HLB HOOPER LUNDY BOOKMAN

SECTORS

BEHAVIORAL HEALTH PROVIDERS

Hooper, Lundy & Bookman provides comprehensive representation on all legal issues that intersect with behavioral health services.

We recognize the unique challenges behavioral health providers face – unprecedented demand for their services, hard-to-quantify outcomes, heightened privacy and confidentiality concerns, and a patchwork of state and federal regulatory obligations distinct to their industry sector. HLB tailors its counsel to the needs of these providers with a deep understanding of how an evolving legal and business landscape impacts patient care, operations, finances, and quality assurance.

HLB's clients span the full spectrum of private and public and inpatient and outpatient mental health and substance use disorder treatment providers, including:

- Freestanding acute psychiatric hospitals and distinct part psychiatric units within general acute care hospitals
- Psychiatric health facilities
- Behavioral health clinics, including Community mental health centers, and mental health rehabilitation centers
- Substance use disorder providers
- County Behavioral Health Services
- Residential care facilities
- Private social service agencies

Our attorneys often also serve as general counsel for these clients, integrating our firm-wide expertise into behavioral health and community-based care.

We understand the complex legal issues that arise with behavioral health care, including specific privacy and confidentiality concerns and heightened federal and state law protections around specific behavioral health treatment services. In addition, HLB helps behavioral health providers avoid costly and disruptive missteps and reach favorable resolutions when audits, investigations, or enforcement actions arise. HLB's expertise with reimbursement matters and our industry-leading Stark law, anti-kickback, and fraud and abuse practitioners complement our multidisciplinary business, transactional, finance, and medical staff practices to deliver a full suite of representation for behavioral health providers. This includes counsel addressing:

- Medicare, Medicaid, and private payor reimbursement
- Payor negotiating and contracting
- Managed care contracts
- Audits and investigations
- Stark Law, anti-kickback, and fraud and abuse matters
- Patient privacy, confidentiality, and HIPAA and Part 2 issues
- County mental health plan contracting
- Consent and standard of care issues
- Telehealth and remote behavioral health services
- Certification and regulatory approvals

- Involuntary civil commitment under the Lanterman-Petris-Short Act (LPS Act)
- EMTALA compliance
- Strategic planning and facility and program development
- Provider and supplier contracting
- Mergers, acquisitions, joint ventures, and affiliations
- Real estate and transactional matters
- Compliance and risk management
- Administrative and civil litigation

RELATED SERVICES

Business Transactions

Compliance

Digital Health

Financing

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

Government Investigations

Health Information Privacy and Security

Litigation, Mediation, Arbitration

Managed Care

Medical Staff Operations and Disputes

Medicare, Medicaid, Other Governmental Reimbursement and Payment

Mergers and Acquisitions

Provider and Supplier Operations

Real Estate

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