

Provider and Supplier Operations

The day-to-day operations of health care providers and suppliers involve myriad regulatory, compliance, and business concerns. How such matters are addressed – both before and after problems arise – can have significant long-term impacts on patient care and bottom lines. With deep knowledge of the legal and practical challenges faced by our health care clients, Hooper, Lundy & Bookman provides comprehensive counsel that covers every aspect of their operations.

Full-Service Representation

Hooper, Lundy & Bookman's Provider Operations Practice Group represents hospitals, medical groups, peer review bodies, home health agencies, hospices, HMOs, pharmacies, long-term care providers, behavioral health care providers, foundations, DME providers, clinical laboratories, ambulatory surgery centers, and individual practitioners nationwide in all aspects of provider licensing certification and accreditation, including compliance, governance, contracting, and credentialing and privileging matters. We also handle a full spectrum of operational issues involving licensure and program compliance, including providing advice relating to various privacy and confidentiality protections and protected health information. Our integrated practice allows us the flexibility to effectively serve clients in many capacities, from advice and consulting to advocacy representation.

Operational Compliance, Licensing, and Certification

Hooper, Lundy and Bookman regularly assists provider clients in navigating compliance with complex licensure and regulatory schemes that govern their everyday operations. Our attorneys specialize in matters involving HIPAA and EMTALA, as well as compliance with state law governing licensure and federal law governing participation in programs such as Medicare and Medicaid.

HLB attorneys regularly assist clients with a variety of licensing, Medicare and Medicaid certification and accreditation issues involving new and changed programs and services, changes of ownership, and legal compliance.

With extensive experience at both the administrative agency level and in state and federal courts, we have successfully defended many clients against enforcement actions aimed at terminating or limiting licensure and certification. We have also successfully challenged many of the Centers for Medicare & Medicaid Services' (CMS) attempts to impose civil monetary penalties for alleged certification and licensing deficiencies, including those for patient transfers.

Medical Staff

HLB's Medical Staff Practice Group is a leader in the industry in providing guidance on myriad medical staff issues, including internal governance, credentialing, and investigations through fair hearings and litigation. Our attorneys have extensive experience in preparing and reviewing policies and procedures for peer review, quality assurance, risk management, exclusive contracting, and closed departments. We represent medical staffs in peer review hearings and governing bodies in appeals arising out of fair hearing proceedings. We handle writs of mandate and civil litigation relating to medical staff affairs in all forums and assist our clients with responding to subpoenas from state medical boards and other professional licensing boards. We also provide hearing officer services in peer review hearings.

Operations Specialties:

- Initial licensure
- Changes in licensure
- Changes of ownership

- Provider enrollment
- State, federal, and accreditation surveys
- Provider-based status
- Medicare and Medi-Cal audits and investigations
- Medicare/Medicaid termination, suspension, and decertification actions
- HIPAA
- EMTALA
- Bioethics, medical records, and confidentiality issues
- Patient transfer issues
- Patient consent law, including withdrawal of life support
- Day-to-day operational compliance
- Development of policies and procedures
- Plans of correction
- Adverse event reporting
- Practitioner scope of practice issues
- Immediate jeopardy and adverse event citations
- State and federal enforcement actions against long-term care providers
- Compliance plans
- Medical staff bylaws, rules and regulations, and policies
- State Professional Licensing Board and National Practitioner Data Bank reporting
- Responding to subpoenas by state professional licensing boards
- Peer review hearings, governing board appeals, and writs
- Late career practitioner policies
- Medical staff investigations
- Joint investigations
- Patient safety whistleblower complaints
- Confidentiality protections, including Evidence Code 1157 and HCQIA
- Health equity
- Reproductive health
- Telehealth credentialing issues
- Practitioner Well-Being Policies
- Practitioner Code of Conduct/Behavior Agreements
- Peer review immunities
- Peer review information sharing agreements
- Focused Professional Practice Evaluation and Ongoing Professional Practice Evaluation policies
- Advance Practice Provider and Allied Health Professional policies
- Return to Practice plans