

People



Kirk S. Davis

Partner, Healthcare

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vCard

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” Kirk Davis provides outstanding expertise and responsiveness. He is keenly adept at providing impactful legal guidance.

- *Chambers USA*

An accomplished litigator, Kirk Davis represents hospitals and health systems in complex regulatory compliance issues and disputes with a focus on medical malpractice and peer review hearings.

Kirk has decades of experience in the peer review process and has been involved in all aspects of hearings, from prosecuting physicians to defending medical staff and serving as a hearing officer. He helps hospitals comply with federal and state laws by recommending peer review best practices and procedures. In addition to his work on medical malpractice matters, Kirk handles disputes between physicians in private practices and effectively resolves contentious medical practice dissolution through alternative dispute resolution.

Kirk has served as an arbitrator in various healthcare-related matters and is a sought after speaker on health law topics. He is Board Certified in Health Law by The Florida Bar and recognized by *Chambers USA* as a leading lawyer in healthcare.

Notable Work

Areas of Experience

Healthcare Fraud and Abuse
Healthcare
Hospitals and Health Systems
Data Privacy and Security
Information Governance
Cannabis
Health and Life Sciences
Healthcare Litigation

Education

J.D., Stetson University College of Law, 1982
B.S., Stetson University, Biology, 1979, magna cum laude

Admissions

Bars

Florida

Courts

U.S. District Court, Middle District of Florida

Related Content

Kirk Davis, Martin Dix, Philip Sprinkle, and John Hood to Speak on Advanced Health Law Topics & Certification Review 2025
March 14, 2025

Kirk Davis to Speak on the Complex World of Being a Medical Staff Member or an Attorney Involved in the Process
November 07, 2024

Akerman Sponsors St. Joseph's Annual Golf Classic
September 16, 2024

Corrective Action: Represented a hospital in a complex case involving a patient accident resulting in litigation, internal investigations, public relations, and crisis management. Developed a corrective action plan that was implemented at the facility and throughout the hospital system to prevent the issue from recurring.

Medical Malpractice: Represented a hospital in litigation involving misuse of medical equipment. Developed a comprehensive strategy to mitigate the effects of the event and prevent other incidents from recurring, including removing the device manufacturer's hospital credentials.

Physicians: Represented a physician in a lawsuit by a former partner terminated for improper billing. The dispute was resolved with an out-of-court settlement following a series of three mediations.

Nursing Home Provider: Akerman represented Senior Care Group, Inc. in the successful Chapter 11 filing, regulatory representation, and sale of multiple nursing home facilities, over the course of four years. A primary focus of the representation was with the provider's Chapter 11 filing and the reorganization and sale of its Florida properties.

Physician Break Up/Dissolution: Representation of client who was in a medical partnership for over 20 years, and the differences amongst partners became insurmountable. Representation included providing expert council on vast issues of concern including medical records, organizational disruption, sale of real property interests, advertising and marketing disputes, privacy issues, employment issues, and financial withdrawal from not only the partnership but also an employer.

Pandemic Related Institutional Review Board (IRB) Questioning: Representation of clients, during the pandemic, regarding IRB questioning which included new studies for COVID relief treatments, informed consent issues, and conflict of interest inquiries, among other areas. Representation involves reviewing and responding to the IRB timely and efficiently and providing legal and practical replies to all inquiries.

Defense of Claim Brought by The State of Florida Department of Financial Services: Representation of a management services organization (MSO) in a substantial claim brought by the State of Florida Department of Financial Services, as the receiver for a failed health maintenance organization. Representation included the coordination of litigation and coordinated interaction with the Department of Financial Services.

State of Florida, Hillsborough County, School Board: Representation of school board in the medical malpractice litigation involving the accidental death of a student athlete in a high school football conditioning session.

Published Work and Lectures

- [Health Law Rx Blog, Contributor](#)
- The Florida Bar's Health Law Section's Annual Advanced Health Law Topics and Certification Review, Speaker, "Credentialing and Professional Peer Review/Medical Staff Governance & Bylaws/Risk Management," March 14, 2025
- The Florida Bar Health Law Section, Speaker, "The Complex World of Being a Medical Staff Member or an Attorney Involved in

the Process,” November 7, 2024

- *Journal of Health Care Compliance*, Co-Author, “The New OIG General Compliance Program Guidance: A Compliance Officer’s Roadmap to Protecting the Organization,” March - April 2024
- The Florida Bar Health Law Section’s Annual Advanced Health Law Topics and Certification Review, Speaker, “Credentialing and Professional Peer Review/Medical Staff Governance & Bylaws/Risk Management,” March 8, 2024
- The Florida Bar’s Health Law Section’s Advanced Health Law Topics and Certification Review 2023, Speaker, “Credentialing and Professional Peer Review/Medical Staff Governance & Bylaws/Risk Management,” and “Provider Regulation/Institutional Operations,” March 9, 2023
- Akerman Webinar, Co-Presenter, “No Surprises Act and the Use of the Independent Dispute Resolution,” February 8, 2023
- *Law360*, Co-Author, “Refining Info Governance As E-Discovery Gets More Complex,” October 12, 2022
- *Journal of Health Care Compliance*, Co-Author, “The No Surprises Act - Not in Compliance According to Surprised Providers,” March - April 2022
- The Florida Bar, Advanced Health Law Topics and Certification Review, Speaker, “Credentialing and Professional Peer Review/Medical Staff Governance & Bylaws/Risk Management,” and “Provider Regulation/Institutional Operations,” March 11, 2022
- The Florida Bar, Advanced Health Law Topics and Certification Review, Speaker, “Ethics,” and “Credentialing and Professional Peer Review/Medical Staff Governance & Bylaws/Risk Management,” March 12, 2021
- The Florida Bar, Advanced Health Law Topics and Certification Review, Speaker, “Provider Regulation/Institutional Operations,” March 8, 2019
- The Florida Bar, Health Law Section, Legal Emergencies in Health Care 2018, Speaker, “Mental Health Emergencies in the Hospital Setting,” September 14, 2018
- FSHRMPS (Florida Society for Healthcare Risk Management and Patient Safety) 2018 Annual Meeting & Education Conference, Speaker, “Telehealth and Mental Health: Risks and Opportunities,” August 16, 2018
- The Florida Bar, Advanced Health Law Topics and Certification Review, Speaker, “Credentialing and Professional Peer Review Medical Staff Governance & Bylaws/Risk Management,” March 1, 2018
- University of South Florida, Health Law Seminar, “How to Avoid Liabilities,” 2018-2021
- FSHRMPS (Florida Society for Healthcare Risk Management and Patient Safety,) 37th Annual Meeting and Education Conference, Speaker, “Mental Health Workplace Realities,” August 11, 2017
- The Florida Bar, Health Law Section, Advanced Health Law Topics and Certification Review 2017, Speaker, “Credentialing and Professional Peer Review/Medical Staff Governance & Bylaws,” and “Medical Staff Governance & Bylaws/Risk Management,” and “Provider Regulation/Institutional Operations,” March 3, 2017
- FSHRMPS (Florida Society for Healthcare Risk Management and Patient Safety,) 36th Annual Meeting and Education Conference, Speaker, “Legal and Regulatory Hot Topics,” August 11, 2016
- The Florida Bar, Health Law Section, Advanced Health Law Topics and Certification Review 2016, Speaker, “Credentialing and

Professional Peer Review/Medical Staff Governance & Bylaws,”
March 5, 2016

- American Health Lawyers Association, “Culture of Safety Wins: Federal Patient Safety Law Preempts Amendment 7,” Co-Author, November 5, 2015
- The Florida Bar, Health Law Section, 7th Annual Fundamentals CLE Program, Speaker, “Lawyers at the Bedside: The Intersection of Legal and Medical Ethics,” September 18, 2015
- *The Ambulatory M&A Advisor*, Quoted, “Mediation, Arbitration and your UCB,” April 10, 2015
- USF Health, Tampa General Hospital Resident Program, Speaker, “Avoiding Malpractice Suits & The Anatomy of a Malpractice Suit,” March 17, 2015
- The Florida Bar, Advanced Health Law Topics and Certification Review Course, Speaker, “Professional Credentialing and Peer Review,” March 7, 2015
- USF Health, Department of Internal Medicine, Law Seminar, Speaker, “How to Avoid Liabilities,” February 18, 2015
- American Bar Association, 5th Circuit Spring Meeting, Panel Speaker, “Regulated Practice Panel: Current Trends in the Alcohol Beverage & Medical Marijuana Industries,” February 7, 2015
- Stetson Law Live Event, Panel Speaker, “Charlotte’s Tangled Web - Considerations for How Doctors and Lawyers Might Avoid the Legal Entanglements of Medical Marijuana in Florida,” October 10, 2014
- The Florida Bar Health Law Section, Speaker “Professional Credentialing and Peer Review, Medical Staff Governance and Bylaws, Institutional Operations and Risk Management” and “Patient Care Issues,” March 8, 2014
- Aspatore Inside The Minds-Health Care Litigation Strategies, Author, Chapter 4, “The Increasing Complexity of Health Care Litigation,” 2011
- *Risk Management Handbook for Health Care Organizations* (5th Ed.), Chapter 14: “Health Information Management,” Roberta Carroll, Editor, copyright 2007
- *Risk Management Handbook for Health Care Organizations* (4th Ed.), Chapter 44: “Data Management,” Roberta Carroll, Editor, copyright 2004
- *Risk Management Handbook for Health Care Organizations* (3rd Ed.), Chapter 5: “Data Management,” Roberta Carroll, Editor, copyright 2001
- *Risk Management Handbook for Health Care Organizations* (2nd Ed.), Chapter 17: “Data Management,” Roberta Carroll, Editor, copyright 1997

Affiliations

- The Florida Bar, Health Law Certification Committee, Past Member, 1994-2003, Past Chair, 1998-1999, Past Vice-Chair, 1996-1997, 2000-2001; Health Law Section, Past Chair, 1992-1993; Executive Committee, Past Member, 1989-1993, Past Treasurer, 1989, Past Secretary, 1990; Continuing Legal Education Committee, Past Chair, 1990; Nominating Committee, Past Chair, 1993
- Florida Academy of Healthcare Attorneys, Past President, November 2004- November 2006; Board Member, 1996-2013
- American Health Lawyers Association, Member
- St. Petersburg Bar Association, Medical-Legal Liaison Committee, Past Chair, 1990-1991

- Clearwater Bar Association, Medical-Legal Liaison Committee, Past Chair 1993-1994

Honors and Distinctions

- Board Certified in Health Law, The Florida Bar Board of Legal Specialization and Education, 1995-Present
- *Best Lawyers*, 1995-2025, Listed in Florida for Health Care Law, Litigation – Health Care, Medical Malpractice Law – Defendants
- *Chambers USA*, 2005-2024, Ranked in Florida for Healthcare
- *Super Lawyers* Magazine, 2012-2024, 2006-2010, Listed in Florida for Health Care and Personal Injury - Medical Malpractice: Defense
- *Florida Trend's* Legal Elite, 2022, 2010-2012, 2005-2006, Listed for Healthcare
- Certified Mediator, Florida Supreme Court, 1993-2003
- *Florida Medical Business*, 2001, Recognized as Best Healthcare Attorney in Tampa
- Martindale-Hubbell, AV Rated