



Reed R. Bates

PARTNER

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ABOUT REED

Reed is a partner at Starnes Davis Florie and has served on various firm committees. He is chair of the firm's long term care practice group.

Reed's practice is devoted to civil litigation with a special emphasis representing healthcare providers in litigation and regulatory matters. His litigation experience includes professional medical liability, long term care/nursing home liability, pharmaceutical and medical device liability, product liability, and general personal injury, wrongful death and insurance litigation (including defense of direct claims against insurance companies for breach of contract, bad faith, and fraud). Reed has arbitrated and tried numerous complex jury and non-jury cases to a verdict.

Legal Assistant

Emily R. Edmonson
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Areas of Practice

Bad Faith / Insurance Disputes
Arbitration
Complex Litigation
Early Case Assessment
Healthcare
Healthcare Audits and False
Claims Act Investigations
Healthcare Fraud
Long Term Care & Nursing
Home Litigation
Long Term Care & Other
Healthcare Regulatory
Compliance
Medical Malpractice
Pharmaceuticals
Products Liability
Professional Liability
Regulatory and Compliance
White Collar, Compliance &
Investigations
Wrongful Death / Catastrophic
Injury

EDUCATION

J.D., Cumberland School of Law (1994)
B.S., University of Alabama (1990)

COURTS

U.S. District Court, Northern District of
Alabama
U.S. District Court, Middle District of
Alabama
U.S. District Court, Southern District of
Alabama
U.S. Court of Appeals, 11th Circuit
U.S. Court of Appeals, 8th Circuit

BAR ADMISSIONS

Alabama

ACCOLADES



PROFESSIONAL RECOGNITION

Listed in Best Lawyers in America® for Medical Malpractice - Defendants

Listed in Birmingham's B-Metro Magazine's 2018-2021 "Top Lawyers" List

"Litigation Star" in Benchmark Litigation

Past Chair of Medical Defense and Health Law Committee and Past Vice-Chair of the Nursing Home/Long-Term Care Sub-Committee of the International Association of Defense Counsel (IADC)

Currently serves on the Legal Committee for the American Health Care Association (AHCA)

Member of the Alabama Nursing Home Defense Lawyers Association (President 2006-2009)

Member of the Medical Liability and Health Care Law Section of DRI

Member of the American Health Lawyers Association

Member of the Alabama Defense Lawyers Association

Member of the Alabama State Bar Leadership Forum

Reed has also served as a member of Alabama State Bar's Judicial Liaison Committee

EXPERIENCE HIGHLIGHTS

Obtained a favorable ruling from the Alabama Supreme Court holding an arbitration agreement enforceable in a senior living case based upon the principles of apparent authority.

Obtained a defense award, after a three-day Arbitration, on behalf of a nursing home in a personal injury and wrongful death case arising from resident falling from a wheelchair.

Obtained a defense award for a nursing home and rehabilitation center in a wrongful death, medical malpractice action in a case involving allegations that the resident suffered numerous falls, the last of which resulted in a subdural hematoma that caused the resident's death.

Secured a dismissal of claims of medical malpractice and wrongful death against a local home health and hospice agency. Citing provisions of the Alabama Medical Liability Act regarding the necessity of expert testimony on the issues of standard of care and causation, Reed obtained summary judgment in favor of his client.

Secured a summary judgment in Arbitration for a nursing home client in a wrongful death medical malpractice case.

Secured a dismissal of breach of contract and declaratory judgment coverage claims against homeowner's insurance company in United States District Court for the Northern District of Alabama.

Obtained a defense verdict in favor of an oral and maxillofacial surgeon in a case involving a bilateral total joint replacement of the temporomandibular joint (TMJ).

Obtained a defense verdict in favor of a nursing home in a wrongful death case arising from allegations that a patient died from gastrointestinal bleeding, infection, and hemorrhage at a dialysis access site.

Obtained a defense verdict in favor of an assisted living facility and the facility's executive director in a six-day arbitration hearing involving a resident's allegations of sexual assault.

Obtained defense verdict for nursing home in four day arbitration involving claims by plaintiff for personal injury and wrongful death.

Secured reversal by Eighth Circuit Court of Appeals of Order dismissing 9 U.S.C.4 Complaint to Compel Arbitration for lack of subject matter jurisdiction in nursing home case.

Successfully compelled malpractice claims against nursing home in Arkansas into arbitration.

Obtained defense verdict on behalf of emergency department physician in seven-day wrongful death trial.

Obtained dismissal of cardiologist in wrongful death case.

Obtained jury verdict for emergency department physician in ten-day wrongful death case.

Currently representing numerous nursing homes and long term care facilities throughout the State of Alabama in personal injury and wrongful death cases.

Obtained dismissal of class action against nursing home operator and insurance company arising from alleged violations of Medicare Secondary Payor Act.

PRESENTATIONS AND PUBLICATIONS

Thinking Outside the Box, Act II: Global Perspective to Risk Management, Etc, Alabama Nursing Home Association Mid-Year Conference, Orange Beach, AL, April 27, 2022.

Arbitration: Trends, Issues & Hot Topics, Alabama Nursing Home Defense Lawyers Association Annual Meeting, Orange Beach, AL, April 26, 2022.

Risk Management - Resident Care & Employment Issues, Health Care Leadership Conference, Orange Beach, AL, October 18, 2018.

Sexual Assault in Long-Term Care: Evaluating and Defending these Claims, Alabama Nursing Home Defense Lawyers Association, Orange Beach, AL, April 24, 2018.

Mega Rule Staffing Requirements → Are you Ready,? Alabama Nursing Home Association, Birmingham, AL, October 23, 2017.

Arbitration Best Practices, Alabama Nursing Home Defense Lawyers Meeting, Orange Beach, AL, April 26, 2014.

Criminal Acts by Employees, Alabama Nursing Home Defense Lawyers Meeting, Orange Beach, AL, April 26, 2014.

Trends in Nursing Home Litigation - Avoiding the Multi-Million Dollar Mistake, Senior Care Pharmacy Conference, Birmingham, AL, April 10, 2014.

Is This Just Another One of Those Nursing Homes?, Alabama Nursing Home Association Meeting, Birmingham, AL, February 3, 2014.

"Whoa to the Company that Fails to Include a Class Wide Arbitration Waiver," IADC Medical Defense and Health Law Committee Newsletter, January 31, 2014.

Open Floor Discussion: Are You Producing More Than Your Peers? Pushing Back On A Request for Production, American Conference Institute's Seminar on "Preventing and Defending Long Term Care Litigation," Miami, FL, January 28, 2014.

["Are You As Guilty As The Criminal? Liability For Criminal Acts Of Third Parties And Employees,"](#) *Federation of Defense and Corporate Counsel Quarterly Publication, FDCC Quarterly* (Fall 2013).

Preparing and Developing Testimony from Frontline Caregivers, DRI Nursing Home / ALF Litigation Seminar, Las Vegas, NV, September 2012

Risk Management: Resident Care Litigation and Labor & Employment Perspectives, Alabama Assisted Living Association, September 2012

Trial and Error: Lessons Learned from Recent Multi-Million Dollar Verdicts in Medical Malpractice Cases, IADC Annual Meeting, Asheville, NC, July 2012

Risk Management: Patient Care Litigation, Regulatory Compliance, and Labor & Employment Perspectives, Alabama Nursing Home Association, May 2012

Class Actions and Arbitration Update in Nursing Home Cases, Alabama Nursing Home Defense Lawyers Association, April 2011

Mission Impossible: Resolution of a Case with a Medicare Claimant, Alabama Nursing Home Association Owners Meeting, Highlands, NC, July 2010

Arbitration Update, Alabama Nursing Home Defense Lawyers Association, May 2010

Reed R. Bates and Stephen W. Still, Jr., ["Arbitration in Nursing Home Cases: Trends, Issues and a Glance into the Future"](#), *IADC Defense Counsel Journal*, Vol. 76, No. 3, Pages 282-299 (July 2009) * Please Note: this article was reprinted with the permission of the IADC Defense Counsel Journal.

Arbitration in Nursing Home/Health Care Cases: National Trends, Hot Topics and a Glance into the Future, 2009 IADC Mid-Year Conference, Carlsbad, CA, February 2009

Arbitration in Nursing Home Cases, Alabama Nursing Home Association Owners Meeting, Highlands, NC, July 2008

Nursing Home Litigation, Alabama Bar Institute for CLE, October 2007

Nursing Home Malpractice: Evaluating and Addressing Accountability, National Business Institute, September 2007

Effectively Using Medical Evidence in Court, National Business Institute, May 2007

Medical Practice Litigation Tips, Barristers Educational Services, December 2006

Measures to Prevent Litigation and Successfully Defend Medical Malpractice cases, Turenne Pharmedco University, August 2006

Enforcement of Arbitration Provisions in Long Term Care Litigation, Alabama Nursing Home Defense Lawyers Conference, May 2006

Arbitrating Nursing Home Cases, Alabama Nursing Home Defense Lawyers Association, November 2005

Recent Developments in Nursing Home Litigation, Lorman Education, February 2005

COMMUNITY INVOLVEMENT

- Reed is actively involved in his church and outreach ministries.
- He has enjoyed coaching youth sports and serving in leadership roles for youth focused organizations.
- He supports and is actively involved in several civic and charitable organizations.

DISCLAIMER: The following language is required by the Alabama Rules of Professional Conduct: No representation is made that the quality of legal services to be performed is greater than the quality of legal services performed by other lawyers.