

ADAM J. FULGINITI

CHAIR, TELEHEALTH AND TELEMEDICINE PRACTICE GROUP
SHAREHOLDER



AREAS OF PRACTICE

Health Care Liability
Telehealth & Telemedicine
Long-Term Care Liability

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ADMISSIONS

New Jersey
2010

Pennsylvania
2010

EDUCATION

Rutgers, The State University of
New Jersey School of Law-
Camden (J.D., 2010)

University of Delaware (B.A.,
2007)

HONORS & AWARDS

The Best Lawyers: Ones to
Watch®, Health Care Law
2024-2025

Pennsylvania Super Lawyers
Rising Star
2016-2020

ASSOCIATIONS & MEMBERSHIPS

American Bar Association

Pennsylvania Bar Association

OVERVIEW

Adam concentrates his practice in medical malpractice and defends a variety of health care providers, including physicians and nurses, nursing homes and hospitals. He also serves as chair of the Telehealth and Telemedicine Practice Group, helping clients navigate the intersection of health care, technology and the law. Additionally, Adam has an extensive practice in the arena of social services, where he represents foster care and adoption agencies, residential treatment facilities and community social service agencies. As a member of the firm's Executive Committee Advisory Council, Adam joins a distinguished group of firm leaders whose purpose is to enhance the communication between the Executive Committee and younger members of the firm's professional ranks, including associates, special counsel and junior shareholders.

Adam was selected to serve as the 2020 Board Observer for the Legal Clinic for the Disabled (LCD) as part of the Philadelphia Bar Foundation's Board Observer program. In this role, Adam attended board meetings and fundraisers and observed other events and activities of the organization. The LCD provides free, quality legal services to low income people with physical disabilities and to the deaf and hard-of-hearing in Philadelphia, Bucks, Chester Delaware and Montgomery Counties.

In May 2010, Adam received his *juris doctor* from the Rutgers University School of Law at Camden. While in law school, Adam worked as an associate editor for the *Rutgers Journal of Law and Religion*, where he published work addressing Constitutional implications for bioethical, philosophical and religious principles.

Prior to beginning his legal career, Adam received his Bachelor's Degree in Biological Sciences from the University of Delaware, and performed clinical genetic research at the Children's Hospital of Philadelphia. During his time at CHOP, his work was published in the *American Journal of Medical Genetics*.

THOUGHT LEADERSHIP

Managing Risks in ER Psychiatric and Behavioral Health Treatment

Philadelphia - Headquarters

Health Care Liability

May 1, 2024

As mental and behavioral health care grows more universal, and the delivery of healthcare services becomes more diverse, providers must be prepared to account for shifting landscapes regarding the standard of care. The Quarterly Dose – April 2024, has been prepared for our readers by Marshall Dennehey.

Telemedicine Consequences Resulting from the End of the COVID-19 Public Health Emergency on May 11, 2023

Philadelphia - Headquarters

Telehealth & Telemedicine

February 9, 2023

On January 30, 2023, the White House issued a statement that the Biden Administration will end the COVID-19 public Legal Update for Telehealth and Telemedicine, February 9, 2023,

COVID-19 and Telehealth: Issues for Florida Providers on the Horizon and Beyond

Orlando

Philadelphia - Headquarters

Telehealth & Telemedicine

April 29, 2021

COVID-19 and Telehealth: Issues for Florida Providers on the Horizon and Beyond

Orlando

Telehealth & Telemedicine

April 29, 2021

How COVID-19 Accelerated Telehealth In 2020

Philadelphia - Headquarters

Telehealth & Telemedicine

December 17, 2020

Law360 (December 17, 2020, 3:52 PM EST) --

CLASSES/SEMINARS TAUGHT

Issues Impacting Telemedicine and Healthcare Claims, client webinar, December 17, 2024

What Claims and Telemedicine Professionals Should Know About the COVID-19 Public Health Emergency Transition, AM Best Insurance Law Podcast, March 23, 2023

Telehealth Providers and Controlled Substances: Navigating the Challenges of Telehealth Prescribing, Strafford webinar, August 10, 2022

Taking the Telemedicine Time-Out, Philadelphia Area Society of Healthcare Risk Management (PASHRM) webinar, May 13, 2022

Telemedicine Takeaways for 2022, Marshall Dennehey Trends in Health Care and Health Law Seminar, May 5, 2022

Staying Ahead of the Curve with Telehealth and Risk Mitigation: Navigating Legal Pitfalls in a Rapidly Expanding Industry, webinar, November 4, 2021

Charting the Course of Telehealth in the Post-COVID Landscape, ASHRM Webinar Series, April 27, 2021

Telehealth Emerging Legal and Regulatory Issues: Adopting and Implementing Innovative Solutions, Strafford webinar, November 5, 2020

Telehealth Update: Information and Best Practices to Protect Patients and Clinicians, webinar for Pennsylvania Association for Healthcare Risk Management 2020 Annual Fall Conference, September 11, 2020

Telehealth and Documentation in the Time of COVID-19: Information and Best Practices to Protect Patients and Clinicians webinar, April 23 and May 14, 2020

Navigating Mental Health Issues in Professional Liability Litigation: Privacy, Privileges and Protections, Marshall Dennehey Health Care and Health Law Seminar, November 7, 2019

Recent Trends in Pennsylvania Medical Malpractice Litigation, Philadelphia Area Society for Healthcare Risk Management (PASHRM) monthly educational meeting, May 24, 2018

Back to the Basics, Civil Procedure Practicalities, Speaker, Pennsylvania Bar Institute, May 2011

PUBLISHED WORKS

"COVID-19 and Telehealth: Issues for Florida Providers on the Horizon and Beyond," *Orlando Medical News*, April 29, 2021

"How COVID-19 Accelerated Telehealth in 2020," *Law360.com*, December 17, 2020

"Navigating NJ Telehealth and Telemedicine in the Climate of COVID-19," *New Jersey Law Journal*, May 5, 2020

"Why It's Time to Embrace Telehealth as the New Normal," *The Legal Intelligencer*, April 15, 2020

"The Soul and Its Impact on Life and Death Choices: A Constitutional Study of Abortion, the Right to Die, and Other Bioethical Dilemmas," *Rutgers Journal of Law & Religion*, Spring 2010

RESULTS

Defense Verdict Secured in Nursing Home Malpractice Matter

Long-Term Care Liability

April 23, 2025

We received a defense verdict in a nursing home malpractice matter involving the development and progression of pressure injuries the decedent experienced during her time in a nursing home. As a result of these injuries, the plaintiff claimed damages, including but not limited to pain, suffering and death. We successfully cited the resident's significant comorbidities and the noncompliance with pressure reduction measures and nutritional support.

SIGNIFICANT REPRESENTATIVE MATTERS

Successfully defended a long-term care facility in a nursing home malpractice matter, which involved claims of vicarious as well as corporate liability. After leveraging the case into binding arbitration, Adam obtained a complete defense verdict of “no negligence” on behalf of the facility and its corporate affiliates.

Obtained a dismissal in a nursing home malpractice case. After removing the case to federal court, the EDPA judge granted the motion to dismiss the case on all counts, with prejudice.