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Henry R. Fenton

FENTON LAW GROUP
LOS ANGELES

Henry R. Fenton is a founding partner at Fenton Law Group, where he represents health care entities and professionals in various legal matters including fraud and abuse, credentialing, Medicare and MediCal, reimbursement, Stark

and Anti-kickback, DEA, FDA, HIPAA, long-term care, behavioral health and alcohol and substance abuse issues.

Recently, Fenton successfully represented a doctor reprimanded by the Medical Board of California for their employee's alleged issuance of unlawful prescriptions. Despite an initial ruling of liability, Fenton successfully petitioned the Los Angeles Superior Court to overturn the discipline, arguing against a "vicarious liability" theory and highlighting that a doctor implementing reasonable safeguards should not be held responsible for the unlawful actions of an employee.

"Only after we filed an action in the Superior Court that was decided in the physician's favor did the California Medical Board terminate his probation," Fenton said.

As a result, the Superior Court granted the petition for writ of mandate, protecting the doctor from severe professional consequences.

In another significant matter, Fenton achieved a favorable outcome for a physician client who faced revocation of their medical license by the Medical Board of California. Fenton's

argument in a petition for writ of mandate exposed due process violations during the administrative proceedings and the board's abuse of discretion in unsupported findings.

"We filed a petition for a writ of mandamus to set aside a reprimand against a physician because we maintained that he had done nothing wrong, and there was no basis for a reprimand," he said. "In that case the Court agreed with our position and set aside the reprimand."

The Superior Court granted the petition, compelling the Medical Board to reconsider the case in light of the Court's decision. Subsequently, after further advocacy by Fenton Law Group, the Board agreed to grant early termination of probation for the client.

Additionally, Fenton has been actively involved in professional organizations and has received recognition for his expertise. He has served on the Board of Trustees, Executive Committee of the Health Care Law Section of the Los Angeles County Bar Association and is a member of the California Academy of Attorneys for Health Care Professionals.