



Of Counsel
wisele@archerlaw.com
609-580-3780

Princeton, NJ

Practice Areas

Alternative Dispute Resolution
Elder & Disability Law
Estate & Trust Litigation
Government Affairs
Health Care

Admitted

Illinois
New Jersey
New York
United States Court of Appeals for the Third
Circuit
United States Supreme Court
Virginia

Education

St. Charles College
Catholic University of America (B.A. and M.A. in
Philosophy)
Georgetown University Law Center (J.D.)
Rutgers University School of Social Work
(Certificate in Gerontology)

Mr. Isele practices in the areas of Health Care Law and Elder Law. He represents a wide range of clients from private individuals, to individual and institutional health care providers, to governmental and quasi-governmental entities.

In his Health Care, practice he offers advice and counsel to health care providers on licensing and regulatory matters, both State and Federal, as well as compliance and business/practice matters. He has successfully represented physicians, nurses, and other licensed professionals before the State professional licensing boards, and a variety of Federal agencies, and new graduates before the United States Medical Licensing Examination. He has represented institutional providers in a variety of licensure and regulatory matters before the New Jersey Department of Health and Senior Services. Mr. Isele counsels clients on Medicare and Medicaid fraud and abuse issues, including the Federal Stark laws, the State Codey laws, Federal Anti-Kickback laws, and both State and Federal False Claims laws. He has also represented physicians, hospitals and medical staffs in privileging disputes. From 1989-1991, Mr. Isele served as Chair of the NJSBA Health & Hospital Law Section.

Mr. Isele's Elder Law practice is also broad-ranging. As the former New Jersey Ombudsman for the Institutionalized Elderly (1999-2007), he is a recognized expert on issues of long-term care and elder abuse. He regularly advises clients on retirement and end-of-life planning, and counsels institutional providers with regard to complex and often controversial care issues. He has drafted policies and procedures to address issues such as disruptive patients, criminal background investigations of nursing home applicants, and involuntary discharge from long-term care. In addition, he has served as an expert witness in matters relating to care issues in nursing homes, and fiduciary obligations of attorneys serving as attorneys-in-fact. Mr. Isele has been appointed as court-appointed attorney, guardian, and conservator in many matters, and has appeared in litigated matters in Chancery and Surrogate courts throughout the State of New Jersey. He also regularly interacts with the New Jersey Medicaid program on behalf of both individuals and institutions, and has represented clients before the New Jersey Office of Administrative Law. Mr. Isele served as the 2012-2013 Chair of the NJSBA's Elder & Disability Law Section.

Mr. Isele is well-versed in general equity-related disputes and litigation. He has represented both plaintiffs and defendants in state and federal courts in litigation involving claims ranging from contested guardianships to civil

rights disputes, and has served as outside counsel to a State agency in litigated matters.

Representative Experience

Examples of Health Care matters Bill has handled:

- Served as patient care ombudsman for a North Jersey hospital under Section 333(a)(1) of the U.S. Bankruptcy Code.
- Served as an expert witness in a Section 10(j) proceeding involving reinstatement of nurses in a health care facility.
- Represented physicians in hospital staff privileges disputes.
- Represented numerous health professionals before New Jersey licensing Boards.
- Represented health care facilities in numerous licensing matters with the NJDHSS.
- Represented hospital in first reported AIDS dementia case in New Jersey.
- Negotiated agreements with managed care organizations.

Examples of Elder Law matters Bill has handled:

- Represented individuals in Medicaid eligibility disputes in several New Jersey Counties, and before the Office of Administrative Law.
- Represented independent State Agency in Medicaid litigation with facilities.
- Served as court-appointed counsel for numerous individuals in guardianship proceedings.
- Served as guardian for adjudicated incapacitated persons.
- Served as conservator for individuals in need of assistance with finances.
- Advised numerous clients regarding appropriate Medicaid planning.

Professional And Community Involvement

Professional:

- New Jersey Supreme Court, District VIII Fee Arbitration Committee; Secretary (1994-present); District VII Fee Arbitration Committee; Secretary (2015-present)
- New Jersey Roster of Mediators for Civil, General Equity and Probate Cases (2008-present)
- American Bar Association; Section of Administrative Law (Vice Chair, Health Committee, 1991); Health Law Section
- New Jersey State Bar Association; General Council (1988-93; 1994-95; 2011-present); Health & Hospital Law Section (1st Vice Chair 1988-89; Chair 1989-91; Legislative Liaison 2009-present); Elder Law Section (Co-Legislative Liaison 2009-2012; Chair 2013-2014)
- Middlesex County Bar Association (Board of Trustees 2009-present); President (2017-2018); Chancery Practice Committee Early Settlement Panel (1986-1999, 2009-present); Elder Law Committee

- Middlesex County Bar Foundation (Board of Trustees 2008-present; President (2014-2015); Treasurer (2011-2012)
- American Health Lawyers Association; Alternate Dispute Resolution Service (1992-2001)
- Catholic Lawyers Guild, Diocese of Metuchen; Board Of Trustees (1988-91)
- National Association of Elder Law Attorneys
- National Committee for the Prevention of Elder Abuse

Community:

- AMA Employees Credit Union, Board of Directors (1977-81), Vice Chairman (1978-80), Chairman (1981)
- AMA Task Force on Risk Management
- Harper Junior College, Palatine, Illinois (Program Advisory Committee)
- Board of Health, Milltown, New Jersey (1988-92)
- Municipal Advisory Committee, Milltown, New Jersey (1988-95)
- Municipal Ethics Board, Milltown, New Jersey (2008-present)
- Institutional Review Board (IRB), St. Michael's Medical Center, Newark, New Jersey (1989)
- Central Jersey Landfill Advisory Board (1992-94)
- Advisory Committee on Pedophilia & Sexual Misconduct, Diocese of Metuchen (1994-98)
- Eagle Scout, 1966
- Cub Scout Pack 33, Milltown, New Jersey: Cubmaster (1987-94)
- Boy Scout Troop 33, Milltown, New Jersey: Scoutmaster (1994-2008), Assistant Scoutmaster (1991-94)
- Joyce Kilmer District, Thomas A. Edison Council, BSA: Advancement Chairman, District Committee (1991-1997)
- Catholic Committee on Scouting, Diocese of Metuchen: Chairman (1992-1995)
- Courts, Health Science & the Law (Georgetown University): Editorial Associate (1989-1991)
- Seton Hall University School of Law, Adjunct Professor, Health Care Law (1987-1991)
- DeVry University, Adjunct Professor, Principles of Ethics and The Legal Environment (2004-2009)
- Rutgers University School of Social Work, Lecturer, Health and Aging (2008-2010)
- Office of the Ombudsman for the Institutionalized Elderly Ethics Advisory Committee (1995 -1998)
- New Jersey Hospice and Palliative Care Association. Ethics Committee (2008-2016)
- Princeton Senior Resource Center, Board of Trustees (2009-2013; President 2011-2012)
- New Jersey Hospice & Palliative Care Organization, Board of Trustees (2011-2016)
- Central Jersey Legal Services, Board of Trustees (2014-present)
- LeadingAge New Jersey, Board of Trustees (2016-present)

Awards and Recognition

- NJ State Bar Association: Distinguished Legislative Service Award (2009)
- NJ Hospice and Palliative Care Organization: Spirit of Hospice Award (2007)
- New Jersey Super Lawyers (Health Care Law) (2012)
- SJ Magazine "Top Attorney" for Elder Law (2009-2011, 2014)
- NJSBA Health Law Section: Distinguished Service Award (2013)
- President, Middlesex County Bar Foundation (2013-2014)
- President, Middlesex County Bar Association (2017-2018)
- Recipient of Rider University's 18th Annual Distinguished Contributions to Law and Justice Award (2014)

Books and Monographs

- Health Care in Jails (Five Monographs). Chicago, IL: American Medical Association (1977)
- Confidentiality of Medical Records in New Jersey. Eau Claire, WI: Medical Educational Services (1983)
- The Hospital Medical Staff: Its Legal Rights and Responsibilities. Springfield, IL: Charles C. Thomas Pub. (1984)
- Model Medical Staff Bylaws with Annotations. Lawrenceville, NJ: Medical Society of New Jersey (1990)
- Under Oath: Tips for Testifying. Horsham, PA: LRP Publications (1995)
- NJ Elder & Disability Law Practice (Supplement) Chapter 12, "Elder Abuse and Exploitation." New Brunswick, NJ: NJICLE (2010)

Articles

- "Vicarious Liability in the Operating Room," 3 Journal of Legal Medicine 18 (April, 1975)
- "Malpractice Liability of the Mental Health Professional," 6 Professional Psychology 399 (November 1975)
- "After Canterbury: The Need for Medical Experts in the Informed Consent Suit," 4 Journal of Legal Medicine 17 (1976)
- "Legal and Ethical Concerns of the Medical Assistant," The Professional Medical Assistant (July 1977)
- "Legal Aspects of Peer Review," Hospital Medical Staff Advocate (Sept./Nov. 1977)
- "Peer Review: A Maryland Case," 42 Connecticut Medicine 679 (October 1978)
- "Termination of the Physician/Patient Relationship," 69 The Medical Record 267 (November, 1978)
- "Legal Aspects of Accreditation," 44 Connecticut Medicine 237 (April 1980)
- "Peer Review: An Update," 45 Connecticut Medicine 191 (March 1981)
- "Medical Treatment of a Mentally Impaired Person or a Minor: Who May Consent?" 245 JAMA 778 (Feb.20, 1981)

- "Right to Treatment, Right to Refuse Treatment," *Corrections Today* (June, 1983)
- "N.J. Supreme Court Rules on Closed Staff Policies," 53 *Citation* 111 (1986)
- "New Jersey Court Clarifies Commitment Standard," 54 *Citation* 39 (1986)
- "Hospital/Medical Staff Relationships," 118 *New Jersey Lawyer* 21 (February 1987)
- "New Jersey Court Specifically Enforces Surrogate Birth Contract," 55 *Citation* 67 (1987)
- "N.J. Supreme Court Reviews Ethical Questions," 55 *Citation* 116 (1987)
- "New Jersey Supreme Court Decides Three Right-to-Die Cases," 55 *Citation* 147 (1987)
- "N.J. Supreme Court Rules on `Disruptive Physician,'" 20 *Hospital Law* 174 (1987)
- "Discovery of Hospital Committee Reports," 84 *New Jersey Medicine* 869 (Dec. 1987)
- "Beware the COBRA," *Middlesex County Bar Association Monthly* (March/April 1988)
- "N.J. Supreme Court Rules on Brain Death," 21 *Journal of Health & Hospital Law* 179 (July 1988)
- "New Malpractice Liability Laws Could Prove Deadly to Hospital Bottom Lines," *ECHO* (July 1988)
- "N.J. Supreme Court Invalidates Surrogacy Contracts," 57 *Citation* 131 (1988)
- "Peer Review Activities Are Not Exempt from Antitrust Scrutiny," *ECHO* (Sept. 1988)
- "HEZ: A Legislative Experiment in Deregulation," *ECHO* (Sept. 1988)
- "Don't Dump the Baby with the Bath Water," *ECHO* (November 1988)
- "New Jersey's OOIE: Experimentation in Complexity," *ECHO* (January 1989)
- "A New Challenge for Mental Health Law," 126 *New Jersey Lawyer Magazine* 58 (Jan./Feb. 1989)
- "The NJ SEED Project: Evaluation of an Innovative Initiative for Ethics Training in Nursing Homes." *J Am Med Dir Assoc* 2005; 6: 68-75. (with Weston, C. et al.)
- "Financial Exploitation of the Elderly," 17 *New Jersey Lawyer* 305 (February 18, 2008)
- "This Year, the Day After Tax Day Is Just as Crucial," 191 *New Jersey Law Journal* 1039 (March 24, 2008)
- "N.J. Law Out of Synch on Spending by Residents of Nursing Homes," 192 *New Jersey Law Journal* 379 (May 12, 2008)
- "From Medicaid Beneficiary to Nursing Home Evictee?" *New Jersey Lawyer In Re*: (June 3, 2008), page 10
- "The Nursing Home Residents' Bill of Rights," 193 *New Jersey Law Journal* 777 (Sept. 15, 2008)

- “Garnishment of Social Security Benefits,” 199 New Jersey Law Journal 335 (February 8, 2010)
- “Civil and Administrative Effects of a Conviction for Health Care Fraud,” 201 New Jersey Law Journal 368 (August 2, 2010)
- “Evictions from Long-Term Care,” 265 New Jersey Lawyer Magazine 19-22 (August 2010)
- “The Elder Justice Act as Part of Health Care Reform 2010.” 201 New Jersey Law Journal 847 (September 13, 2010)
- “It Takes Courage to Get Older,” Mercer Business (March 2011)
- “The Growing Problem of Financial Elder Abuse,” 205 New Jersey Law Journal 641 (August 22, 2011)
- “Federal Court Finds PA Hospital in Violation of Stark Law,” 205 New Jersey Law Journal 911 (September 12, 2011)
- “Power Wheelchairs and Medicare – Freedom and Fraud,” Mercer Business, 44-45 (September 2011).

BROADCAST

- "Legally Speaking: The Baby Doe Cases," Cable Television Network of New Jersey (1987)
- "Legally Speaking: The Right to Die," Cable Television Network of New Jersey (1987)
- "Medical Care: What You Don't Know Can Hurt You," WNET - Channel 13 (1987)
- "Rutgers Forum: Health Care Law," New Jersey Network (1990)
- "New Jersey Issues: Living Wills," New Jersey Network (1991)
- "Rutgers Forum: AIDS and the Law," Cable Television Network of New Jersey (1993)
- “New Jersey Journal: Elder Abuse,” FOX-TV (Philadelphia) (2000)
- “On Our Own Terms – Reaching Out,” WNET – Channel 13 (2000)
- “Faces of Aging,” New Jersey Network (2000)

REPORTED CASES

- Straube v. Emmanuel Lutheran Charity Board, 600 P.2d 381 (Ore., 1979)
- First National State Bank v. Kron, 190 N.J.Super. 510 (App. Div. 1983)
- Matter of Commitment of B.S., 213 N.J.Super. 243 (App. Div. 1986)
- Matter of Clark, 216 N.J.Super. 497 (App. Div. 1987)
- Hirsch v. N.J. State Board of Medical Examiners, 128 N.J. 160 (1992)