



Caldwell G. Collins

Shareholder

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Caldwell Collins leads the Firm's Managed Care Litigation team.

Ms. Collins has extensive experience representing health care providers on both sides of payor disputes. She has led the fight to recover millions of dollars of underpayments for life-saving health care services on behalf of her clients. She has defeated baseless attempts to bring nationwide class action and racketeering suits against providers, which alleged massive upcoding schemes. Ms. Collins also advocates for providers in professional liability actions. Her knowledge of health care operations, particularly in the long term care sphere, sets her apart. She provides counsel to her clients on quality assurance, corporate compliance, daily operations, litigation avoidance, challenging survey citations, and government investigations.

She also defends commercial business owners against premises liability claims; defective product claims; defective drug and medical device claims; and in complex contract disputes.

As a member of the Firm's Baker Women (BW) Leadership Team, Ms. Collins was heavily involved in crafting the Firm's current parental leave policy. She also leads the BW Office Leader Committee and serves as the BW office leader for the Nashville office. Her extensive pro bono work focuses on representation of victims of domestic violence in securing divorces from their abusers. In 2018, Ms. Collins was named an "On the Rise - Top 40 Young Lawyer" by American Bar Association. She was selected for the 2020 class of Fellows of the Nashville Bar Foundation. She has been named Rising Star by *Mid-South Super Lawyers* every year since 2014.

Representative Matters

- Obtained complete dismissal of a putative nationwide multimillion-dollar class action on behalf of a national emergency services provider against a payor alleging upcoding and overpayment.
- Secured a landmark win before the Tennessee Supreme Court regarding the power of attorney's agency to execute an arbitration agreement on behalf of a principal, and to bind wrongful death beneficiaries, upon admission to health care facility.
- Obtained a complete defense verdict in arbitration for a long term care provider sued for medication mismanagement and a resident fall.
- Obtained a complete defense verdict for a national retailer in a malicious prosecution and false imprisonment case.
- Obtained a favorable verdict in arbitration in a health care provider-payor rate dispute.
- Obtained a complete defense verdict in arbitration for a nursing home client sued for a resident fall with a broken hip.
- Obtained a jury verdict in favor of the buyer in a breach of contract and conversion case.
- Successfully resolved a lawsuit brought under the False Claims Act by the Department of Justice for substandard care for a long term care provider after multi-day evidentiary hearing.
- Obtained summary judgment and the complete dismissal of a premises liability case on behalf of a corporate gym.
- Obtained summary judgment in favor of the lender and lessor in a breach of contract case.
- Obtained summary judgment, which was affirmed on appeal, in favor of a premises owner and employer in a mold case.
- Obtained summary judgment in favor of a national barge company in a breach of contract case.

- Successfully compelled to arbitration and dismissed from court several long term care wrongful death cases.
- Consulted on litigation and operational risk for multi-million dollar long term care acquisition deal.
- Won a motion to compel arbitration on behalf of a health care services provider, arguing issues of first impression relating to surrogacy and traditional agency rules.



Professional Honors & Activities

- Listed in *The Best Lawyers in America*® for Litigation - Health Care (2022 – 2024)
- Selected as a Fellow of the Nashville Bar Foundation (2020)
- Named a Mid-South Rising Star by *Mid-South Super Lawyers* (2014 – 2022)
- Named an "On the Rise - Top 40 Young Lawyer" by American Bar Association Young Lawyers Division (2018)
- Member – Nashville, Tennessee and American Bar Associations
- Member – DRI
- Member – Nashville Bar Foundation's Leadership Forum (2015 – 2016 Class)
- Book Chair – ABA Section of Litigation Health Care Litigation Committee (2014 – present)
- Recognized as Outstanding Subcommittee Chair for ABA Health Law Litigation Committee (2016)
- Recipient – Nashville Pro Bono Attorney of the Year (2011)
- Recipient – 2011 Lewis R. Donelson Public Service Award



Publications

- "Landmark Ruling: Victory for Powers of Attorney and Health Care Providers" (February 2024)
- "Baker's Dozen: What Are Your Best "Balance" Tips?," *Women's Initiative Newsletter* (June 2023)
- "The Power of Ritual," *Women's Initiative Newsletter* (January 2023)
- Co-editor and Co-author – "An Introduction to Tort Based Healthcare Litigation," ABA Publishing, American Bar Association (2021)
- Co-author – "The Supreme Court Answers a Call for Clarity Under the TCPA" (December 2020)
- "Family: Lessons from the (Kitchen) Bench – RBG as Wife and Mother," *Women's Initiative Newsletter* (October 2020)
- Co-author – "CMS Publishes Rule and Guidance Requiring Long Term Care Facilities to Conduct Additional COVID-19 Reporting to CDC and Residents" (May 8, 2020)
- Co-author – "CMS Alerts Nursing Homes of Additional COVID-19 Reporting Requirements to CDC and Residents" (April 30, 2020)
- Co-author – "At the Crossroads: Legal Considerations Where Government Investigations Overlap with Tort Risk in Long Term Care," republished May 19, 2020, in *McKnight's Long-Term Care News* (April 29, 2020)
- Co-author – "Arbitration Agreements in Your Long Term Care Community – CMS Says It's Mandatory to Be Optional" (August 2019)
- "DRI For Life: Is it Time to Take a Fresh Look at Your Parental Leave Policy?," *For the Defense* (March 2016)
- "The Shirt Off My Back: Using the Relationship Between a Product and a Service to Your Advantage," *IADC Product Liability Committee Newsletter* (November 2012)



Speaking Engagements

- Co-presenter – "Choosing Your Career Path with Intention," Vanderbilt Law School Women's Association (April 2022)
- Presenter – "Managing Risk in Uncertain Times: Mitigating COVID-19 Liability," Kentucky Association of Health Care Facilities (KAHCF) (April 2020)

- Presenter – "Residents' vs. Employees' Rights: Navigating Sticky Scenarios Care," Tennessee Health Care Association/TNCAL Convention (July 2019)
- Moderator – "Hybrid ADA/Staffing Cases – A Case Study," 2018 Long Term Care Symposium (November 2018)
- Moderator – "What Every Provider Needs to Know About Department of Justice Investigations Under the Elder Justice Task Force and Negotiating and Living with CIAs," Baker Donelson Long Term Care Symposium (November 2018)
- Presenter – "Keeping Problematic Families From Negatively Impacting Care," Tennessee Health Care Association/Tennessee Center for Assisted Living (TNCAL) (August 2018)
- Guest Lecturer – "The False Claims Act," Vanderbilt University Law School (November 2017)
- Presenter – "Top Ten Charting Errors and How to Avoid Them," American Case Management Association Conference (October 2017)
- Guest Lecturer – "What to Expect When You're Expecting . . . A Lawsuit," East Tennessee State University (September 2017)
- "DOJ Investigations Under the Elder Justice Task Force," THCA/TNCAL Convention (August 2017)
- "The Importance of Setting Realistic Expectations with Families," THCA/TNCAL Convention (August 2017)
- Moderator – "EMRs and Healthcare Litigation: Navigating a Medical Minefield," ABA Regional CLE (2017)
- "The Gambler: Managing Risk in Today's Challenging Environment," 2016 Baker Donelson Long Term Care Symposium (November 2016)
- "Mentoring Women: Is It Different?," ABA Health Law Litigation and Woman Advocate Committees Roundtable (January 2016)
- Co-presenter – "The Ethics of Taking Care of Your Documents and Email," Baker Donelson Long Term Care Symposium, Nashville, Tennessee (November 2014)
- "Do You Hear What I Hear? Trends in Corporate Counsel Attorney - Counsel Privilege," CLE presentation (December 2013)
- Co-presenter – "The Ethics of Tennessee Tort Reform," Nashville Council of Health Care Attorneys (January 2012)



Webinars

- Post Dobbs: The Power of Documentation (September 2022)
- Necessary Updates to your Arbitration Agreement in 2021 (November 2021)
- Baker Donelson Women's Initiative Wrap it Up CLE Webinar (December 2020)
- Coronavirus in Long Term Care: Managing Risk in Uncertain Times (March 23, 2020)
- Positive Side Effects: Establishing an Effective Compliance Program that Reduces Litigation Risk (February 2020)
- Does Your Arbitration Agreement Comply with CMS's New Requirements? (September 2019)



Education

- Washington University School of Law, J.D., 2009
 - Editor in Chief, *Washington University Journal of Law & Policy*
 - President, Women's Law Caucus
- Vanderbilt University, B.A., 2005



Admissions

- Tennessee, 2009
- Kentucky, 2018
- United States District Court, Middle District of Tennessee, 2009

- United States District Court, Western District of Tennessee, 2010
- United States District Court, Eastern District of Tennessee, 2011
- United States Court of Appeals, Sixth Circuit, 2011