HLB HOOPER LUNDY BOOKMAN

SECTORS

HOSPITALS AND HEALTH SYSTEMS

With nationwide capabilities and almost four decades focusing exclusively on health care law, Hooper, Lundy & Bookman has become the law firm of choice for hospitals and health systems across the country. Few firms can match the depth and breadth of services we provide, with our work for hospital clients extending to nearly every aspect of their operations and the legal, regulatory, and business issues that intersect with their work.

Hospital administrators and executives face a host of competing priorities and responsibilities on a daily basis, as well as long-term strategic decisions that impact their financial trajectories and delivery of care. A web of intersecting regulatory regimes requires focused attention and expertise, while relationships with providers, suppliers, staff, strategic partners, and other constituencies must be handled deftly to avoid disruptive business and compliance impediments. With Medicare and Medicaid reimbursements as the lifeblood of their ability to serve patients, and as managed care and alternative payment models further complicate the payment landscape, hospitals need counsel with the experience, resources, and reputation to provide comprehensive representation on all these matters.

HLB's healthcare attorneys practice across scores of distinct legal disciplines, but all share an exclusive focus on serving the needs of health care clients and the industry as a whole, including the hospitals and health systems that form its backbone. Our clients include some of the country's largest multi-hospital systems, individual hospitals, public hospitals and hospital systems, teaching hospitals and academic medical centers, community and specialty hospitals, small rural hospitals, and long-term care hospitals.

Our expertise extends deep into all the distinct operations, departments, and ancillary services that comprise the hospital ecosystem. From clinical laboratories to pharmacies, from records management, patient privacy, and HIPAA compliance to corporate governance and licensing, credentialing, and accreditation, HLB offers a complete suite of representation for hospitals and health systems that includes:

Medicare, Medicaid, and Private Payor Reimbursement

Representing over 1,600 hospitals nationally in reimbursement matters, including the country's largest multi-hospital systems, HLB has a nationally renowned provider reimbursement practice that includes advice and counsel, litigation, arbitration, mediation, and administrative appeals involving Medicare and Medicaid, private insurers, and managed care organizations.

With more attorney years of Medicare and Medicaid reimbursement experience than any other firm in the country, we provide hospitals and health systems with unique insights and problem-solving capabilities unavailable elsewhere. Many of our reimbursement and payment attorneys have substantial government-side experience working on these matters and have earned the trust and respect of the payors and agency regulators whose decisions and actions can have profound implications for our clients. We have cultivated positive working relationships with these parties, allowing us to resolve most disputes with federal and state agencies without resorting to lengthy litigation.

When administrative or court action is necessary, however, our litigators combine effective advocacy and comprehensive knowledge of payment and reimbursement matters to obtain consistently favorable outcomes. Our lawyers regularly protect and advance the interests of hospitals and health systems before Medicare's Provider Reimbursement Review Board, state Medicaid administrative law judges, and state and federal courts throughout the country. These payment disputes have involved individual hospitals, statewide class actions, and national efforts comprising over 1,300 facilities.

Compliance

Our attorneys include some of the nation's most impactful and respected practitioners on compliance matters. HLB lawyers have written definitive compliance treatises and texts, including the American Health Lawyers Association treatise on Stark Law, the comprehensive Hospital Compliance Manual produced by the California Hospital Association, and BNA treatises on third-party reimbursement issues, among other publications.

HLB's interactions with regulators, investigators, and prosecutors are led by attorneys who formerly held positions in the U.S. Department of Justice, the Centers for Medicare & Medicaid Services, the California Attorney General's Office, and state Medicaid agencies. We have fostered positive working relationships with authorities across the regulatory ecosystem who know and respect our attorneys for their knowledge, advocacy, and integrity.

Our attorneys have experience serving in interim compliance roles, ranging from day-to-day management of compliance investigations to drafting and reviewing policies and procedures, providing education and training, and developing and maintaining effective compliance programs.

Fraud and Abuse

HLB is recognized nationally as an industry leader in fraud and abuse, Stark Law, anti-kickback, False Claims Act, and overpayment matters. The firm's attorneys regularly address fraud and abuse and self-referral issues in connection with transactions, provide counsel concerning relationships with referral sources, undertake internal investigations, advise about overpayment reports and return obligations and self-disclosure requirements, and handle criminal and civil False Claims Act investigations and prosecutions.

HLB has defended health care facilities, organizations, and individuals across the country in many landmark fraud and abuse cases and has been instrumental in many precedent-setting decisions favorable to the health care industry. We have successfully settled many fraud and abuse matters with the United States Department of Justice, state departments of justice, the Office of Inspector General within the United States Department of Health and Human Services, and other enforcement authorities. Our deep bench of litigators defends our clients when negotiated resolutions are not achievable.

Medical Staff

HLB has been at the forefront of medical staff issues since the firm's founding. HLB's attorneys have been involved in some of the most impactful medical staff cases of the past several decades, shaping the legal landscape that governs relationships within the industry. With a specialized practice group dedicated to Medical Staff affairs, HLB provides comprehensive counsel to support medical staff officers and executive committees, health care executives, medical staff administrators, and other leaders in managing medical staff operations and resolving disputes between providers, medical staffs and hospitals.

Our team includes attorneys who possess deep substantive knowledge regarding all aspects of medical staff issues, including governing documents and policies, credentialing and privileging, investigations, external peer review, hearing proceedings, writs and related litigation, scope of practice, reporting to professional licensing boards and the National Practitioner Data Bank, health equity, reproductive health, and telehealth credentialing issues.

Research and Clinical Trials

The firm's attorneys have extensive experience advising provider clients, academic medical centers, and Institutional Review Boards on clinical research projects, including informed consent and regulatory compliance.

Contracting

HLB has extensive experience in all facets of contracting on behalf of hospitals, healthcare districts, health systems, public entities, and medical groups. Our attorneys handle all types of contracts, including provider contracts with health plans, vendor contracts and supply agreements, GPO agreements, real estate contracts, employment contracts, affiliated entity contracts, and software vendor contracts.

Mergers and Acquisitions/Joint Ventures and Affiliation Transactions

Our interdisciplinary team is well-versed in every aspect of health care M&A, providing clients with efficiencies and a coordinated approach when structuring, negotiating, and consummating deals. We have represented hospitals in transactions of all types, including acquisitions and sales of single facilities and health systems (both nonprofit and for-profit), corporate restructurings, syndications, and other offerings and conversions of securities.

HLB also has extensive experience representing hospitals and health systems in developing joint ventures with physicians and other providers. Our attorneys have helped structure joint ventures for facilities ranging from whole hospitals to ambulatory surgery centers, radiation oncology centers, cardiac catheterization labs, lithotripsy centers, diagnostic imaging centers, and vascular access centers.

Antitrust

The firm's front-line experience with antitrust issues and unfair business practices extends across the spectrum of health care transactions. Our attorneys have counseled clients on antitrust issues in a variety of provider joint ventures, including hospital and physician group mergers and other affiliations, and hospital/physician group integration models. We can minimize the potential for antitrust violations and liability, ensure compliance with the Hart-Scott-Rodino Antitrust Improvements Act of 1976, and assist with Federal Trade Commission and Department of Justice investigations of and litigation relating to mergers and acquisitions.

Financing and Financial Restructuring/Bankruptcy

We have worked closely with for-profit and nonprofit hospitals and systems on every type of debt and equity financing transaction, secured and unsecured debt financing, and real estate and personal property financing. Our nationwide capabilities allow us to collaborate with institutional lenders, public markets, bond issuers, private equity investors, and other funding sources from coast to coast. The credibility and reputation of HLB attorneys in health care financing markets promote efficient transactions in which lenders and borrowers work collaboratively to establish mutually beneficial arrangements and relationships.

HLB also participates in a wide range of hospital and health system restructurings, workouts, bankruptcy cases, and insolvency-related litigation and transactions on behalf of distressed health care industry debtors, creditors, and other interested parties.

Health Care Policy Advocacy and Strategic Guidance

Our Government Relations and Public Policy practice has a history of successfully working to advance the interests of hospitals and health systems through creative advocacy and demonstrated subject-matter expertise that has earned the respect of legislators, regulators, and staff at the federal and state levels. We not only facilitate positive change for our hospital and health system clients, but we are advocates for the health care sector broadly and strive to contribute to a policy environment that improves health care quality, equity, and efficiency.

RELATED SERVICES

Antitrust and Unfair Business Practices

Business Transactions

Clinical Laboratory

Compliance

COVID-19 / Public Health Emergencies

Digital Health

False Claims Act

Financing

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

Government Investigations

Government Relations and Public Policy

Health Information Privacy and Security

Hospital-Physician Integration

Litigation, Mediation, Arbitration

Managed Care

Medical Staff Operations and Disputes

Medicare, Medicaid, Other Governmental Reimbursement and Payment

Medicare and Medicaid Audits, Appeals, and Reimbursement Litigation

Mergers and Acquisitions

Payor-Provider Disputes

Pharmacies

Provider and Supplier Operations

Reproductive Health

Research

Trade Associations

Value-Based Arrangements

PROFESSIONALS



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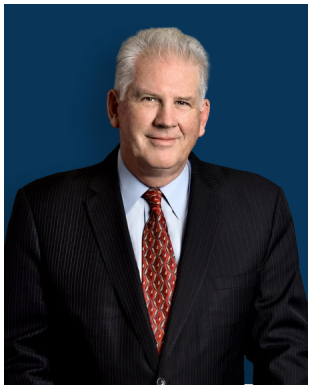
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