

Medical Education

Academic medical centers and teaching hospitals confront many legal, compliance, and operational issues distinct from those facing other providers and facilities. At Hooper, Lundy & Bookman, we have substantial experience working with medical education clients and the focused knowledge needed to safeguard their interests.

HLB regularly counsels academic medical centers and teaching hospitals on reimbursement, affiliations, accreditation, and other operational requirements impacting medical education programs, drawing on the talents of our health care attorneys who focus their practices on these nuanced issues.

We are particularly well-versed in Direct Graduate Medical Education (DGME) and Indirect Medical Education (IME) reimbursement matters and have helped providers across the country comply with these complex rules and have favorably resolved numerous reimbursement disputes. This includes counseling clients on issues such as the intern and resident full-time equivalent cap, per-resident amounts, bed counting, rural training programs, new training programs, fellow penalty, teaching physician supervision guidelines, moonlighting compliance, accreditation matters, GME affiliation agreements, and resident rotation and employment matters.

Our attorneys complement their medical education knowledge and experience with the positive relationships they have cultivated with regulators at the Centers for Medicare & Medicaid Services (CMS) that allows for valuable dialogue on intricate legal questions and facilitates efficient resolutions. HLB also serves as Provider Reimbursement Review Board (PRRB) appeal counsel for medical education-related issues and has obtained numerous successful outcomes in reimbursement appeals.

To serve all the medical education legal needs of academic medical centers and teaching hospitals, HLB's representation includes:

- Advocating for appropriate medical education reimbursement through PRRB appeals and/or other regulator communication.
- Counseling regarding IME/DGME reimbursement issues.
- Drafting GME affiliation agreements, resident and medical student rotation agreements, and resident employment agreements.
- Advising on applying federal and state fraud and abuse and physician self-referral laws in the medical education context.
- Advising teaching hospitals on legislative and regulatory opportunities to expand GME reimbursement.
- Medical staffing issues, including counsel on residents/fellows' employment, licensure, and faculty-specific matters and advising on moonlighting restrictions for residents and fellows.
- Advising hospitals concerning billing for teaching physician services under Medicare and Medicaid and handling self-disclosures concerning these issues.