



→ Michael D. Sutton

Associate

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Michael D. Sutton is an associate in the Corporate Practice Group in the firm's Dallas office. He is a member of the Digital Health Team that produces the Health-e Law podcast.

Areas of Practice

Michael takes on the most cutting edge and disruptive areas of practice, blending healthcare, technology, and legal compliance into his daily workload. In particular, Michael focuses on HIPAA and privacy related regulations and their interplay with technological developments both inside and outside of the healthcare and consumer spaces. Similarly, Michael is well versed in negotiations centered on data usage and derivative ownership rights.

Michael supports clients as they navigate a complex web of emerging regulations in the digital healthcare space, tackling artificial intelligence, webtracking, information blocking, offshoring, de-identification, and other next-gen workstreams. He has managed government investigations, worked to resolve active breach incidents, and advised clients regarding a range of privacy and technology oriented matters. Michael also supports clients in developing compliant and innovative approaches to navigating HIPAA and other privacy laws to ensure client objectives are achieved in alignment with all legal and regulatory requirements.

Beyond the operational space, Michael supports a range of transactions, including acquisitions of or investments in tech companies, healthcare providers, and related systems. Michael also guides negotiations related to software and service relationships, particularly within the healthcare space. He also works to identify areas of vulnerability in targets and to establish creative solutions to address them.

Michael earned his J.D. from the University of Arkansas School of Law, where he graduated first in his class. He served as articles editor for the Arkansas Law Review, was a Charles Thomas Pearson Fellow, and was a member of the Board of Advocates, Military Law Society and Business Law Society. He received a B.A. in History from Ouachita Baptist University.

Before attending law school, Michael served as a military police officer in the U.S. Air Force, performing installation security activities, law enforcement, and weapons training. He also supported Operation Key Resolve in South Korea.

Honors

Texas Rising Star, *Super Lawyers*, 2023-2024

Experience

- Represented Clayton, Dubilier & Rice (CD&R), a private investment firm, in connection with its strategic partnership with Elevance Health, Inc. (NYSE: ELV)

Articles

- Growing Pains and Growth Spurts: AI in Healthcare
Headnotes, Dallas Bar Association, 04.2024
- Eye on Privacy: 2023 Year in Review
01.26.2024

Healthcare Law Blog Posts

- "FemTech Meets DiagnosTech: A Discussion with Deirdre O'Neill," April 29, 2024
- "Gamification – Playing for Health: A Discussion with Craig Lund," April 23, 2024
- "CMS Issues CY2025 Medicare Advantage and Part D Final Rule," April 15, 2024
- "HHS Announces 42 Part 2 Final Rule to Align with HIPAA," March 14, 2024
- "District Court Elucidates the Meaning of "to Induce" Under the Federal Health Care Program Anti-Kickback Statute," February 28, 2024
- "Digital Health to the Rescue – Improving Access to Specialized Care: A Discussion with Viveka Rydell-Anderson," January 16, 2024
- "AI as an Aid – Emerging Uses in Healthcare: A Discussion with Jim Gatto," January 8, 2024
- "In Tech We Trust? The Case for Transparency: A Discussion with Dr. Laura Tully," December 21, 2023
- "Health-e Law Launches: New Podcast Covers Health-Tech and Law," December 8, 2023
- "CMS Promotes Competition, Transparency, Health Equity and More in the CY2025 Medicare Advantage and Part D Proposed Rule," November 13, 2023
- "At a Glance: Legal Efforts to Limit Discrimination Through AI," October 20, 2023
- "California Moves to Protect Medical Information Collected Through Reproductive and Sexual Health Applications," October 3, 2023
- "Texas Joins States Limiting Use and Disclosure of Genetic Data," July 31, 2023
- "FTC Proposes Changes to Health Breach Notification Rule Clarifying Application to Health and Wellness Apps," June 29, 2023
- "State Attorneys General Pen Letter to OCR Advocating for Greater Privacy Protection of Reproductive Health Care Information," June 27, 2023

- "Florida Bans Offshoring of Certain Patient Information," May 25, 2023
- "Texas is Making Moves on a Comprehensive Consumer Privacy Law," May 25, 2023
- "CMS's Administrative Simplification Rule Aims to Increase Efficiency and Standardization for Health Care Attachments," March 7, 2023
- "Telehealth in a Post-PHE World," March 3, 2023
- "ICYMI: HIPAA and Social Media IRL," February 8, 2023
- "Key Healthcare Provisions of the Consolidated Appropriations Act, 2023," January 6, 2023
- "Proposal to Overhaul Privacy Law Governing Substance Use Disorder Treatment Records," December 2, 2022
- "Office of Civil Rights Publishes Guidance on Use of Audio-Only Telehealth Services," June 20, 2022

Privacy & Cybersecurity: Eye on Privacy Blog Posts

- "Out in the Open: HHS's New AI Transparency Rule," March 21, 2024
- "Don't Forget Deception: FTC and Biometrics," June 13, 2023

Media Mentions

Florida bans offshore health record storage
Healthcare IT News, 05.31.2023

Memberships

American Bar Association
Arkansas Bar Association
Dallas Bar Association - Health Law Section
Texas Bar Association - Health Law Section
American Health Law Association
Health Care Compliance Association
International Association of Privacy Professionals

Podcasts & Webinars

Health-e Law Episode 9: Remote Patient Monitoring Innovating Health Tech with Dr. Vipul Kella of Physio AI
05.02.2024

Health-e Law Episode 8: What We Heard at HIMSS 2024 with Michael Orlando & Carolyn Metnick
04.17.2024

Health-e Law Episode 7: Health Vibes at ViVE with Sara Shanti and Carolyn Metnick
03.21.2024

Health-E Law Episode 6: FemTech Meets DiagnosTech with Dierdre O'Neill of Hertility Health
03.07.2024

Health-e Law Episode 5: Gamification: Playing for Health with Craig Lund
02.14.2024

Health-e Law Episode 4: What to Watch for in '24: Costs, Consolidation and Tech with Eric Klein of Sheppard Mullin
01.17.2024

Health-e Law Episode 3: Digital Health to the Rescue: Improving Access to Specialized Care with Viveka Rydell-Anderson of Pacific Vision Foundation
12.07.2023

Health-e Law Episode 2: AI as an Aid: Emerging Uses in Healthcare with Jim Gatto of Sheppard Mullin
12.07.2023

Health-e Law Episode 1: In Tech We Trust? The Case for Transparency with Dr. Laura Tully of ChatOwl
12.07.2023

Health-e Law Episode 0: Trailer
11.30.2023

Practices

Corporate

Digital Health

Healthcare

Industries

Artificial Intelligence

Healthcare

Education

J.D., University of Arkansas School of Law, 2015, *summa cum laude*

B.A., Ouachita Baptist University, 2012, *magna cum laude*

Admissions

Arkansas

Texas