

HERBERT ORLANDAH PHILLIPS IV, MD, JD

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EMPLOYMENT

2008 - PRESENT: **MCGUIRE, WOOD AND BISSETTE, PA**, ASHEVILLE, NC
ATTORNEY AT LAW
2005 - PRESENT: **PHILLIPS LAW OFFICE, PLLC**
FOUNDER AND PRINCIPAL
2001 - 2006: **PHILLIPS CONSULTING, LLC**
PRESIDENT
MEDICO-LEGAL CONSULTATION FOR CHART REVIEW AND
LITIGATION SUPPORT SERVICES
1999 - 2002: **SURGICAL OUTCOME SOLUTIONS, INC.**
PRESIDENT & CEO
MEDICAL SOFTWARE DEVELOPMENT COMPANY
1992 - 1999: **BLUE RIDGE BONE & JOINT CLINIC**, ASHEVILLE, NC
PRIVATE PRACTICE OF ORTHOPAEDIC SURGERY
1986 - 1992: **SYLVA ORTHOPAEDIC ASSOCIATES**, SYLVA, NC
PRIVATE PRACTICE OF ORTHOPAEDIC SURGERY

EDUCATION

JD, **UNIVERSITY OF NORTH CAROLINA SCHOOL OF LAW**, CHAPEL HILL, NC,
2005

MD WITH HONORS, **UNIVERSITY OF NORTH CAROLINA SCHOOL OF
MEDICINE**, CHAPEL HILL, NC, 1981

NORTH CAROLINA MEMORIAL HOSPITAL, CHAPEL HILL, NC
1985 - 1986 CHIEF RESIDENT IN ORTHOPAEDIC SURGERY
1982 - 1985 RESIDENT IN ORTHOPAEDIC SURGERY
1981 - 1982 INTERNSHIP IN GENERAL SURGERY

BS, PRE-MEDICINE, CUM LAUDE, **DAVIDSON COLLEGE**, DAVIDSON, NC, 1977

AWARDS

UNC SCHOOL OF MEDICINE, CHAPEL HILL, NC

1986: NATHAN A. WOMACK SCHOLARSHIP AWARD
GIVEN TO THE OUTSTANDING RESIDENT FROM THE
DEPARTMENT OF SURGERY
1986: WILLIAM PATTON RESIDENT TEACHING AWARD
GIVEN TO THE OUTSTANDING RESIDENT IN THE DIVISION
OF ORTHOPAEDIC SURGERY
1984, 1986: MUSCULOSKELETAL COURSE RESIDENT TEACHING AWARD
1980: ALPHA OMEGA ALPHA HONOR SOCIETY

DAVIDSON COLLEGE, DAVIDSON, NC

1977: PHI BETA KAPPA

PROFESSIONAL ASSOCIATIONS AND APPOINTMENTS

PROFESSION OF LAW

2005: NORTH CAROLINA STATE BAR # 34153
2005: NORTH CAROLINA BAR ASSOCIATION # 40792
2005: BUNCOMBE COUNTY BAR ASSOCIATION
2002 - PRESENT: NORTH CAROLINA ACADEMY OF TRIAL LAWYERS

PROFESSION OF MEDICINE

AMERICAN ACADEMY OF ORTHOPAEDIC SURGEONS:

1990: FELLOW AMERICAN ACADEMY OF ORTHOPAEDIC SURGEONS
CURRENT STATUS IS INACTIVE DUE TO CAREER-ENDING WRIST
INJURY
1986, 1994: DIPLOMAT AMERICAN BOARD OF ORTHOPAEDIC SURGERY

NORTH CAROLINA BOARD OF MEDICAL EXAMINERS:

1982 - PRESENT: NORTH CAROLINA MEDICAL LICENSE #26631

NORTH CAROLINA ORTHOPAEDIC ASSOCIATION:

1988 - 1999: MEMBER, NORTH CAROLINA ORTHOPAEDIC ASSOCIATION
1991 - 1993: NCOA EXECUTIVE COMMITTEE
1991 - 1993: NCOA FUTURE LEADERS

DISABILITY MEDICINE:

2001 - 2003: AMERICAN ACADEMY OF DISABILITY EVALUATING PHYSICIANS
2001 - 2003: AMERICAN BOARD OF INDEPENDENT MEDICAL EXAMINERS
CERTIFIED INDEPENDENT MEDICAL EXAMINER

ADDITIONAL SOCIETY AND ASSOCIATION MEMBERSHIPS:

1986 - 2003: NORTH CAROLINA MEDICAL SOCIETY
1986 - 2000: SOUTHERN ORTHOPAEDIC ASSOCIATION
1986 - 2000: SOUTHERN MEDICAL ASSOCIATION
1986 - PRESENT: NATHAN A. WOMACK SURGICAL SOCIETY
1986 - 1998: AMERICAN MEDICAL ASSOCIATION
1992 - 2003: BUNCOMBE COUNTY MEDICAL SOCIETY
1995 - 1996: MEDICAL DIRECTOR OF BLUE RIDGE BONE & JOINT CLINIC
1998 - 1999: CHAIRMAN, CLINICAL EXCELLENCE COMMITTEE, BLUE RIDGE BONE
& JOINT CLINIC
1986 - 1992: JACKSON COUNTY MEDICAL SOCIETY

HOSPITAL PRIVILEGES AND ADMINISTRATIVE POSITIONS:

MISSION-ST. JOSEPH HOSPITAL, ASHEVILLE, NC

2001 - 2002: MEDICAL STAFF MEMBERSHIP WITHOUT REQUEST FOR CLINICAL PRIVILEGES

2000: SABBATICAL LEAVE OF ABSENCE FOR THE DEVELOPMENT OF MEDICAL SOFTWARE

1992 - 1999: ACTIVE MEDICAL STAFF MEMBER

1998 - 1999: LED EFFORT TO ESTABLISH PLATFORM FOR HOSPITAL/SURGEON GAIN SHARING FOR THE DIVISION OF ORTHOPAEDIC SURGERY ENGAGED SERVICES OF ORTHOEXCEL TO ENACT PROGRAM WITHIN THE OIG GAIN SHARING RULINGS OF 2000 AND STARK II RULES.

1996 - 1997: CHIEF OF SURGERY

1996: TASK FORCE TOTAL JOINT ARTHROPLASTY CLINICAL PATHWAYS

1994 - 1995: CHAIRMAN OF ORTHOPAEDIC DIVISION

VA HOSPITAL, ASHEVILLE, NC

1992 - 2000: CONSULTING MEDICAL STAFF

PARDEE HOSPITAL, HENDERSONVILLE, NC

1992 - 2002: MEDICAL STAFF MEMBERSHIP WITHOUT REQUEST FOR CLINICAL PRIVILEGES

UNC HOSPITAL SYSTEM, UNC SCHOOL OF MEDICINE, CHAPEL HILL, NC

1988 - PRESENT: CLINICAL INSTRUCTOR, DEPARTMENT OF ORTHOPAEDICS,

C.J. HARRIS COMMUNITY HOSPITAL, SYLVA, NC

1986 - 1992: ACTIVE MEDICAL STAFF

1992: CHIEF OF STAFF ELECT

1990 - 1991: CHAIRMAN QUALITY ASSURANCE COMMITTEE

1990 - 1992: MEMBER MEDICAL EXECUTIVE COMMITTEE

PRESENTATIONS

OCTOBER 2009: "ANATOMY FOR LITIGATORS." SIX-HOUR CLE CONFERENCE, NORTH CAROLINA ADVOCATES FOR JUSTICE, RALEIGH, NC. COURSE DIRECTOR AND SPEAKER.

OCTOBER 2008: "COMMUNICATING WITH PHYSICIANS AND THEIR OFFICES." MOUNTAIN MAGIC CLE CONFERENCE, NORTH CAROLINA ADVOCATES FOR JUSTICE, PARALEGALS SECTION, ASHEVILLE, NC.

OCTOBER 2008: "DEFENSE TACTICS FOR POISONING THE PATIENT'S RELATIONSHIP WITH TREATING PHYSICIANS." WORKSHOP, MOUNTAIN MAGIC CLE CONFERENCE, NORTH CAROLINA ADVOCATES FOR JUSTICE, ASHEVILLE, NC.

- MARCH 2008: MEDICAL MALPRACTICE SYMPOSIUM 2008, PROGRAM CHAIRMAN, NORTH CAROLINA TRIAL LAWYERS ASSOCIATION, RALEIGH, NC.
- FEBRUARY 2008: "CROSS EXAMINATION OF THE EXPERT WITNESS." FACULTY PARTICIPANT, NORTH CAROLINA ACADEMY OF TRIAL LAWYERS, RALEIGH, NC.
- OCTOBER 2007: "COMMUNICATING WITH PHYSICIANS AND THEIR OFFICES." NC TRIAL LAWYERS ASSOCIATION, ASHEVILLE, NC.
- OCTOBER 2007: MODERATOR FOR SYMPOSIUM: "SAME OR SIMILAR COMMUNITY V. NATIONAL STANDARD OF CARE," PROFESSIONAL NEGLIGENCE SECTION, NC TRIAL LAWYERS ASSOCIATION, ASHEVILLE, NC.
- JUNE 2007: MEDICAL MALPRACTICE AND CONCOMITANT MEDICAL DEVICE PRODUCT LIABILITY, ORTHOPAEDIC MEDICAL DEVICE SECTION, PRODUCT LIABILITY, AAJ, CHICAGO, IL.
- MARCH 2003: "PATENTING SURGICAL PROCEDURES: BIOTECHNOLOGY AND THE LAW." UNC SCHOOL OF LAW, CHAPEL HILL, NC.
- FEBRUARY 2003: "AN ANALYSIS AND UPDATE ON TORT REFORM" WITH CONGRESSMAN TIM VALENTINE, ROTARY CLUB, BELVEDERE COUNTRY CLUB, ROCKY MOUNT, NC.
- OCTOBER 2003: "CROSS EXAMINATION OF THE EXPERT WITNESS" PROGRAM PARTICIPANT, NORTH CAROLINA ACADEMY OF TRIAL LAWYERS, RALEIGH, NC.
- MARCH 2002: "EVALUATING THE VALIDITY OF ORTHOPAEDIC IMPAIRMENT RATINGS." WORKMAN'S COMPENSATION DIVISION, NORTH CAROLINA ACADEMY OF TRIAL LAWYERS, CHARLOTTE, NC.
- MARCH 2000: "ORTHOPAEDIC PROCEDURE MANAGEMENT: POINT-OF-CARE SOFTWARE FOR OUTCOME AND COST DATA CAPTURE." PRACTICE MANAGEMENT DIVISION, SOFAMORE DANEK, MEMPHIS, TN.
- 1999: "INTUITIVE PHYSICIAN CREATED SOFTWARE FOR DATA CAPTURE AT THE POINT OF CARE." ORTHOPAEDIC PROCEDURE MANAGEMENT. SMITH & NEPHEW, MEMPHIS, TN.
- 1998: "THR: AN ANALYSIS OF OUTCOMES, COST AND VALUE." PRESENTED AT THE NATIONAL SYMPOSIUM AND WORKSHOP ON TOTAL JOINT ARTHROPLASTY, PINEHURST, NC.
- 1998: "ORTHOPAEDIC PROCEDURE MANAGEMENT." PRESENTED TO CEO, COO, AND MANAGEMENT TEAM OF SULZER ORTHOPAEDICS (SOUS), AUSTIN, TX.

- 1997: "THR: AN ANALYSIS OF OUTCOMES, COST, AND VALUE." PRESENTED AT THE NORTH CAROLINA ORTHOPAEDIC ASSOCIATION ANNUAL MEETING, ASHEVILLE, NC.
- 1997: "ARTHROSCOPY OF THE SHOULDER." PRESENTED AT THE SPORTS MEDICINE SYMPOSIUM, GROVE PARK INN, ASHEVILLE, NC.
- 1996: "ORTHOPAEDIC CENTERS OF EXCELLENCE." PRESENTED TO ST. JOSEPH AND MISSION HOSPITAL LEADERSHIP AND THE DIVISION OF ORTHOPAEDICS, ASHEVILLE, NC.
- 1992: DIRECTOR, SPORTS MEDICINE SYMPOSIUM, DIVISION II COLLEGE AND HIGH SCHOOL TRAINING AND COACHING STAFF, PACK SQUARE CONFERENCE CENTER, ASHEVILLE, NC.
- 1988: "PREVENTIVE LATERAL KNEE BRACING IN FOOTBALL." PRESENTED AT THE AOSSM EPIDEMIOLOGY SUBCOMMITTEE (PROPHYLACTIC KNEE BRACE WORKSHOP), ATLANTA, GA.
- 1987: "WORKMAN'S COMPENSATION SYMPOSIUM." HERBERT O. PHILLIPS IV MD AND J. RANDOLPH WARD JD, COMMISSIONER, NC INDUSTRIAL COMMISSION. PRESENTED TO THE UNC ORTHOPAEDIC DIVISION, NORTH CAROLINA MEMORIAL HOSPITAL, CHAPEL HILL, NC.
- 1986: "TREATMENT OF BURST FRACTURES BY DECANCELLATION OF THE VERTEBRAL BODY." PRESENTED AT THE NORTH CAROLINA ORTHOPAEDIC ASSOCIATION, ASHEVILLE, NC.
- 1986: "ISOLATED PLANTAR FLEXION INJURIES OF THE ANKLE: AN EXPERIMENTAL STUDY." PRESENTED AT THE AMERICAN ACADEMY OF ORTHOPAEDIC SURGEONS, NEW ORLEANS, LA.
- 1985: "PREVENTIVE LATERAL KNEE BRACING IN FOOTBALL." PRESENTED AT THE SPORTS MEDICINE SYMPOSIUM, WRIGHTSVILLE BEACH, NC.

ARTICLES AND PUBLICATIONS

- H.O. PHILLIPS IV. "APPLICATIONS OF THE FALSE CLAIMS ACT IN MEDICAL MALPRACTICE ACTIONS." NORTH CAROLINA TRIAL BRIEFS (AUGUST 2008).
- H.O. PHILLIPS IV. "THE MEDICAL EXPERT WITNESS PROGRAM." UNC SCHOOL OF LAW, CHAPEL HILL, NC (INDEPENDENT STUDY; FALL 2004).
- H.O. PHILLIPS IV. "PATENTING SURGICAL PROCEDURES." UNC SCHOOL OF LAW, CHAPEL HILL, NC. (BIOTECHNOLOGY AND THE LAW; SPRING 2004).
- WILSON, F.C., H.O. PHILLIPS IV, AND J.A. GILBERT. "ISOLATED PLANTAR FLEXION INJURIES OF THE ANKLE: AN EXPERIMENTAL STUDY." ORTHOPAEDIC TRANSACTIONS 103 (FALL 1986): 446.

DAHNER, L.E., AND H.O. PHILLIPS IV. "THE EFFECT OF PIROXICAM ON LIGAMENT HEALING IN RATS." TRANSACTION OF THE 32ND ANNUAL MEETING, ORTHOPAEDIC RESEARCH SOCIETY II (1986): 77.

PHILLIPS, H.O. IV, AND S.A. GRUBB. "FAMILIAL MULTIPLE OSTEOCHONDRITIS DISSECANS: REPORT OF A KINDRED." JOURNAL OF BONE AND JOINT SURGERY 67-A (1985): 155-156.

PHILLIPS, H.O. IV, W.B. GREENE, ET AL. "MEASUREMENT OF FEMORAL TORSION: COMPARISON OF STANDARD ROENTGENOGRAPHIC TECHNIQUES WITH ULTRASOUND." JOURNAL OF PEDIATRIC ORTHOPAEDICS 5.5 (1985): 546 - 549.

GILBERT, J.A., AND H.O. PHILLIPS IV. "THE EFFECT OF STEAM STERILIZATION ON PLASTER CASTING MATERIAL." CLINICAL ORTHOPAEDICS AND RELATED RESEARCH 190 (1984): 241-249.

PHILLIPS, H.O. IV. "THE EFFECTS OF DIRECT ELECTRIC CURRENT ON STIMULATING VASCULARITY IN BONE." [HONORS PAPER] ARCHIVES, HEALTH SCIENCES LIBRARY, UNC SCHOOL OF MEDICINE (1981).

COMMUNITY AND PERSONAL

2008 - 2009: PISGAH LEGAL SERVICES, ASHEVILLE, NC

1992 - 1999: PARTICIPANT, ABCCM (COUNTY INDIGENT MEDICAL CLINIC)

1998: DEVELOPED SPECIALTY CLINIC CONCEPT FOR ABCCM

1998 - 1999: PARTICIPANT PROJECT ACCESS (INDIGENT MEDICAL CARE PROGRAM)

2000 - PRESENT: FIRST PRESBYTERIAN CHURCH, ASHEVILLE, NC

2001: CHRISTIAN EDUCATION COMMITTEE

1992 - 1999: FIRST BAPTIST CHURCH, ASHEVILLE, NC

1986 - 1992: FIRST PRESBYTERIAN CHURCH, SYLVA, NC

1988 - 1990: ELDER AND MEMBER OF SESSION

1990: CHAIRMAN OF FINANCE AND MISSION COMMITTEE

1989: CHAIRMAN OF CHRISTIAN EDUCATION COMMITTEE

TEAM PHYSICIAN:

1992 - 1999: UNIVERSITY OF NORTH CAROLINA AT ASHEVILLE (ALL ATHLETIC PROGRAMS)

1998 - 1999: ASHEVILLE SMOKE, PROFESSIONAL HOCKEY TEAM

1992 - 1998: ASHEVILLE TOURIST PROFESSIONAL BASEBALL TEAM

1986 - 1992: WESTERN CAROLINA UNIVERSITY, CULLOWHEE, NC (ALL ATHLETIC PROGRAMS)

1987 - 1992: SMOKY MOUNTAIN HIGH SCHOOL, SYLVA, NC

PERSONAL:

MARRIED TO BETSY COWARD PHILLIPS, MD

CHILDREN: HERBERT O. PHILLIPS V (BERT), AGE 25; ELIZABETH MCKINNEY PHILLIPS, AGE 23