

Government Investigations

The complex and intersecting web of laws and regulations that govern the health care industry and the aggressive enforcement posture of federal and state governments regularly ensnare providers in costly and disruptive investigations and litigation. When that happens, Hooper, Lundy & Bookman delivers robust and strategic defense representation for health care clients involved in criminal and civil matters.

HLB's litigators and defense lawyers have protected the rights and interests of individual and institutional providers across the country. We are the "go-to" firm when it comes to civil or criminal health care investigations, as our exclusive focus on health care law makes us uniquely well-positioned to defend clients that face existential threats from regulators, investigators, and government lawyers.

Many of HLB's defense attorneys have government-side experience investigating and prosecuting executives and companies accused of violating federal and state health care laws. They understand how investigators and prosecutors approach enforcement and settlement strategies, and they have cultivated productive working relationships with former colleagues at the U.S. Department of Justice, Department of Health and Human Services, the Centers for Medicare and Medicaid Services, Offices of Inspector General, and state enforcement agencies.

We also leverage our attorneys' in-depth subject matter knowledge on the areas of health care law that are most often the subject of criminal and civil investigations, audits, and prosecutions. HLB is recognized for its leadership on the Stark Law, federal and state Anti-Kickback laws, False Claims Act investigations, and other fraud and abuse matters. For example, HLB's Patric Hooper was the first chair of the Fraud and Abuse Interest Group of the ABA Health Law Section, and the firm's attorneys authored the "Practical Considerations for Defending Health Care Fraud and Abuse Cases" chapter of the ABA's widely used book, "Health Care Fraud and Abuse: Practical Perspectives." Over the years, HLB has distinguished itself in this area by leveraging our health care defense representation expertise to develop novel approaches and innovative strategies that have led to consistently positive outcomes.

HLB works with clients across the health care spectrum to obtain favorable resolutions in matters that span all governmental criminal and civil enforcement efforts, as well as assist them with internal investigations and operational issues ancillary to those efforts. For example, we have a robust practice defending skilled nursing facilities and long-term care providers facing government investigations or prosecutions, leveraging the talents of attorneys who have decades of collective experience protecting the interests of providers in this sector of the industry.

We work with providers and other health care companies in actions involving:

- Compliance audits and investigations
- Criminal trials and appeals
- Billing disputes under Medicare, Medicaid, TRICARE, and other programs
- False Claims Act
- Federal and state fraud and abuse laws, including claims arising under the California Insurance Frauds Prevention Act
- Patient privacy and data breaches
- Physician self-referral law
- Stark Law and Anti-Kickback Statute
- Long-term care investigations
- COVID-19 issues