



## Health Care

### Industry Contact

Suzanne J. Scrutton

### Attorneys

Robin P. Amicon

Phillip W. Bechter

Kimberly A. Beis

Stephen P. Benson

Robin L. Canowitz

Corrine S. Carman

Nelson D. Cary

Karen A. Cincione

Tiffany Strelow Cobb

David W. Cook

Thomas R. Crookes

Monica A. Fitzgerald

Jackie Ford

Melissa S. Giberson

J. Liam Gruz

Jolie N. Havens

Donna M. Haynes

Carey C. Jordan

Allen S. Kinzer

Nikkia Knudsen

Peter A. Lusenhop

Douglas R. Matthews

Theodore P. Mattis

Natalie M. McLaughlin

James J. McMonagle

Jeffrey A. Miller

Valerie C. Moore

Thomas E. Niehaus

Vorys health care attorneys are trusted and experienced professionals who counsel clients on the legal and regulatory issues facing the health care industry. Whether the matter involves the day to day operations of a health care facility or issues associated with regulatory compliance, complex litigation, corporate compliance, fraud and abuse, or payor and reimbursement arrangements, our attorneys are fully equipped to address client health care needs.

## Who We Represent

We serve as outside counsel for hospitals, health systems, nursing homes and other long-term care facilities, other health care institutional providers, behavioral health providers and providers that serve those with developmental disabilities. We also represent many physicians, physician groups, home health agencies, hospice providers, ambulatory surgery centers, diagnostic centers and other outpatient service providers. See the **provider types** tab to learn more.

## Our Experience

Our experience is broad and deep. We take pride not only in our experience in the health care field, but also in our ability to coordinate with other practice areas to give clients access to the most knowledgeable attorneys in a variety of fields. Our attorneys understand the complex and constantly changing landscape of health care and the need to provide timely, practical and concise solutions to the challenges facing our health care clients.

## National Recognition

For over a decade, our health care team has consistently earned both national and state recognition in the areas of health care law and litigation – health care by the **2023 U.S. News – Best Lawyers® “Best Law Firms” report**.

We have also earned the long-standing recognition as a **“Leading Law Firm”** in Ohio for health care in the *Chambers USA Guide*. *Chambers* has also named a number of Vorys attorneys as **“Leading Lawyers”** in health care.

Bruce P. Paige  
Dawne McKenna Parrish  
Sachiyo Isoda Peterson  
Michael G. Schwartz  
Khaled Shami  
Benjamin A. Shepler  
Janay M. Stevens  
Asafu Suzuki  
Thomas P. Thrash  
Jonathan R. Vaughn  
Victor A. Walton, Jr.  
James A. Wilson

### Areas Of Concentration

Health Care Litigation

Moreover, the chair of the Vorys health care group serves on the national Board of Directors of the American Health Law Association (AHLA).

### Our Work

We regularly provide legal advice on the following health care matters:

- Regulatory and administrative practice before federal, state, and local authorities, including professional disciplinary matters
- Individual and entity licensure, compliance, and accreditation assistance (both public and private)
- Reimbursement counseling (including identification, reporting, and repayment of overpayments) on all payor arrangements, including Medicare, Medicaid, and private third-party payors
- The complexities associated with integrated health care delivery systems, as well as institutional and physician collaborations and joint ventures, such as diagnostic imaging centers and ambulatory surgery centers (ASC)
- Fraud and abuse compliance involving the federal Anti-Kickback Statute, the Stark Physician Self-Referral Law, and the False Claims Act (and related state laws), including active defense and representation during government investigations and negotiation and implementation of financial settlements and corporate integrity agreements (CIA)
- Issues unique to the behavioral health, developmental disabilities, and child welfare fields
- Issues unique to long term care facilities, home health agencies, hospice, and other and palliative care providers
- Issues unique to academic medical centers
- Health care operational issues
- Charitable and tax-exemption issues including an in-depth practice in the area of real property acquisition and disposition
- HIPAA privacy and security matters, as well as health information technology
- Antitrust and competition
- Legislative matters
- Mergers, acquisitions, complex joint ventures and similar transactions involving physician practices and other providers, including change of ownership (CHOW/CHOP) issues

- Corporate structure and governance issues
- Physician employment models and collaborations
- Certificate of Need (CON) applications, as well as defending and challenging CON matters
- Medical staff bylaws and credentialing matters
- Professional services, independent contractor, and employment agreements with physicians and physician groups
- Employee benefits and executive compensation arrangements
- Management services organizations (formation and contracting), as well as provider network management
- Medicare/Medicaid enrollment, coverage, reimbursement and billing issues
- Managed Care contracting and third-party payor arrangements
- Tax-exempt bond financings
- Governmental and internal investigations and audits, including responding to search warrants and subpoenas
- Health care trade association matters
- Life Sciences and other FDA matters.
- Health Plans, Insurance and Managed Care
- Medical Malpractice

## Provider Services

### Health Care Regulatory Practice

Our attorneys are experienced in assisting hospitals, physicians, physician groups, long-term care providers, behavioral health providers, developmental disability providers, home health agencies and other health care providers in navigating the complex regulatory scheme associated with today's health care market. Some of our health care attorneys are former general counsel of state agencies who have represented both the regulator and the regulated entity. We also have an experienced registered nurse attorney with prior health care healthcare experience. Their unique perspectives can prove invaluable when clients make strategic decisions in the regulatory context.

We regularly represent health care providers before federal and state agencies, county authorities, local health districts and accreditation bodies, including the Joint Commission and the Community Health Accreditation Program (CHAP). We also participate in the regulatory rule-making process from the ground up, so that our clients can understand what is important to the regulator, and why. This knowledge frequently is helpful in resolving disputes with regulatory bodies.

## Litigation and Administrative Appeals

Not all health care providers are alike, and neither are health care litigators. Our health care litigators understand the unique business and regulatory issues that affect our individual health care clients and provide carefully tailored advice and assistance. Learn more here.

## Health Care Not for Profit / Corporate Government Taxation

Our health care attorneys partner with our tax attorneys to provide federal, state, and local income tax counseling, sales and use tax exemption planning, and tax-planning services for health care providers, especially tax-exempt health care organizations. We regularly counsel our health care clients on all organizational and operational aspects of obtaining and maintaining tax exemption, structuring mergers and reorganizations, for profit subsidiary planning, joint ventures of nonprofit and for profit entities, nonprofit governance issues, unrelated business income tax (UBIT) planning, fundraising programs, charitable solicitations, charitable sales promotions, planned gifts and structuring compensation arrangements to comply with the intermediate sanctions rules. We have assisted in obtaining property tax exemptions, defending clients when property tax exemptions are threatened, and in administrative and judicial appeals related to their property tax exemption. Learn more here.

## Trade Associations

Our firm currently serves as legal counsel to multiple large health care provider trade associations throughout Ohio and Pennsylvania. These trade association relationships span many decades. We are honored to be their trusted legal advisor. We regularly work with trade association leaders and their boards to solve the systemic issues faced by their members. We assist health care trade associations with the many issues that arise in a highly regulated industry. We also are very fluent in state budgeting processes and assist the associations with their industry legislative initiatives, drafting and analysis. Our client trade associations trust us as their preferred legal counsel to address their legal issues, as well as those of their individual members.

## Transactions

Our regulatory and compliance experience complements our role as counsel to clients in all transactional matters, including hospital/physician joint ventures; acquisition of long-term care facilities and other providers; creation and operation of diagnostic testing facilities; equipment and space lease arrangements; hospital and physician practice acquisitions; personal services and physician employment agreements; and physician recruitment programs. We counsel clients on ownership/investment issues, structural and operational considerations, and reimbursement concerns to ensure compliance.

We regularly evaluate proposed transactions of all shapes and sizes. We are acutely aware of the importance of fraud and abuse compliance issues presented in virtually all transactions involving our health care clients and approach each issue with a practical, skilled eye towards assisting our clients in achieving their objectives within the bounds of the law. In doing so, we analyze their compliance with the federal and state fraud and abuse laws and provide guidance on how to properly structure (or amend, as needed) each arrangement to comply with applicable authorities. We also have experience analyzing other relevant state laws, including corporate practice of medicine and fee splitting laws.

## Privacy, Compliance and Health Information Technology (HIT)

Our attorneys are highly experienced in the area of health information privacy and the confidentiality of medical information. This includes the Health Insurance Portability and Accountability Act (HIPAA) of 1996, The Health Information Technology for Economic and Clinical Health Act (HITECH), the Confidentiality of Substance Use Disorder Patient Records regulations (42 C.F.R. Part 2) and other federal and state privacy laws.

We have counseled and helped providers and covered entities, including physicians, hospitals, healthcare trade associations, behavioral health providers, substance use disorder providers, developmental disabilities providers and employee health benefits providers tackle a wide range of healthcare privacy issues including the following:

- Advising clients regarding appropriate uses and disclosures of protected health information
- Creating HIPAA privacy and security policies and procedures
- Performing HIPAA Audits
- Drafting and negotiating Business Associate Agreements
- Drafting Notice of Privacy Practices
- Conducting Risk Assessments
- Responding to breaches and potential breaches
- Quashing inappropriate subpoenas

In addition, as health care has become an increasingly technological business, our attorneys have advised providers and third-party services concerning information systems privacy and the interplay between technology and corporate compliance. This includes advising clients in the following areas:

- Telehealth, including scope of practice and payment issues
- Interoperability and EHR contracting, implementation and transitions
- information blocking prohibition under the 21<sup>st</sup> Century Cures Act
- Health Information Exchange (HIE) issues
- General Data Protection Regulation (GDPR) compliance
- Complex data sharing arrangements

To learn more about our comprehensive data strategy, privacy and security practice, [click here](#).

## Reimbursement Counseling / Fraud and Abuse Compliance

We advise clients on issues related to federal and state reimbursement systems, including coding and billing issues Medicare contracting, participation, coverage, reimbursement (including reassignment of the right to payment), and appeals, Medicaid contracting, coverage and reimbursement, rate setting, cost reporting and reconciliation, reimbursement of provider-based entities and compliance issues. We are experienced in representing clients before state Medicaid agencies, the Centers for Medicare and Medicaid

Services, Medicare contractors, the Office of the Inspector General and the United States Attorney's Office.

Our experience helps us plan and structure transactions to minimize fraud and abuse implications, while at the same time achieving our health care clients' desired business goals. We regularly evaluate transactions and analyze their compliance with the Medicare and Medicaid fraud and abuse statutes, such as the Anti-Kickback Statute and safe harbor regulations, and the Stark Physician Self-Referral Laws and applicable exceptions. Our experience in this area complements our role as transactional counsel to clients on hospital/physician joint ventures, including the operation of diagnostic imaging facilities, equipment lease arrangements, physician practice acquisitions and physician recruitment programs. We know the ins and outs of health care deals, and we steer our clients away from the pitfalls that trap the unwary.

We also assist clients with conducting internal fraud and abuse investigations and audits, as well as governmental investigations, audits, and settlements, and provide ongoing consultation regarding compliance with corporate integrity agreements (CIAs). Through on-site reviews and evaluations of contracts and business relationships between hospitals' and physicians' referral sources, we identify and analyze potential fraud and abuse concerns. We then assist our clients in developing compliance programs and policies to educate staff (physician and non-physician), to prevent illegal activity by uninformed employees, to recognize and address compliance issues as they arise and to minimize client exposure to prosecutions and penalties. Learn more about litigation in this area.

### Payor Disputes and Reimbursement Audits

Our attorneys routinely assist providers with both governmental and commercial reimbursement disputes. We have extensive knowledge of governmental health care reimbursement programs, as well as the complex administrative processes necessary to assist our provider clients with responding to audits and related appeals. We partner with our clients through every step of payor audits, beginning with preparing and responding to the initial request for records, and continuing through the appeals process at all levels of appeals.

### State and Federal Health Care Government Relations

Our firm represents the interests of our health care clients in connection with both state and federal legislation. We have more than 50 lawyers with legislative experience at one or more levels of state and federal government, many of whom have testified before committees of Congress or the Ohio General Assembly. We also offer health care clients full service representation before city councils, county commissioners and township trustees. We help shape legislation by drafting bills, amendments and testimony for sponsors and witnesses. Our lawyers have extensive knowledge of the legislative process, which they use to develop strategies to effectively support, oppose or amend specific legislation of interest to our clients. We often partner with our colleagues at Vorys Advisors to bring together legal knowledge and legislative strategy in order to advance our client's interests. Learn more here.

## News

[News, 1.3.2023](#)

More Than 35 Vorys Attorneys Included on Ohio Super Lawyers and Rising Stars List

[News, 11.3.2022](#)

Vorys Receives 69 Tier One Rankings on 2023 *U.S. News – Best Lawyers* "Best Law Firms" List

[News, 8.18.2022](#)

115 Vorys Attorneys Named to the 29th Edition of The Best Lawyers in America® List; 33 Vorys Attorneys Named to Best Lawyers: Ones to Watch in America List

[8.18.2022](#)

Ten Vorys Attorneys Included in the 29th Edition of Best Lawyers: "Lawyers of the Year"

[News, 7.11.2022](#)

Osterlund Selected to Serve as President of the Cincinnati Bar Foundation

[6.29.2022](#)

59 Vorys Attorneys Included in 2022 *Columbus CEO's Best Lawyers*

[6.21.2022](#)

Vorys Wins 7-2 at U.S. Supreme Court in *Marietta Memorial Hospital Employee Health Benefit Plan v. DaVita Inc.*

[6.16.2022](#)

Vorys Professionals Receive Awards at the CMBA 2022 Annual Meeting

[4.8.2022](#)

Scrutton Featured in Conversations with AHLA Leaders Podcast

[3.31.2022](#)

Female-Owned Businesses Get Ahead with the Vorys Initiative for Business Empowerment

[News, 1.4.2022](#)

More Than 40 Vorys Attorneys Included on Ohio Super Lawyers and Rising Stars Lists

[News, 1.3.2022](#)

Vorys Elevates 13 to Partner

[News, 11.4.2021](#)

Vorys Receives 81 Tier One Rankings on 2022 *U.S. News – Best Lawyers* "Best Law Firms" List

[News, 11.5.2020](#)

Vorys Receives 68 Tier One Rankings on 2021 *U.S. News – Best Lawyers* "Best Law Firms" List

News, 6.23.2020

Albers Quoted in *Modern Healthcare* Story Titled “After Pandemic-Induced Delays, Healthcare Deals Should Speed Up”

News, 5.13.2020

Scrutton Elected to American Health Law Association’s Board of Directors

News, 10.18.2016

Ishee Quoted in *ACP Hospitalist* Story Titled “Resisting Ransomware”

News, 7.19.2016

Scrutton to Chair AHLA’s Behavioral Health Task Force

News, 1.4.2016

Albers Quoted in *Crain’s Cleveland Business* Story Titled “Northeast Ohio’s Leaders Break Out Their Crystal Balls”

News, 7.7.2015

Vorys Partners Appointed to American Health Lawyers Association Leadership Positions

News, 6.26.2015

Havens Quoted in *Law360* Story Titled “Attorneys React To Supreme Court’s ACA Save”

News, 5.15.2015

Havens Included on *Columbus Business First’s* “20 People to Know in Health Care” List

News, 4.27.2015

Ford Quoted in *Akron Legal News* Story Titled “Battle Over New Overtime Pay Regulations for Direct Care Workers Continues”

News, 3.27.2015

Havens Profiled in *Columbus Business First* Story Titled “Jolie Havens: Young, Female and Making Law Firm History at Vorys”

News, 11.11.2014

Reisz, Canowitz Featured in *Behavioral Healthcare* Story Titled “Be Wary of Copy-and-Paste EHR Mistakes”

News, 7.23.2014

Havens Quoted in *Columbus Dispatch* Story Titled “Appeals Courts at Odds over Insurance Subsidies”

News, 7.1.2014

Havens Quoted in *Law360* Story Titled “Lawyers Weigh In On Supreme Court’s Hobby Lobby Ruling”

News, 6.6.2014

Vorys Continues Houston Office Expansion with Experienced Health Care Attorney



News, 2.3.2014

Albers Quoted in *Crain's Cleveland Business* Story Titled "Bringing Two Hospitals Together is a Complex Process"

News, 10.29.2013

Scrutton Named Vice-Chair of AHLA Behavioral Health Task Force

News, 8.2.2013

Gertmenian Quoted in Story Titled "Columbus Firm Lancaster Pollard Defines Focus to Grow Business"

News, 8.2.2013

Bissinger Quoted in Two Stories on Real Estate Financing

News, 5.24.2013

Thirty-nine Vorys Attorneys included in 2013 *Chambers USA* Guide

News, 5.7.2013

Whitaker Quoted in Cincinnati *Business Courier* Story, "A Deeper Look at What Could Happen in Chemed's Federal Lawsuit"

News, 3.19.2013

Vorys Partners Profiled in *LEAD Cincinnati* Magazine Story Entitled "Preparing for the Affordable Care Act"

News, 1.8.2013

Vorys Named Go-To Law Firm for Tenth Straight Year by Fortune 500 Clients

News, 11.26.2012

Albers Featured in *Crain's Cleveland Business*' "Who to Watch in Law"

News, 11.19.2012

Albers Quoted in *Crain's Cleveland Business* Story titled "Hospitals Fear Effect of Fall off Fiscal Cliff"

News, 11.1.2012

Vorys Receives 63 Tier One Rankings on 2013 *U.S. News - Best Lawyers* "Best Law Firms" List

News, 8.23.2012

126 Vorys Attorneys included in the 2013 *The Best Lawyers in America*® List

News, 7.20.2012

Havens Discusses the Affordable Care Act's Impact on Employers on the Ohio News Network

News, 6.29.2012

Four Vorys Attorneys Quoted in News Stories About U.S. Supreme Court Affordable Care Act Decision

News, 4.10.2012

Albers Featured in *Healthcare Finance News* Story on Affordable Care Act's Physician Payments Provision

News, 3.1.2012

Vorys Strengthens Technology and Intellectual Property Group

News, 12.16.2011

75 Vorys Attorneys Recognized as 2012 Ohio Super Lawyers and Rising Stars

News, 11.1.2011

Vorys Ranked a "Best Law Firm" in 26 National and 47 Metropolitan Categories in *U.S. News - Best Lawyers* List

News, 6.10.2011

26 Vorys Attorneys Featured in 2011 Edition of *Chambers USA*

News, 4.5.2010

Vorys Expands Health Care Practice with Addition of Robin P. Bravchok

News, 9.22.2009

Albers Named Outstanding Hospital Lawyer

News, 7.21.2009

Buckley quoted in *American Medical News* article "Ohio court blocks sweeping records disclosure"

News, 11.2008

Smith and Bridgman quoted in *The Daily Reporter* article "Economy may be first concern for Obama, but labor-related issues follow close behind"

News, 11.2008

Cary quoted in Employment Law360 article "Obama Victory Heralds Revamp of Employment Law"

News, *Business First*, 9.19.2008

Cary quoted in *Business First* article "Sick-time debate chills in Ohio as battle shifts to Washington"

## Publications

1.13.2023

FTC Proposes Rule to Ban Non-Compete Agreements

Client alert, 10.17.2022

*RCPA v. DHS/ODP*: What Pennsylvania Providers of Services to Individuals with A/ID Need to Know

Client alert, 9.21.2022

Licensure Deadline Fast Approaching for Agencies Offering Home Health Care and Non-Medical Home Health Care

Authored article, 2.18.2022

Pennsylvania ODP Rate Changes Coming February 26: What Providers Need to Know

[Client alert, 1.13.2022](#)

Supreme Court Stays OSHA ETS – Allows CMS Mandate to Take Effect

[Client alert, 12.29.2021](#)

Expiration of OSHA's Healthcare ETS and Update on CMS Mandate

[Client alert, 12.23.2021](#)

Federal Vaccine Mandates End-of-Year Roundup

[Client alert, 12.1.2021](#)

Federal Court Issues National injunction blocking CMS Vaccine Mandate

[Client alert, 11.5.2021](#)

CMS Issues COVID-19 Vaccine Mandate for Health Care Staff

[Client alert, 9.10.2021](#)

CMS to Expand COVID-19 Vaccination Mandate to Hospitals, Home Health Agencies and Other Health Care Settings

[Client alert, 8.20.2021](#)

*Health Care Alert:* CMS to Mandate COVID-19 Vaccinations for Nursing Home Staff

[Client alert, 7.21.2021](#)

Long-Awaited Ohio Law to Require Hospital Licensure Signed into Law

[Client alert, 6.11.2021](#)

OSHA Adopts Emergency Temporary Standard for Health Care Settings

[Client alert, 3.12.2021](#)

CMS and CDC Release Updated Nursing Home Visitation Recommendations

[Client alert, 1.26.2021](#)

Advance Access to Prices for Health Services Coming in 2022

[Client alert, 1.20.2021](#)

Fifth Circuit Vacates HIPAA Penalty Against M.D. Anderson

[Client alert, 12.15.2020](#)

The Coming Vaccines and the Coming Workplace Dilemmas with Mandatory Vaccinations

[Client alert, 12.11.2020](#)

*Health Care Alert:* PREP Act Amendment Preempts State-Law Restrictions on the Use of Telehealth with Respect to "Covered Countermeasures"

[Client alert, 12.2.2020](#)

New Coronavirus Relief Funding Available to Help Improve Indoor Air Quality at Ohio Nursing Homes, Assisted Living Facilities, and Adult Day Care Centers

[Client alert, 11.24.2020](#)

Ohio Enacts Additional COVID-Related Immunity Legislation

[Client alert, 10.29.2020](#)

*Health Care Alert:* ONC Issues Interim Final Rule Delaying Compliance Date for New “Information Blocking” Rules

[Client alert, 10.9.2020](#)

*Health Care Alert:* Ohio Issues Indoor Visitation Order for Assisted Living Facilities and Nursing Homes

[Client alert, 10.6.2020](#)

*Health Care Alert:* New HHS CARES Act Provider Relief Fund General Distribution Targets Behavioral Health Providers

[Authored article, Columbus Bar Association, 10.2.2020](#)

Mandatory COVID Vaccinations: There is No Vaccine Against Legal Risk

[Client alert, 8.4.2020](#)

*Health Care Alert:* New Executive Order Requires Agency Action on Telehealth, Rural Health Care

[Client alert, 7.24.2020](#)

HHS Renews Public Health Emergency Declaration

[Client alert, 6.10.2020](#)

*Health Care Alert:* HHS Announces Targeted Allocations of Provider Relief Funding for Medicaid and CHIP Providers, Safety Net Hospitals

[Client alert, 6.5.2020](#)

*Health Care Alert:* HHS CARES Act Relief Funding Guidance Addresses Provider Compliance Obligations, Highlights Potential FCA Risk

[Client alert, 5.29.2020](#)

Ohio Board of Tax Appeals Reverses Course on Real Property Tax Exemptions for Permanent Supportive Housing Facilities

[Client alert, 5.27.2020](#)

*Health Care Alert:* Have You Relied on the Stark Law Blanket Waivers? Now is the Time to Act.

[Authored article, Columbus Bar Lawyers Quarterly, Spring 2020](#)

HIPAA Compliance 2020

[Client alert, 5.20.2020](#)

*Health Care Alert:* OMHAS Reopening Guidance Requires Universal Screenings, New and Updated Policies and Procedures

[Client alert, 5.12.2020](#)

*Health Care Alert:* Life After COVID-19 - What About Unified Hospital Medical Staffs?

### Client alert, 5.8.2020

*Health Care Alert:* CMS Issues QSO Explaining Interim Final Rule on Reporting of COVID-19 Cases by Nursing Homes

### Client alert, 4.23.2020

Congress Passes Bill Extending Small Business Loan Programs and Providing Emergency COVID-19 Response Funding

### Client alert, 4.21.2020

*Health Care Alert:* ODM Seeks Federal Approval to Waive Regulatory Requirements, Amend State Plan

### Client alert, 4.20.2020

*Health Care Alert:* New NIH Process for Evaluation of Antibody Tests May Offer Increased Confidence, Protection for Providers

### Client alert, 4.16.2020

*Health Care Alert:* Ohio Orders Nursing Homes, Residential Care Facilities, and Licensed Developmental Disabilities Facilities to Notify Residents, Sponsors, and Guardians of COVID-19 Cases

### Client alert, 4.1.2020

*Health Care Alert:* HHS Issues Sweeping Relief for Potential Stark Law Concerns in Battling COVID-19

### Client alert, 3.31.2020

*Health Care Alert:* Ohio Enacts COVID-19 Related Health Care Measures

### Client alert, 3.30.2020

Ohio Governor Mike DeWine Signs COVID-19 Related Legislation

### Client alert, 3.27.2020

*Health Care Alert:* CARES Act Provides Health Care Industry Unprecedented Funding, Regulatory Flexibilities

### Client alert, 3.25.2020

*Health Care Alert:* FCC Allows Certain COVID-19 Related Health Care "Robocalls"

### Client alert, 3.25.2020

*Health Care Alert:* Texas Announces Series of Additional Health Care Measures in Response to COVID-19 including Mandatory Reporting by Physicians

### Client alert, 3.23.2020

Overview of Ohio Department of Health "Director's Stay at Home Order"

### Client alert, 3.22.2020

Ohio Department of Health Director Issues "Stay at Home Order"

**Client alert, 3.21.2020**

*Health Care Alert:* DHS Issues Advisory “Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response”

**Client alert, 3.20.2020**

*Health Care Alert:* Ohio Releases Emergency Rules Increasing Access to Telehealth

**Client alert, 3.19.2020**

*Health Care Alert:* Changes Affecting Telehealth Due to COVID-19 Pandemic

**Client alert, 3.19.2020**

*Health Care Alert:* Congress Enacts “Phase II” Coronavirus Response Legislation Impacting Testing Coverage and Reimbursement

**Client alert, 3.19.2020**

*Health Care Alert:* Ohio Medicaid to Release Emergency Rules to Expand Access to Telehealth

**Client alert, 3.12.2020**

*Health Care Alert:* Regulators Issue COVID-19 Guidance for Health Care Providers

**Client alert, 3.10.2020**

*Health Care Alert:* EKRA Enforcement in an Era of Minimal Regulatory Guidance

**Client alert, 12.3.2019**

*Health Care Alert:* ICF/IIDs will be Exempt From New Standards for the Management of Hazardous Waste Pharmaceuticals in Ohio

**Client alert, 9.16.2019**

*Health Care Alert:* Medicare and Medicaid Providers to Face New “Affiliation” Reporting Requirements, Expanded Revocation Authorities

**Client alert, 6.20.2019**

*Health Care Alert:* New Texas Privacy Legislation Enhances Notification Requirements in Case of Data Breach

**Client alert, 6.4.2019**

*Health Care Alert:* Ohio EPA Undertakes Rulemaking to Adopt New Federal Standards for Management of Hazardous Pharmaceutical Waste by Ohio’s Health Care Industry

**Client alert, 5.3.2019**

*Health Care Alert:* HHS Exercises Enforcement Discretion to Reduce Maximum Annual Penalties for HIPAA Breaches

**Client alert, 4.22.2019**

*Health Care Alert:* Conviction of Texas Doctors, Surgeons and Health Care Executives Raises Important New Fraud and Abuse Considerations for Providers

**Client alert, 3.27.2019**

*Health Care Alert:* Senate Panel Hears Concerns that ONC's Proposed "Interoperability" Rule Could Expose New Cybersecurity Risks; Comments Due May 3, 2019

**Client alert, 11.20.2018**

*Client Alert:* Ohio Law Cements a Link for Blockchain Technology

**Client alert, 10.22.2018**

*Health Care Alert:* CMS Clarifications to Medicare Requirements for Inpatient Admission Orders Reflect Promising Development for Hospitals

**Client alert, 8.1.2018**

*Health Care Alert:* CMS Proposes New Reimbursement Cuts for 2019 Medicare OPPS – Comments Due September 24

**Client alert, 7.13.2018**

*Health Care Alert:* Top Changes to Watch For in the 340B Drug Discount Program

**Client alert, 8.16.2017**

*Health Care Alert:* DOJ Establishes Opioid Fraud and Abuse Detection Unit to Combat Opioid Epidemic

**Client alert, 8.15.2017**

*Health Care Alert:* House Bill Aims to Align Privacy Rules for Substance Abuse Records with HIPAA

**Authored article, 5.1.2017**

Texas Senate Passes Bill Easing Restrictions on Telemedicine

**Client alert, 12.14.2016**

*Health Care Alert:* OCR Releases Guidance on HIPAA Compliance and Cloud Computing

**Client alert, 11.2.2016**

*Health Care Alert:* Seventh Circuit Reverses Lower Court Denial of Preliminary Injunction in Chicago Area Hospital Merger

**Client alert, 9.29.2016**

*Client Alert:* Third Circuit Reverses Denial of Preliminary Injunction in Pennsylvania Hospital Merger

**Client alert, 9.29.2016**

*Health Care Alert:* Tuomey Ex-CEO Banned From Medicare In \$1 Million Settlement

**Authored article, 9.21.2016**

An Analysis of Legal Issues—Child and Adolescent Behavioral Health, Part II: Consent for Behavioral Health Treatment by Minors

**Authored article, *Becker's Hospital Review*, 7.11.2016**

Significant Reduction to Hospital Provider-Based Reimbursement Looms For New, Off Campus Sites

**Client alert, 2.11.2016**

*Client Alert:* CMS Final Rule Clarifies and Eases Obligation to Report and Return Medicare Overpayments

**Client alert, 2.1.2016**

*Health Care Alert:* Patients and Providers Potentially Benefit from Clinical Affiliations

**Authored article, *Crain's Cleveland Business*, 1.29.2016**

Legislative Action Impacting Medicare Provider-Based Payment Means Big Change for Hospitals

**Client alert, 12.18.2015**

*Health Care Alert:* ICF/IID Two Person per Bedroom Compliance Plans Due By Year End

**Client alert, 11.11.2015**

*Health Care Alert:* Budget Act to Significantly Reduce Hospital Provider-Based Reimbursement For New, Off Campus Sites

**Client alert, 6.18.2015**

*Health Care Alert:* New Proposed CMS Rules Relative to Medicaid Managed Care May Increase Access to Medicaid Behavioral Health Services

**Client alert, 2.10.2015**

*Health Care Alert:* Ninth Circuit Affirms Order Requiring Divestiture of a Hospital-Physician Group Merger

**Client alert, 1.15.2015**

*Health Care Alert:* Federal Court Strikes Down DOL's New Companionship Services Exemption Regulations

**Client alert, 12.5.2014**

*Whistleblower Defense Alert:* Department of Justice Announces Third Straight Year of Record-Breaking False Claims Act Recoveries

**Authored article, *ABA Health Law Section: ESource*, 11.12.2014**

The Out-of-Network Battle Heats Up

**Client alert, 7.15.2014**

*Health Care Alert:* Expansion of Payment for Some Mental Health Telemedicine Services under Medicare Part B

**Authored article, *National Bar Association's Health Law Section Newsletter*, 7.2014**

Mental Health Parity and Addiction Equity Act Parity Analysis is Fine Tuned

**Client alert, 4.28.2014**

*Whistleblower Defense Client Alert:* How To Defeat An Implied Certification Claim

**Client alert, 4.22.2014**

*Health Care Alert:* Sixth Circuit Decision Highlights Importance of Antitrust Considerations in Health Care Consolidation Planning



[Client alert, 4.15.2014](#)

*Health Care Alert:* Speculation on Potential Fall-Out Begins as CMS Releases Medicare Physician Payment Data

[Authored article, \*Law360\*, 3.31.2014](#)

No Settled Answers On State Medicaid Waivers

[Client alert, 2.27.2014](#)

*Health Care Alert:* Aggressive Federal Health Care Fraud and Abuse Actions Result in Record \$4.3 Billion Recovery in 2013

[Client alert, 2.14.2014](#)

*Health Care Alert:* Sixth Circuit Ruling Provides Further Direction on Unpaid Time

[Client alert, 1.29.2014](#)

*Health Care Alert:* OIG Advisory Opinion 14-01 - No Sanctions for Arrangement Where Placement Agency Receive Fees for Referral of New Residents to Senior Communities

[Client alert, 1.27.2014](#)

*Health Care Alert:* CMS Issues Final Rule Regarding Medicaid Home and Community-Based Settings

[Client alert, 12.20.2013](#)

*Health Care Alert:* Ohio Supreme Court Upholds Medicaid Expansion

[Client alert, 9.16.2013](#)

*Health Care Alert:* CMS Makes it More Difficult for Acquiring Entities to Evade Successor Liability

[Client alert, 8.1.2013](#)

*Health Care Alert:* New CMS Requirements for Long-Term Care Facilities that Contract with Hospice Providers

[Client alert, 7.2.2013](#)

*Labor and Employment Alert:* *University of Texas Southwestern Medical Center v. Nassar*: Court Requires High Standard In Title VII Retaliation Cases

[Client alert, 4.26.2013](#)

*Health Care Alert:* CMS Proposed Rule Would Establish Powerful New Measures for Uncovering and Combating Medicare Fraud

[Authored article, \*American Health Lawyers Association's Business Law & Governance\*, 4.2013](#)

The Rise of Hospital Outpatient Departments in the Era of Decreased Provider Reimbursement

[Client alert, 1.18.2013](#)

*Health Care Alert:* HHS Previews Long-Awaited Final Omnibus HIPAA Rule

[Client alert, 12.7.2012](#)

*Health Care Alert:* IRS Issues Final Regulations on ACA Medical Device Excise Tax

Client alert, 11.14.2012

*Health Care Alert:* ICF Licensure conversion from ODH to DODD

Authored article, *American Health Lawyers Association's HIT News*, 11.2012

Accountability in Cross-Jurisdictional Telemedicine and Health

Client alert, 5.15.2012

*Health Care Alert:* CMS Issues Rules Targeted At Reducing Compliance Burdens on Providers

Client alert, 4.4.2012

*Health Care Alert:* Ohio Department of Health Publishes County Need Information for Inter-County Bed CON Applications Submitted July 2, 2012 through July 30, 2012

Client alert, 4.4.2012

*Health Care Alert:* State Medical Board of Ohio Declares that Ohio Law Does Not Prohibit the Corporate Practice of Medicine

Client alert, 11.4.2011

Nonprofit Hospitals' Tax-Exempt Status Again in Spotlight

Client alert, 11.3.2011

*Health Care Alert:* CMS Releases Interim Final Rule for ACO Fraud & Abuse Waiver Provisions

Client alert, 10.26.2011

Client Alert: DOJ and FTC Release Antitrust Policy for ACOs

Client alert, 4.6.2011

*Client Alert:* Proposed Accountable Care Organization Regulation Published

Client alert, 1.20.2011

CMS Proposes Rule to Implement Medicare Inpatient Hospital Value-Based Purchasing Program

Client alert, 11.22.2010

*Client Alert:* With Continued Uncertainty Regarding Exemptions, Now Is the Time to Manage Property Taxes Proactively

Client alert, 7.20.2010

*Client Alert:* Summary of Health Care Reform Impacts on Long Term Care Providers

Client alert, 6.23.2010

*Labor and Employment Alert:* Medical Interns and Residents Have Right to Organize Under The National Labor Relations Act

Authored article, *Compliance Today*, 7.1.2009

"Compliance with the new Mental Health Parity and Addiction Equity Act"

Authored article, 12.19.2008

"It's the End of the False Claims Act As We Know It"

Where It Began, Where It's Been and Where It May Be Going

Client alert, 10.2008

*On the Horizon in Health Law*

Authored article, 9.10.2008

"The EFCA's Destruction of Workplace Democracy"

Client alert, 5.2008

*On the Horizon in Health Law*

May/June 2008

Client alert, 11.2007

*On the Horizon in Health Law*

Client alert, 7.2007

*On the Horizon in Health Law*

Authored article, 7.2006

*On the Horizon in Health Law*

## Speaking Engagements

Event, 10.27.2022

Ohio Provider Resource Association's Fall Conference

Event, 9.13.2022

2022 American Society for Health Care Risk Management Annual Meeting

Event, 8.17.2022

Vorys Attorneys Speak at Ohio Provider Resource Association Healthcare Committee Meeting

Event, 5.6.2022

Vorys Attorneys Speak at the Ohio Provider Resource Association's Spring Conference

11.8.2021

OSHA's Private-Sector Vaccination/Testing Mandate

9.30.2021

Vorys On Call: Coronavirus *Return to Work Preparedness*

9.9.2020

Opportunity Update: New Federal Initiatives to Support Rural Health Care Providers Webinar

7.9.2020

Vorys On Call: Coronavirus - Return to Work Preparedness

6.26.2020

HIT and eHealth after COVID-19 Legal and Policy Considerations

6.17.2020

Accessing Medicaid Provider Relief Funding — Strategies and Best Practices

4.16.2020

Vorys on Call: Coronavirus

4.1.2020

Webinar: Health Care Regulatory Issues Related to COVID-19

2.19.2020

What is "Fair," Anyway? A Physician Hearing Survival Guide

1.22.2020

2020 Vision: Behavioral Health Compliance Trends To Watch

1.15.2020

Peer Review Primer: Do's, Don't's, and Why They Matter

11.20.2019

What Keeps Jill Up at Night? A General Overview of Health Care Compliance

10.16.2019

2019 Vorys Benefits Columbus Conference

9.11.2019

2019 Vorys Benefits Cincinnati Conference

8.21.2019

New Rules for the Management of Hazardous Waste Pharmaceuticals are Effective... Now What?

6.26.2019

COAACC Classroom

6.19.2019

Dazed and Confused: Regulatory Uncertainty Around Cannabis in Ohio and What You Need to Know to Evaluate Your Risk

4.24.2019

American Health Lawyers Association Convener Session

11.30.2018

CLE Conference

11.29.2018

Negotiating Physician Employment Agreements

10.29.2018

The 29th Annual National Institute on Health and Welfare Benefit Plans

10.25.2018

Legal Developments and Concerns for Medical Professionals

10.25.2018

2018 Ohio Provider Resource Association Fall Conference

8.29.2018

LeadingAge Ohio 2018 Annual Conference and Trade Show

8.27.2018

2018 International Association of Official Human Rights Agencies Annual Conference

8.21.2018

13th Annual Ohio Employee Health & Wellness Conference

7.27.2018

The Addiction Studies Institute

6.5.2018

Ohio Hospital Association Annual Conference

5.2.2018

2018 OHCA Annual Convention and Expo

4.23.2018

26th Annual Conference of Public College and University Attorneys

HIPAA, 2018: Compliance, Pitfalls, Challenges, and Solutions

4.16.2018

22nd Annual Compliance Institute

Hosted by the Health Care Compliance Association

4.3.2018

Opioid Symposium: Education, Strategies and Best Practices for Public Libraries

Hosted by the Ohio Library Council

3.19.2018

2018 OHIMA Annual Meeting & Trade Show

1.10.2018

Group Health Plan Challenges (Florida West Coast Employee Benefit Council, 2018)

11.2.2017

2017 Akron Labor and Employment Seminar

10.6.2017

Annual Fall Ohio Conference

10.5.2017

2017 JASCO Economic Business Seminar

10.4.2017

2017 Health Care Law Institute

Hosted by the Ohio State Bar Association

10.4.2017

Ohio Athletic Conference Professional Development Conference

9.25.2017

Mental Health Parity (Health and Welfare Benefit Plans National Institute, 2017)

9.13.2017

HIPAA Webinar Series: Hot Topics in Telehealth

9.12.2017

Cybersecurity, Privacy and Other Legal Issues Surrounding Emerging Technologies and the “Internet of Things”

Hosted by the ACC Houston Chapter

9.11.2017

Ohio Chemistry Technology Council Member Retreat & Golf Outing

Fireside Chat

8.13.2017

2017 International Legal Technology Association Conference

6.21.2017

Top 10 HIPAA Compliance Pitfalls

3.17.2017

Ohio State Medical Association Education Symposium

2.6.2017

Pediatric Behavioral Health Care: A Case Study of Legal Issues Related to Treatment, Consent and Privacy

Hosted by the American Health Lawyers Association

12.14.2016

Getting Your Compliance Board Into Compliance

10.20.2016

2016 Ohio Council of Behavioral Health & Family Service Providers' Annual Conference

5.13.2016

Health Care Fraud & Abuse CLE

Hosted by Vorys, Sater, Seymour and Pease LLP

5.2.2016

2016 ANCOR Conference

4.15.2016

Institute on Medicare and Medicaid Payment Issues

Hosted by the American Health Lawyers Association

11.4.2015

2015 OPRA Fall Conference

7.16.2015

Webinar: CMS Regulations Regarding Managed Care

Hosted by Vorys, Sater, Seymour and Pease LLP and Vorys Health Care Advisors

6.8.2015

2015 Ohio Hospital Association Annual Meeting

4.24.2015

The Rise of Employer-Based Wellness Initiatives and Medical Clinics

Hosted by the American Health Lawyers Association

3.25.2015

Institute for Medicare and Medicaid Payment Issues Conference

Hosted by the American Health Lawyers Association

10.21.2014

2014 OPRA Fall Conference

10.2.2014

Ohio Council of Behavioral Health & Family Services Providers Annual Conference

9.15.2014

Veterans Wraparound Project

9.10.2014

The National Loss Team Conference

Hosted by The Ohio Suicide Prevention Foundation

5.20.2014

The Current Marketplace of Health Care Consolidation

5.19.2014

Ohio Assisted Living Association Spring Conference

5.15.2014

Long-Term Care Conference

7.25.2013

Ohio Mental Health & the Law 2013

Hosted by the Health Education Network

7.25.2013

Webinar: 2014-2015 Ohio Budget Wrap-Up

Presented by Vorys, Sater, Seymour and Pease LLP, Vorys Advisors LLC and Vorys Health Care Advisors LLC

7.22.2013

Medical Malpractice Seminar

Hosted by the Ohio State Bar Association

6.25.2013

Webinar: Voluntary Disclosure and the False Claims Act

Presented by Vorys, Sater, Seymour and Pease LLP

5.21.2013

HIPAA Privacy and Security Rules: The New Breach Standard

Presented by Vorys, Sater, Seymour and Pease LLP

5.17.2013

Mental Health and Criminal Justice Summit

Presented by the National Association on Mental Illness



5.9.2013

The Many Faces of Mental Illness Conference

4.23.2013

HIPAA Privacy and Security Rules: Business Associate Challenges

Presented by Vorys, Sater, Seymour and Pease LLP

3.19.2013

HIPAA Privacy and Security Rules: Updated Privacy Rule Changes

Presented by Vorys, Sater, Seymour and Pease LLP

3.11.2013

HIPAA, HITECH and Confidentiality Training

Hosted by the Ohio Council of Behavioral Health and Family Service Providers

2.21.2013

How the Governor's Executive Budget Impacts Providers

Presented by Vorys, Sater, Seymour and Pease LLP

2.7.2013

Webinar: HHS Releases Long-Awaited Final Omnibus HIPAA Rule

Presented by Vorys, Sater, Seymour and Pease LLP

11.5.2012

2012 OALA Fall Conference: How Medicaid and Payment Reforms Impact Assisted Living Providers

Presented by the Ohio Assisted Living Association

9.25.2012

2012 OPRA Fall Conference: Implications of the Health Care Reform Law for DD Providers

Presented by the Ohio Provider Resource Association

9.9.2012

Health Reform is Constitutional - What Should Employers Do Now?

Presented by the Ohio Council for Home Care and Hospice Fall Conference & Tradeshow

8.29.2012

LeadingAge Ohio 2012 Annual Conference

Presented by LeadingAge Ohio

7.24.2012

The ACA is Constitutional: What It Means for Employers

Presented by Vorys, Sater, Seymour and Pease LLP

7.2.2012

The U.S. Supreme Court Decides on the Affordable Care Act, What Happens Now?

Presented by Vorys, Sater, Seymour and Pease LLP and Vorys Health Care Advisors

6.1.2012

E-Discovery: Reducing Risk & Cost

Presented by Vorys, Sater, Seymour and Pease LLP

5.24.2012

Electronic Medical Records Under the Microscope

Presented by the Akron Bar Association

4.27.2012

28th Annual Health Care Law Institute

Presented by the Cleveland Metropolitan Bar Association

3.22.2012

New CMS Proposed Rule Implements 60-Day Deadline for Reporting and Return of Overpayments - But What Does it Really Mean?

Presented by Vorys, Sater, Seymour and Pease LLP

2.10.2012

Ohio Township Association Winter Conference

Ohio Township Association

1.19.2012

You've Got Tax-Exempt Bonds! Now What?: Tax-Exempt Bond Compliance for Health Care Entities

Presented by Vorys, Sater, Seymour and Pease LLP

10.27.2011

Health Care Contracting in the 21st Century

Presented by Vorys, Sater, Seymour and Pease LLP

10.25.2011

OPRA 2011 Fall Conference Health Care Reform: Implications for Providers

Presented by the Ohio Provider Resource Association

10.25.2011

Masters Series: Health Care Law

Presented by the Columbus Bar Association

9.23.2011

OSHRM/SOHA 2011 Fall Conference

Presented by the Ohio Hospital Association

7.29.2011

Labor and Employment Law Developments for the Health Care Employer

2011 Health Care Teleseminar Series

5.26.2011

Avoiding and Defending Medical Malpractice Claims

2011 Health Care Teleseminar Series

5.11.2011

Collateral Consequences and Concerns in Representing the Health Care Client

Presented by the Akron Bar Association Health Law Section

4.28.2011

Health Care Reform: What You Need to Know About the Proposed ACO Regulations

2011 Health Care Teleseminar Series

3.31.2011

Health Care Reform Update: False Claims Act Compliance & Health Plan Mandates

2011 Health Care Teleseminar Series

2.16.2011

"Most Favored Nation" Clauses in Health Care: What is All the Fuss About?

2011 Health Care Teleseminar Series

1.27.2011

Vorys Teleseminar: Meaningful Use and Physician Integration Strategies

2011 Health Care Teleseminar Series

10.20.2010

2010 OANH Annual Convention - New Frontiers in Medicaid Litigation: Federal Court Legal Challenges to State Medicaid Reimbursement Rates

Presented by the Ohio Academy of Nursing Homes

9.17.2010

HITECH Compliance for Health Providers and Health Plans

A Joint Meeting of the Ohio Society of Healthcare Risk Managers (OSHRM) and the Society of Ohio Healthcare Attorneys (SOHA)

2.5.2010

Preparing for the 2010 Proxy and Annual Report Season

Presented by Vorys, Sater, Seymour and Pease LLP

## Provider Types

### Behavioral Health Care, Developmental Disabilities and Child Welfare

Our attorneys have extensive experience representing organizations and professionals involved in the field of behavioral health (mental health and alcohol and drug treatment and prevention), developmental disabilities (DD) and child welfare. We represent a variety of statewide trade associations in the behavioral health and DD fields on numerous issues, including systemic regulatory and reimbursement matters, as well as the development and implementation of Medicaid waiver programs. We work with trade association leadership on a day to day basis and understand the challenges faced by associations and their members not only with regard to specific regulatory issues but also as employers in a highly regulated industry.

We represent providers with Medicaid managed care contracting issues and understand the unique challenges that providers face as Medicaid managed care is rolled out to include specialty populations where the individuals served are particularly vulnerable.

We have represented many providers before state agencies, have negotiated contracts with various payors and have provided reimbursement counseling on complex Medicaid and Medicare reimbursement matters. Our attorneys not only understand the more traditional institutional programs, but also are very experienced in the home and community-based Medicaid waiver programs, including 1915 and 1115 Medicaid waivers, as well as all types of community-based programming.

### Hospitals and Health Systems and Ancillary Services

Our firm assists providers in health care operations, including advising institutions and their medical staffs and boards on governance issues. Our attorneys represent hospitals and physicians in matters such as medical staff bylaws, rules and regulations, institutional review boards, TJC accreditation, advance directives, medical records, bioethics and other operational issues.

Whether the matter involves the day-to-day operations of a hospital or health system or issues associated with regulatory compliance, complex litigation, corporate compliance, board governance, medical staff issues, fraud and abuse or payor and reimbursement arrangements, our attorneys are fully equipped to address client needs. We serve as outside counsel for many hospitals, health systems, nursing homes and other long-term care facilities, skilled nursing facilities and other health care institutional providers. We also represent physicians, physician groups, home health agencies, ambulatory surgery centers, diagnostic centers and other outpatient service providers. We also assist in creating and implementing professional liability self-insurance plans.

### ACADEMIC MEDICAL CENTERS

Vorys has extensive experience dealing with the unique issues faced by academic medical centers. We represent medical schools, teaching hospitals, faculty practice plans, research institutes and affiliated organizations throughout Ohio and around the country. We have assisted academic medical centers in all aspects of their operations. Our attorneys have extensive knowledge and experience in fraud and abuse, federal Anti-Kickback Statute and Stark Physician Self-Referral Laws. We counsel our academic medical center clients in connection with the formation, operation, and tax exemption of faculty practice plans, internal compliance audits, the consequences of the various payment arrangements that exist among teaching hospitals, medical schools, and faculty physicians and the increasingly complex interplay of Institutional Review Boards, the FDA and industry sponsored clinical trials and human subject research. All of this, coupled with Vorys' extensive history representing colleges and universities, provides Vorys the background and experience to offer our academic medical center clients comprehensive legal representation.

### JOINT VENTURES/HOSPITAL-PHYSICIAN COLLABORATIONS

Our lawyers provide advice on health-related business transactions, such as structuring joint ventures between hospitals and physicians, forming and re-syndicating ambulatory surgery centers, physician employment and structuring and operating other ancillary service providers, including diagnostic imaging centers. We are also experienced at unwinding joint ventures in the event that subsequent regulatory changes raise legal issues or frustrate the strategic purpose of the joint venture. We understand the complexities of hospital-based and freestanding arrangements, and we counsel clients on ownership/investment issues, structural and operational considerations, supervision requirements and reimbursement concerns to ensure compliance with the array of regulatory issues that affect health care transactions. Most importantly, we listen to our clients and draw on our experience and creativity to provide solutions that achieve their business objectives.

### MANAGED CARE

Our attorneys are experienced in dealing with the issues that arise in the relationship between health care providers and managed care organizations. We have assisted health care providers with the design and implementation of integrated delivery systems, including physician-hospital organizations and management services organizations. We have created and represented health maintenance organizations (HMOs) and health insuring corporations (HICs). We also have assisted health care clients with contract negotiations with managed care organizations.

## Practitioners

Our attorneys have assisted and advised a variety of healthcare practitioners, including physicians, nurses, advance practice nurses, physician's assistants, social workers, counselors, substance use disorder providers and others, regarding scope of practice, ethical and billing issues. We have represented and defended licensed practitioners in actions and investigations brought by state licensing boards. We have extensive knowledge of the wide range of state and federal laws and regulations which affect Practitioners, and their ability to care for their patients and bill for their services. Our attorneys provide a wide range of services, including contract review, regulatory analysis and business advice to aid these practitioners in delivering services.

## Long Term Care and Senior Care

### LONG TERM CARE FACILITIES

Our attorneys understand the complexities of the long-term care business. We represent nursing homes, residential care/assisted living facilities, independent living facilities, continuing care retirement communities (CCRCs), intermediate care facilities for individuals with intellectual disabilities and group homes. We frequently counsel clients on regulatory issues, including licensure and certification, certificate of need, compliance, survey and enforcement, changes of ownership, Medicare, Medicaid, and business and clinical operations.

Our attorneys are well versed on the latest regulatory initiatives that may impact long-term care providers and have represented providers in matters pending before numerous federal and state regulatory bodies and provide expert assistance with governmental and internal investigations and audits. We are also experienced in transactional matters, and assist clients with dispositions, mergers, acquisitions and complex joint ventures, including assistance with Medicare, Medicaid, diligence, state and federal filings, and preparation and negotiation of contracts.

### HOME HEALTH

Our attorneys frequently counsel existing and startup home health agencies regarding compliance, surveys, licensing and certification, accreditation, changes of ownership and locations, business and operational issues, contracts, defense of fraud and abuse allegations and Medicare Conditions of Participation issues. We also assist home health agencies with policies and procedures, reimbursement issues, and audits and overpayment issues. Our attorneys have vast experience with transactional matters, including acquisitions and complex joint ventures, and assist with diligence, Medicare, state and federal filings and contracts.

### HOSPICE AND PALLIATIVE CARE PROVIDERS

Our attorneys have broad experience in the full range of legal and regulatory issues impacting hospice and palliative care providers. Our attorneys counsel hospice and palliative care providers on regulatory matters, surveys, audits, complex reimbursement, contracts, including agreements with other providers, DME, and vendors, corporate structuring, program development and transactions, including mergers, acquisitions and complex joint ventures. Our attorneys are also experienced in fraud and abuse issues (Anti-kickback

Stark and False Claims Act) and Medicare Conditions of Participation as they relate to specific hospice program issues.

