HLB HOOPER LUNDY BOOKMAN

SECTORS

ACADEMIC MEDICAL CENTERS AND TEACHING HOSPITALS

At Hooper, Lundy & Bookman, we have extensive experience helping academic medical centers and teaching hospitals navigate the challenges and unique issues that arise at the intersection of education, research, and patient care.

HLB frequently counsels academic medical centers and teaching hospitals on a wide range of legal, operational, and compliance matters. Our nationwide practice is anchored by attorneys who focus on the nuanced reimbursement, affiliation, accreditation, and other operational requirements impacting this industry sector.

Our attorneys have deep knowledge in Direct Graduate Medical Education (DGME) and Indirect Medical Education (IME) reimbursement matters, effectively helping providers to increase compliance with these complex rules and obtaining consistently favorable resolutions of payment disputes. 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. We optimize DGME and IME payments by understanding the intersecting factors involved in CMS payment calculations, including:

- Full-time equivalent counts and caps
- Per-resident amounts
- Bed counting
- Rural training programs
- New training programs
- The Fellow penalty
- Teaching physician supervision guidelines
- Moonlighting compliance

Additionally, HLB's representation of teaching hospitals and academic medical centers includes counsel on issues such as:

- Accreditation matters
- GME affiliation agreements
- Resident and medical student rotation agreements and resident employment agreements
- Federal and state fraud and abuse, Stark Law, anti-kickback, and physician self-referral laws in the medical education sector
- 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
- Billing for teaching physician services under Medicare and Medicaid and handling self-disclosures concerning these issues
- Partnerships, affiliations, and other strategic initiatives
- Corporate governance

Our clients also benefit from HLB's clinical research practice. Our capabilities in this area include:

- Negotiation of clinical trial agreements and other research affiliation agreements
- Compliance with human subject research protections
- Drafting of research-related policies
- Advising on applying federal and state fraud and abuse and physician self-referral laws in the research context
- Counseling on international, federal, and state privacy laws and regulations.
- Advising Institutional Review Boards (IRBs)
- Pharmaceutical pricing and clinical trial billing compliance
- Assistance with government audits and investigations related to research, including responses to whistleblowers
- Scope of practice issues
- Medical staffing issues
- Conflicts of interest

RELATED SERVICES

Business Transactions

Compliance

Fraud and Abuse, Stark, Anti-Kickback Counseling and Defense

Medical Education

Medicare, Medicaid, Other Governmental Reimbursement and Payment

Provider and Supplier Operations

Research

KEY CONTACTS

David J. Vernon
Partner
Washington, D.C.

Emily L. Brinkman
Partner

Kelly A. Carroll
Partner

Jennifer A. Hansen
Partner

Cole M. Hoyt
Associate

Alicia Macklin
Partner

Robert L. Roth
Partner

David J. Vernon
Partner