



SUSAN G. CONWAY

Of Counsel

**ADMINISTRATIVE & REGULATORY
LITIGATION, APPELLATE LAW**

DIRECT PHONE:

512.480.5768

DIRECT FAX:

512.536.9909

EMAIL:

sconway@gdhm.com

ABOUT

Susan's practice focuses on state regulation of insurance, health care, managed care, marketing and advertising practices, and various other government-regulated professional and business activities. She has served as Texas regulatory counsel to one of the world's largest property and casualty insurers, and she represents various clients that do business with the State of Texas, engage in ongoing activities or specific transactions or events that are subject to state licensing, permitting, review, or regulation, or are subject to or affected by open records and open meetings laws.

With a background in complex structured financings and business litigation, Susan has represented clients in class actions and complex commercial litigation with regulatory compliance aspects, and in judicial appeals and declaratory judgment actions on administrative rules, decisions, and acts in the areas of insurance, health care, pharmaceuticals, disability access, securities, and antitrust. Susan has handled regulatory investigations, enforcement actions, contested administrative cases; professional licensing and standards matters, open records disputes, ratemaking proceedings, and rulemaking proceedings involving numerous governmental agencies and officials, including the Texas Department of Insurance, Attorney General of Texas, Texas Health and Human Services Commission, Texas Department of Licensing and Regulation, State Board of Pharmacy, Texas Parks and Wildlife, State Office of Administrative Hearings, State Securities Board, various professional licensing boards, public university and school systems, and regional and special purpose authorities and agencies.

PROFESSIONAL QUALIFICATIONS

- Admitted: Texas, 1982; Federal District Court for the Western District of Texas
- Education: Rice University (B.A., 1971); The University of Texas at Austin (M.A., 1979); The University of Texas School of Law (J.D. with honors, 1982)

REPRESENTATIVE EXPERIENCE

- Represented homeowners insurer in administrative ratesetting proceedings and in judicial appeals of agency rate orders
- Represented hospitals in judicial challenges to state Medicaid reimbursement rules and practices
- Represented a public teaching hospital in obtaining judicial rulings invalidating a Medicaid reimbursement rule and enjoining its further use by the Medicaid program administration agencies
- Represented a governmental body in a successful judicial challenge to an Attorney General open records determination under the Public Information Act
- Represented businesses regulated by or doing business with the State of Texas in numerous administrative and judicial proceedings to determine the confidentiality of information submitted by those businesses to governmental bodies subject to Texas open records laws
- Obtained Texas Department of Insurance approvals and exemptions under the Insurance Holding Company Act for changes in control/ownership of insurance companies and HMOs
- Represented regulated entities in connection with agency financial and market conduct examinations and in financial supervision and oversight proceedings
- Obtained summary judgment regarding construction of Insurance Code provisions regarding refund of deductibles on auto insurance claims, in declaratory judgment and class action lawsuit arising from Attorney General enforcement proceeding
- Obtained a declaratory judgment invalidating a rule of the Texas State Board of Pharmacy on generic prescription drugs
- Defended and negotiated settlement of enforcement proceedings (including subpoenas, investigations, administrative actions and lawsuits) initiated by the Attorney General of Texas and Texas regulatory agencies under deceptive trade practices, insurance, managed health care, securities and antitrust laws
- Obtained certificates of authority, licenses for HMOs, insurance agencies, agents

- Participated in agency working groups to draft regulations, and presented testimony and comments on behalf of clients in statewide rulemaking proceedings, including rules pertaining to insurance, state purchasing, disability access, prescription drugs, managed health care, and state guaranty funds

PROFESSIONAL AFFILIATIONS

- Member: American Bar Association; Austin Bar Association

AWARDS AND HONORS

- Listed in *The Best Lawyers in America*[®] published by Woodward/White, Inc., Insurance Law, 2006-2018
- AV[®] Preeminent[™] Peer Review Rating, Martindale.com

COMMUNITY

- Former Board President and Advisory Council member, Lady Bird Johnson Wildflower Center