HLB HOOPER LUNDY BOOKMAN

PRACTICES

VALUE-BASED ARRANGEMENTS

The shift to value-based care models continues apace, with new and innovative arrangements offering opportunities for providers to improve quality of care as well as business outcomes. But in an evolving legal, regulatory, and economic environment, developing and implementing value-based programs is not without risks and uncertainties. Hooper, Lundy & Bookman has been at the vanguard of value-based payment models since their emergence, leveraging our creativity, depth of knowledge, and exclusive health care focus to help providers refine, realize, and maximize the returns on their value-based visions.

Guiding Providers From the Inception of Value-Based Care Into Its Future

HLB's expertise in the value-based care space is the product of years of leading our clients' transitions from quantity to quality-of-care payment models. With an already-robust managed care practice as a foundation, and extensive experience with fraud and abuse, Stark law, and anti-kickback counseling and defense, we hit the ground running with the first iterations of accountable care organizations (ACOs), guiding providers through an uncharted compliance landscape that continues to present new challenges as the law and regulators try to keep pace with industry innovation in payment arrangements. Our ability to anticipate and quickly address new developments and shifting regulatory approaches in value-based care is well-established for providers in every industry segment.

We marshal the cross-disciplinary talents and experience of health care lawyers who can address every operational, financial, and legal issue implicated by value-based arrangements. HLB works with clients, including hospitals and nationwide hospital systems, integrated health systems, physicians, skilled nursing facilities, post-acute providers, and other providers to evaluate and develop strategies for sustained success. This facilitates industry-leading structural and technological developments that expand equity and access to care, empower patients with information and tools to improve outcomes, and enhance quality, coordination, and efficiency across the full spectrum of care.

Whether a client comes to us with a defined concept for payment and coordination of care that needs vetting and refinement or seeks our counsel with a blank slate, HLB crafts value-based arrangements tailored to each client's unique circumstances, goals, and industry segment. With attorneys who focus their practices on specific provider types, we can model whether and how a particular arrangement will function in practice and develop individualized solutions to achieve client objectives. Similarly, we bring unmatched compliance capabilities to our work, including positive and long-standing working relationships with regulators at CMS, the OIG, and other authorities across the regulatory landscape. This allows us to quickly adjust to new rules and compliance frameworks and prepare our clients for shifting regulatory approaches and priorities.

Seasoned, Focused Representation for Every Aspect of Value-Based Care

From inception to implementation to coordination to litigation, Hooper, Lundy & Bookman provides a complete suite of services for providers of all stripes seeking to enter, expand, or enhance their value-based payment presence:

- Analysis, development, structuring, and refinement of value-based models, including:
  - Clinically Integrated Networks (CINs)
  - Accountable Care Organizations (ACOs)
  - Independent Physician Associations (IPAs)
  - Integrated delivery systems

Bundled payment arrangements
Gainsharing agreements
Patient-Centered Medical Homes (PCMHs)

- Network formation, integration, and contracting
- Hospital/physician integration
- Development and enhancement of health information technology (HIT) capabilities
- Establishment, monitoring, and assessment of compliance programs to address state and federal laws and regulations implicated by value-based arrangements, including anti-kickback, self-referral, antitrust, gainsharing, patient privacy and data security, licensure, and accreditation issues
- Preparation and negotiation of provider and supplier contracts
- Litigation and resolution of payor and other disputes
- Counseling on operations, growth, and potential exit strategies

RELATED SERVICES

Business Transactions

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

Hospital-Physician Integration

Hospitals and Health Systems

Litigation, Mediation, Arbitration

Managed Care

Payor-Provider Disputes

Physicians, Medical Groups, Medical Foundations, and Independent Practice Associations (IPAs)

Provider-Owned Managed Care, ACOs, and Clinically-Integrated Networks (CINs)

Skilled Nursing Facilities (SNFs) and Long-Term Care Providers



Paul Deeringer
Partner



Stephanie Gross
Partner



Sandi Krul
Partner



Monica Massaro
Principal, Government Relations & Public Policy



Robert F. Miller
Partner



Charles B. Oppenheim
Partner