

Imaging Centers

Hooper, Lundy & Bookman has extensive experience working with diagnostic imaging providers and related entities, including Independent Diagnostic Testing Facilities (IDTFs), mobile IDTFs, mobile leasing entities, medical group practices providing diagnostic imaging services for their patients, and radiology group practices, regarding such business matters as legal structure, ownership, and employment, as well as federal and state regulatory issues that affect their operations.

Our attorneys are well-versed in the complex regulatory framework that governs imaging facilities and the entities and practitioners with whom they interact. We are particularly adept at helping our imaging clients navigate federal and state fraud and abuse laws affecting their operations, including the federal Stark Law and similar state self-referral prohibitions, federal and state anti-kickback laws, and anti-markup laws. We also advise our clients on other regulatory matters, such as compliance with government and private third-party payor enrollment and reimbursement requirements.

We also understand the unique business issues faced by imaging providers, such as business arrangements with referring physicians and leasing and timeshare arrangements. We have extensive experience in structuring entity ownership and governance, establishing leasing arrangements, and drafting transactional documents to assure regulatory compliance. If our clients come under governmental or other third party regulatory scrutiny, HLB's deep bench of regulatory experts and litigators protect our clients' interests by seeking favorable and expeditious resolutions.

HLB is particularly well-known throughout the industry for our expertise in reimbursement matters, with more attorney years of Medicare and Medicaid reimbursement experience than any other firm in the country. We work with our diagnostic imaging clients to help them avoid reimbursement denials and recoupment attempts, navigate audits, and resolve disputes with government payors.

The array of services we offer to clients in the diagnostic imaging sector includes:

- IDTF and medical group ownership, governance, acquisition, and operations
- Certificates of Need and licensure issues
- Anti-Markup Rule compliance
- Fraud and abuse, including Stark Law, anti-kickback law, and False Claims Act counseling and defense
- HIPAA compliance and patient privacy issues
- Medicare and Medicaid enrollment and supervision requirements
- Space-sharing and leasing arrangements
- Patient notification requirements
- Investigations, audits, and appeals involving Medicare, Medicaid, RAC, UPIC, OIG, and equivalent state authorities
- Contracting and other transactional matters