

Healthcare

Ever since healthcare law emerged as a separate legal specialty, Clark Hill attorneys have been representing clients in all aspects of the industry. As in all other aspects of our practice, our philosophy is to use our years of experience, industry knowledge and legal experience to ensure our clients achieve their goals. Over the years, we have successfully represented:

- Academic medical centers
- Ambulatory surgery centers
- Assisted living facilities
- Chiropractors and chiropractic clinics
- Dentistry and oral surgery practices
- Durable medical equipment companies
- Healthcare systems
- Healthcare management companies
- Healthcare trade associations
- Health plans
- Home health agencies
- Hospice; hospitals (nonprofit and for-profit)
- Intermediate care facilities
- Intermediate care facilities/MR
- Independent diagnostic testing facilities (IDTF)
- Imaging centers; managed care companies
- Mobile imaging companies
- Multi-specialty physician groups
- Pharmacies
- Physicians and physician groups
- Sleep disorder centers

We pride ourselves on a team approach to legal issues - and healthcare law is no different. As part of this full circle philosophy, our healthcare clients have the ability to utilize the experience of the entire firm, whether your legal needs encompass anti-trust compliance, corporate real estate matters, construction, engineering, employee relations, employee benefits, nonprofit tax issues, bond financing, litigation, white-collar criminal defense, immigration and managed care contract review and negotiation.

Whether undertaking an acquisition or expansion of business, assisting in the formation of new and innovative healthcare groups, or advising individual physicians on various legal matters, we seek to add value to our clients' business. We are uncompromising in our drive to gain knowledge of our clients' specialties. Also, we are conscious of the pressures felt by our clients, and endeavor to achieve the desired results in an efficient, effective and cost-effective manner.

Healthcare law encompasses a broad spectrum of legal issues, and our attorneys have extensive experience covering a vast range of areas.

Certificate of Need

Obtaining a Certificate of Need from the state is essential for any new, merging or upgrading healthcare facility. With years of experience navigating governmental regulations at every level, our attorneys can provide clients with the service they need to ensure they will be compliant. Whether it is for a new healthcare system or hospital, a long-term care facility, an upgrade or addition to an existing facility, or a merger between two existing facilities, we can assist our clients in obtaining this crucial documentation.

HIPAA and Privacy Laws

Our attorneys have extensive experience working with privacy and security issues that are an integral part of any healthcare endeavor. We offer a wide variety of services designed to help our clients navigate the complex regulatory, security, privacy and transactional issues that come into play under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). From consulting with and educating our clients regarding standards and practices to guarantee HIPAA compliance, to the development of ironclad policies and procedures, to reviews of group health plans, documents and privacy notices, to establishing electronic medical records systems, to working



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with centralized health records clearinghouses at the state and federal levels, our attorneys make sure that both patient rights and recipient rights are protected at every level.

Medical Staff Relations

The legal issues that can come into play with medical staffing require a deep and widespread knowledge of healthcare law, labor and employment law, litigation, contracts, and government, to name just a few. As part of our holistic approach, every client can rely on our firm's collective capabilities for any legal concern that may arise. Each of our attorneys has the experience and the knowledge to ensure that any medical staff issues will be addressed and resolved to their satisfaction. We can assist you with medical staff concerns including:

- Credentialing
- Certification
- Accreditation
- Staff processes
- Procedures and bylaws
- Staff disputes and litigation
- Peer and quality review policies and procedures
- Databank reporting
- Disruptive or impaired practitioners

Medicare and Medicaid Reimbursement

Our attorneys advise clients on matters of Medicare, Medicaid, and third-party reimbursement issues. Payment concerns are naturally of the utmost importance to every healthcare system, medical practice and care provider, and we are well versed in the many laws and regulations that impact this crucial component of the healthcare industry.

We work with a wide range of healthcare clients, from hospital systems to individual providers through assisting them with billing practices, making sure they remain in compliance with government and industry regulations, negotiating favorable settlements and establishing relationships with Medicare, Medicaid, and other third-party payors. We assist our clients by proactively assessing and helping to prevent potential risk areas such as false claims, fraud and abuse, and bad debt collection issues.

Stark Law & Anti-Kickback Analysis

Our attorneys are ready to guide our clients through the complexities of federal and state fraud and abuse laws, including Stark and anti-kickback laws. We help clients interpret how the various laws and regulations impact everything from contracts and electronic medical records subsidies to joint ventures, patient programs, prompt pay discounts, and co-pay waivers. From simple, one-time explanations to complete, long term legal analysis of ongoing issues, we are prepared to help our clients determine the proper plan of action.