



**Joseph P. McMenamain**  
*Partner*

Health Care

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Joe McMenamain, an experienced health law attorney and former emergency physician, focuses his practice on digital health law and distance care. In this capacity he advises telehealth providers on licensure, the provider-patient relationship, corporate practice issues, scope of practice, online prescribing, credentialing and privileging, privacy, risk management, and reimbursement issues as they pertain to telemedicine. He also advises clients respecting the application of artificial intelligence to health care and research, and general health law and business matters.

Dr. McMenamain is general counsel for the Virginia Telehealth Network, and a member of the Center for Telemedicine and eHealth Law (CTeL) Legal Resource Team. He frequently presents on virtual care and other cutting-edge health topics before both attorney and provider association conferences.

Recent representative matters include:

- Assisting telemedicine start-ups
- Defending telemedicine physicians before state boards of medicine
- Assisting providers with international telehealth practices
- Representing direct-to-consumer telemedicine companies
- Advising device makers and life science companies with respect to distance care

**EDUCATION**

**University of Pennsylvania School of Law, J.D., 1985**

**Emory University and Grady Memorial Hospital, Residency, Internal Medicine, 1978-1981**

**University of Pennsylvania School of Medicine, M.D., 1978**

**Washington & Lee University, B.S., Chemistry, 1974**

*Summa Cum Laude*

**ADMISSIONS**

Virginia

U.S. District Court for the Eastern District of Virginia

U.S. District Court for the Western District of Virginia

U.S. Court of Appeals for the Fourth Circuit

## PRIOR EXPERIENCE

- Dr. McMenamin began his legal career at McGuireWoods and practiced there for nearly 30 years before he launched his own law firm focused primarily on telemedicine.

## RECOGNITIONS

- **Martindale-Hubbell**

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## PUBLICATIONS/PRESENTATIONS

- Informed Consent to Artificial Intelligence in Health Care, 2023
- Author, *Telehealth Law Handbook*, Chapter 8 “Liability Issues” (Jennifer R. Breuer ed., 2d ed., AHLA, 2023)
- Co-presenter, “Telemedicine Requirements for Licensing and Scope of Practice,” Strafford CLE, 2022
- Moderator, “Identifying Telehealth Priorities in the 118th Congress,” CTeL Digital Health Summit, 2022
- Presenter, “Developing Regulatory Framework for Telemedical Services,” CTeL, 2022
- Co-presenter, “Artificial Intelligence in Healthcare: A Sampling of Legal Issues,” Healthcare Shapers, 2022
- Co-presenter, “Virtual Care: Considerations to Move Beyond Traditional Concepts for Success,” NCQA Health Innovation Summit, 2022
- Co-presenter, “Telemental Health Services: Navigating Telemedicine Laws, State Licensure, Medicare Coverage, Fraud, and Abuse,” Strafford CLE, 2022
- Co-presenter, “Telehealth Providers and Controlled Substances: Navigating the Challenges of Telehealth Prescribing,” Strafford CLE, 2022
- Co-presenter, “Building a Foundational Infrastructure for Deploying Telehealth in Crises and Natural Disasters,” CTeL Summit, 2022
- Co-presenter, “Electrons Without Borders: The Law of Global Telehealth,” American Telemedicine Association International SIG, 2022
- Co-presenter, “New Developments in EHRs and HIPAA,” Continuing Education, Inc./University at Sea, 2022
- Co-presenter, “Medical Malpractice – Negligence, Consent and Refusal,” Continuing Education, Inc./University at Sea, 2022
- Co-presenter, “Health Laws and Waivers in a Post-Pandemic World,” Virginia State Bar Annual Meeting, 2022

## PROFESSIONAL AFFILIATIONS

- **Virginia State Bar**

Health Law Section, Board of Governors, 2019-present

- **American College of Legal Medicine**

Fellow

- **American Board of Legal Medicine**

Trustee

- **Virginia Commonwealth University**

Associate Professor of Legal Medicine

## COMMUNITY INVOLVEMENT

- **Virginia Telehealth Network**

General Counsel, 2009-present

- **Center for Telemedicine and eHealth Law (CTeL)**

Member, Legal Resource Team