



Amy M. Joseph

(she/her/hers)

Partner

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CAPABILITIES

Business Transactions

Compliance

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

Government Investigations

Health Information Privacy and Security

Provider and Supplier Operations

Research

Value-Based Arrangements

Academic Medical Centers and Teaching Hospitals

Hospitals and Health Systems

Digital Health and Other Health Technologies

EDUCATION

University of California, Los Angeles School of Law, J.D., Order of the Coif, 2011

BAR ADMISSIONS

California, 2011

Massachusetts, 2016

"Effective advising requires not just knowledge of the applicable law, but also understanding each client's unique concerns and operational challenges to help craft workable solutions. And that requires truly listening to what they have to say."

A trusted advisor and respected thought leader on cutting-edge health care issues, Amy Joseph counsels clients in the healthcare and technology sectors on a broad spectrum of regulatory and business matters, with a particular focus on helping her clients assess, develop and implement innovative business models in the health care industry. Amy works with digital health companies, health systems, investors, and other public and private companies to address their regulatory compliance and transactional needs, from seasoned health care stakeholders to newer entrants to the industry. She collaborates with her clients to understand and evaluate their business goals before developing tailored, practical solutions to achieve those objectives.

Amy is well-versed in the corporate governance, data privacy and security, and scope of practice considerations facing the health care industry as it incorporates artificial intelligence (AI) and machine learning (ML) solutions into clinical workflows. Her practice includes structuring and scaling national telehealth practices across a range of clinical disciplines, including complex collaborative arrangements involving labs, medical device manufacturers, remote patient monitoring (RPM) solutions and pharmacies.

Amy spends much of her time working closely with clients on vetting and developing strategic affiliations, joint venture transactions, and other novel business arrangements, including developing value-based enterprises and otherwise identifying means to achieve further alignment among health care ecosystem stakeholders. She also regularly advises on related reimbursement issues with respect to federal healthcare programs, private payors, and self-pay business models, as well as developing compliance programs and advising on related protocols and best practices. In particular, Amy regularly advises on physician self-referral, anti-kickback, and other fraud and abuse law matters applicable to her client base, as well as advising on patient privacy matters, including HIPAA, 42 CFR Part 2, and corresponding state level compliance. Amy also regularly assists with internal investigations

and assessing and responding to the results of such investigations, including developing corrective action recommendations and self-disclosures.

A sought-after speaker and prolific writer on some of the most complex and critical issues in health care law, Amy regularly shares her insights in publications and presentations across the country. Amy co-authored the American Health Law Association's *The Stark Law: Comprehensive Analysis and Practical Guide*, and has also co-authored chapters in numerous other publications, including the American Bar Association's *Physician Law: Evolving Trends & Hot Topics* telemedicine chapter, and a chapter addressing telehealth in the MCLE Massachusetts Health and Hospital Law Manual.

Ranked by clients and peers as a top Massachusetts health care attorney, *Chambers USA* notes that Amy "is a terrific resource on a range of regulatory issues" and "an expert in the Stark Law." Sources say that "she is extremely smart, knowledgeable, thoughtful and responsive." One client stated, "she is one of the most responsive and diligent attorneys I have worked with."

Amy graduated first in her class at UCLA Law and was elected to the Order of the Coif. Prior to law school, Amy served in the U.S. Air Force.

Recognition

- Chambers USA, Up and Coming Healthcare Lawyer: Massachusetts, 2022, 2023
- Lawyers Weekly, Massachusetts Go To Healthcare/Life Science Lawyers, 2022
- Super Lawyers, Massachusetts, Health Care, Rising Star, 2019-2021; Super Lawyer, 2022-2023
- Best Lawyers, Health Care Law, 2023, 2024
- Boston Magazine, Top Lawyers - Healthcare Law, 2023

Professional Affiliations

- American Bar Association
- American Health Lawyers Association
- Boston Bar Association
- Massachusetts Bar Association
- Women's Bar Association
- Healthcare Financial Management Association

News

- Amy Joseph is Quoted in Decision Health | Part B News article, "Use AI to scribe? Pay attention to data privacy, ownership"
- Jeremy Sherer and Amy Joseph Published in Reuters Legal and Westlaw Today
- Law360 AI in Health Law: The Top Guest Articles of 2023
- Boston Magazine Announces its 2023 Top Lawyers
- HLB's 2023 Massachusetts Super Lawyers and Rising Stars
- Amy Joseph and Jeremy Sherer published in Compliance Today, "Artificial intelligence: Compliance considerations for provider organizations"
- Twenty-One HLB Attorneys Have Been Named "Best Lawyers in America 2024" and Five HLB Attorneys as "Ones to Watch"
- Amy Joseph, Jeremy Sherer, and Stephen Phillips Published in Westlaw Today, "The rise of artificial intelligence: navigating health care regulatory considerations"

- Hooper, Lundy & Bookman Again Ranked Among Top Health Law Firms In The United States By Chambers USA
- Jeremy Sherer, Amy Joseph, and Monica Massaro Published in Expert Analysis Section of Law360
- Top Ten Issues in Health Law 2023
- Twenty-Four HLB attorneys have been named “Best Lawyers in America 2023” and “Ones to Watch”
- Hooper, Lundy & Bookman Celebrates 35 Years!
- Hooper, Lundy & Bookman Again Achieves Recognition Among the Top Health Law Firms in the United States by Chambers USA
- Hooper, Lundy & Bookman Elevates Five Partners and One Senior Counsel
- HLB Lawyers Author American Health Law Association’s Monograph on Stark Law
- Hooper, Lundy & Bookman Congratulates 2021 Massachusetts Super Lawyers
- HLB Attorneys Author False Claims in Healthcare
- Chambers USA 2021 Ranks Hooper Lundy & Bookman Among the Top Firms in Healthcare in Massachusetts
- Hooper, Lundy & Bookman Congratulates 2020 Boston Super Lawyers
- Financial Relief for Providers During the COVID-19 Pandemic: Guide
- Hooper, Lundy & Bookman Again Achieves Recognition Among the Top Health Law Firms in the United States by Chambers USA
- Hooper, Lundy & Bookman Ranked in the 2020 Edition of US News/Best Lawyers in America Best Law Firms
- Super Lawyers Recognizes HLB Boston Attorneys
- Hooper, Lundy & Bookman Named To American Bar Association’s Health Law Top 10 List
- Top Patent Litigator Drew Woodmansee Joins Hooper, Lundy & Bookman as Head of IP Practice
- Hooper, Lundy & Bookman Launches Webinar Series with Focused Discussions on Post-Acute Care Partnerships
- Hooper Lundy & Bookman Recognized Among the Top Health Law Firms in the United States by Chambers USA
- CMS Issues Proposed Rule on Interoperability, Patient Information
- CMS Proposes Coverage with Evidence Development for CAR T-Cell Therapies
- OHRP Provides Draft Guidance Regarding the Revised Common Rule Implementation Timeline and Transition of Existing Studies
- Hooper, Lundy & Bookman Promotes Five Partners and One Senior Counsel

Insights

- Part 2 Update: HHS Final Rule Aligning Federal Protections for Substance Use Disorder Records with HIPAA
- Key Takeaways for Health Care Providers regarding new AI Transparency Provisions, EHR Certification criteria, and Information Blocking
- 2024 Medicare Physician Fee Schedule Highlights: Advancing Innovation and Equity
- Sweeping Executive Order Sets the Stage for Federal Oversight of AI in Healthcare
- Scrutiny of Online Tracking Technologies Continues
- The Rise of Artificial Intelligence: Navigating Healthcare Regulatory Considerations
- FTC Proposes Amendments to Health Breach Notification Rule, Affirming its Commitment to Privacy of Consumer Health Information
- ONC HTI-1 Proposed Rule – Key Takeaways for Health Care Providers
- HHS Proposes to Amend HIPAA to Strengthen Privacy of Reproductive Health Information Post-Dobbs
- HLB’s Digital Health Practice Co-Author’s AHLA Telehealth Law Handbook
- Long-awaited Proposed Updates to Align Federal Protections for Substance Use Records with HIPAA
- OIG is Circling the Telehealth Industry
- HHS Fraud Alert Is A Major Warning To Telehealth Industry

- Telehealth regulatory oversight and enforcement trends
- Medicare Physician Fee Schedule Brings Sweeping Changes
- New Year Brings New Health Care Legislation in Massachusetts
- HIPAA Proposed Rule – Removing Barriers to Care Coordination
- Final Anti-Kickback and Stark Rules: Value-Based Arrangements and Beyond
- California Clarifies Electronic Signature Law Effective Jan. 1, 2021
- HHS Finalizes Transitional Changes to 42 CFR Part 2 Regulations
- New Guidance from SBA on PPP Loans
- CMS Clarifies Stark Law Blanket Waivers
- CMS Issues Broad Stark Law Waiver for COVID-19
- Practical Tips for Implementing Telehealth During the COVID-19 Pandemic
- Increased Flexibility for Out-of-State Physicians to Assist with COVID-19 Response
- CMS and ONC Finalize Interoperability and Information Blocking Rules
- Proposed Stark & Anti-Kickback Regulations Are A Big Deal
- Questionable Stark Law Case Eases Burden on Qui Tam Relators
- HHS Proposes Changes to Rules Governing the Confidentiality of Substance Use Disorder Information
- Health Law Perspectives June 2019
- Foreign Interests and Conflicts of Interest in Research
- What the Supreme Court's Azar v. Allina Ruling Means for Health Care Providers
- MACs Improperly Eliminate Pass-Through Treatment of Hospital Allied Health Program Costs
- Health Law Perspectives, February 2019
- CMS Overhauls Medicare ACOs
- Preparing for Upcoming Changes to ACGME Common Program Requirements
- CMS Proposes to Expand Telehealth Reimbursement Under Medicare
- INSIGHT: General Data Protection Regulation Applicability to the U.S. Healthcare Industry
- CMS Proposes Changes to Telehealth Reimbursement, Stark, Substance Use Disorder Treatment Reimbursement, and Evaluation & Management Reimbursement in the CY 2019 Physician Fee Schedule Proposed Rule
- California Governor Signs Far-Reaching Consumer Privacy Legislation
- Ready or Not, EU's General Data Protection Regulation (GDPR) Is Here
- Significant MassHealth Reform Commencing March 1, 2018
- HHS Updates Rules on Confidentiality of Substance Abuse Records
- Proposed Massachusetts Legislation Aims to Contain Health Care Costs: Highlights for Providers
- Managing Substance Use Disorder Information in ACOs and HIEs under Revised Part 2 Regs
- Health Law Basics for Massachusetts Lawyers
- Approaching Compliance Date for New IRS Safe Harbors for Private Use of Facilities Financed with Tax-Exempt Debt
- Federal Agencies Issue Revised Common Rule
- HHS Issues Revised Rule on Confidentiality of Substance Abuse Record
- Hooper, Lundy & Bookman Opens Boston Office

Events

- Amy Joseph is Speaking at Boston Bar Association's Virtual Event, "Payment Incentives that Promote Equity"
- Amy Joseph and Jeremy Sherer are Speaking at HIMSS New England Chapter, "AI-Driven Healthcare Innovation: Bridging the Gap – The Legality of AI"
- HLB Webinar – 2024: A Landmark Year for Digital Health Innovation

- Amy Joseph and Jeremy Sherer Present Strafford CLE Webinar on Telehealth
- Amy Joseph and Jeremy Sherer are Speaking at MaHIMA's Winter Meeting
- Amy Joseph and Jeremy Sherer are Speaking at MHA'S Hot Topic Webinar Series
- Partner Amy Joseph is serving on the Planning Committee for the Boston Bar Association's 2023 Health Law Conference
- Gunderson Dettmer and Hooper, Lundy & Bookman Present "Navigating and Growing your Healthtech Company in the Current Market"
- Amy Joseph Speaks at Boston Bar Association
- Opportunities in Digital Health and Value-Based Care in 2021
- HLB Announces Webinar Series Focused on Value-Based Care
- Digital Health and Value-Based Care
- Owning an Opportunity – Digital Health Developments 2021
- CTel Digital Health Virtual Summit
- Webinar: Final Anti-Kickback and Stark Rules: Value-Based Arrangements and Beyond
- MHA Legal Compliance Forum
- Massachusetts Health & Hospital Association Webinar Series – COVID-19 and the Rise of Telemedicine
- Webinar: Navigating Stark During COVID-19
- 5th Annual North Country Telehealth Conference: The Value of Virtual Care
- Webinar: Key Takeaways from the Proposed Stark and Anti-Kickback Rules: What You Need to Know Today
- The First Half is In the Books — What's In Store for the Rest of 2019
- Northeast Regional Telehealth Conference
- HCCA 2019 Research Compliance Conference
- HCCA's 23rd Annual Compliance Institute
- MHA 2019 Outpatient Prospective Payment System Update
- 4th Annual North Country Telemedicine Conference
- Biomedical Informatics Bootcamp: Telehealth & Data Analytics of the Future – 2018
- HFMA Massachusetts-Rhode Island Chapter Annual Compliance Update