

Medicare, Medicaid, Other Governmental Reimbursement and Payment

Hooper, Lundy & Bookman's provider reimbursement practice is nationally renowned. With more attorney years of Medicare and Medicaid reimbursement experience than any other firm in the country, we are able to provide our clients with unique insights and problem-solving capabilities unavailable elsewhere.

We represent more than 1,600 hospitals nationally in reimbursement matters, including the country's largest multi-hospital systems, individual hospitals and teaching facilities, as well as small rural hospitals. In addition, we represent physicians, long-term care facilities, psychiatric and rehabilitation hospitals, home health agencies, laboratories and other types of providers.

Extensive Court and Regulatory Experience

Our attorneys have appeared in more than 50 different United States District Courts and most of the United States Courts of Appeals. The firm regularly conducts hearings of payment disputes before Medicare's Provider Reimbursement Review Board, state Medicaid administrative law judges and state and federal courts throughout the country. These payment disputes have involved individual hospitals, statewide class actions and national efforts comprising more than 1,300 facilities.

Because our attorneys have been involved in many Medicare and Medicaid program changes over the last two decades, we have acquired a unique set of resources, including an extensive library of formal and informal agency rulings and guidelines not generally available. These resources are critical to interpreting complex provisions of the Medicare and Medicaid laws.

Key Industry Relationships

Our longevity and expertise in provider reimbursement have also resulted in our excellent relationship with payors and agency regulators. As a result, we are able to resolve the majority of disputes with federal and state agencies without resorting to lengthy litigation. When administrative or court action is necessary, however, our attorneys are experienced trial and appellate lawyers with the ability to pursue a client's case through all phases of the regulatory hearing process and the trial and appellate courts.

Reimbursement and Payment Specialties:

Medicare Disputes

- Direct and Indirect medical education
- Outlier payments Diagnostic Related Group (DRG) Recoding
- Retroactive corrections to PPS rates
- Geographic reclassification
- Disproportionate share payments
- Wage index
- Labor and delivery room days litigation
- Malpractice rule litigation
- Return on equity litigation

- Medicare bad debt disputes
- Application of cost limits, exceptions, exemptions

Medicare Prospective Payment System Disputes

- Outlier payments Diagnostic Related Group (DRG) Recoding
- Retroactive corrections to PPS rates
- Geographic reclassification
- Disproportionate share payments

Medicaid Payment Disputes

- State-wide class actions
- State liability for Medicare cost-sharing
- Sufficiency of payment rates
- Medicaid state plan challenges

Individual Provider Payment Disputes

- Cost audit issues
- Cost limit application, calculation
- Disproportionate share hospital funding
- Distinct part skilled nursing status
- Sub-acute units
- Transitional care