Las Vegas, Nevada) and February 6, 2010 (Orlando, Florida)
 - California Association of Medical Staff Services Long Beach Chapter 11th Annual Education Conference, Torrance, CA; October 16, 2009

- “California Enforcement Actions Against Physicians Due To Increased Scrutiny of Physician Assistant Supervision,” *Arent Fox LLP Client Alert*; July 24, 2008, co-author
- “California Assembly Bill 1922: Will Medical Staffs Now Have to Give Peer Review Hearings to Marriage and Family Therapists & Clinical Social Workers?,” *Arent Fox LLP Client Alert*; June 27, 2008, co-author
 - “Do the New Revisions to the EMTALA Interpretive Guidelines Allow California Physicians to Send Non-Physician Representatives to the ED for Consults?,” *Arent Fox LLP Client Alert*; June 16, 2008, co-author
 - “Legal Update,” 2008 California Association of Medical Staff Services Annual Education Seminar, May 15, 2008
 - “Kadlec: Federal Appeals Court Clarifies Hospital Duties in Disclosing Peer Review Information,” *Arent Fox LLP Client Alert*; May 14, 2008, co-author
 - “Everything a Volunteer Wants to Know About the HIPAA Privacy Standards ... and Probably a Whole Lot More,” California Association of Hospital and Health Systems, February 22, 2008
 - “EMTALA Beyond the Basics: Keys For Compliance in 2008,” National Constitution Center, December 12, 2007
 - “The ‘Now What’s’ of Adverse Event Reporting and Citations,” Hospital Association of Southern California, December 6, 2007
 - “New California Statute AB 632 Could Weaken California’s Well Established Medical Staff Peer Review Process,” *Arent Fox LLP Client Alert*; November 7, 2007, co-author
 - “Legal Update,” California Association of Medical Staff Services, Long Beach Chapter, October 12, 2007
 - “New California Law Mandates Hospital Adverse Event Reporting,” *California Health Law News*; Spring 2007 (Volume XXV, Issue 3), co-written with Jonathon Cohn
 - “Topical Reports,” *California Health Law News*; Spring 2007 (Volume XXV, Issue 3), co-authored with Patricia M. Kosich, Nathaniel M. Lacktman and Jeffrey R. Bates
 - “New Law Imposes Unprecedented Reporting Obligations on California Hospitals,” *Law Watch: A Legal Newsletter from Foley & Lardner LLP*; November 9 2006 (Vol. 06-16), (Article featured in *Advisen Front Page News and Health Law 360*), co-written with Jonathon E. Cohn and Lowell C. Brown
 - “Topical Reports,” *California Health Law News*; Summer/Fall 2006 (Volume XXV, Issue 1), co-written with Patricia M. Kosich
 - “Topical Reports,” *California Health Law News*; Winter 2005 (Volume XXIV, Issue 1), co-written with Patricia M. Kosich and Jeff Bates
 - “New Medicare Condition Requires Hospital In-Depth Quality Assessment/Performance Improvement Programs,” *Law Watch: A Legal Newsletter from Foley & Lardner LLP*; April 3, 2003 (Vol. 03-6)
 - “JCAHO Initiative Seeks to Improve Patient Safety,” *Drug Benefit Trends*; January 2003 (Vol. 15, No. 1), co-written with Shirley J. Paine

Life Beyond the Law

Sarah spends much of her time with her seven-year-old son and two-year-old daughter. Together with them and her husband, Sarah likes to hike and explore Los Angeles.

Bar Admissions

California

