



## Alicia Macklin

(she/her)

### Partner

**Co-Chair, Behavioral Health Practice Group**

**Co-Chair, Health Equity Task Force**

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### CAPABILITIES

Compliance

Medical Staff Operations and Disputes

Medicare and Medicaid Audits, Appeals, and Reimbursement Litigation

Provider and Supplier Operations

Reproductive Health

Academic Medical Centers and Teaching Hospitals

Behavioral Health Providers

Community-Based Clinics

Counties, Health Districts, and Public Agencies

Hospitals and Health Systems

Trade Associations

### EDUCATION

University of California, Los Angeles Fielding School of Public Health, M.P.H., 2016

University of Southern California Law School, J.D., 2009

Cornell University, B.A., 2006

### BAR ADMISSIONS

California, 2009

### CLERKSHIPS

Honorable John Kronstadt, United States District Court, Central District of California

“My passion is helping providers navigate complex regulatory landscapes, including those governing emerging areas of behavioral health law, so that they can focus on their most important work: patient care.”

Alicia Macklin is a trusted advisor to a range of inpatient and outpatient behavioral health care providers, along with hospitals and health systems. She has counseled many of California’s hospitals on unsettled areas of law, with an emphasis on compliance with the Emergency Medical Treatment and Labor Act (EMTALA). A former litigator with a Master of Public Health from UCLA’s Fielding School of Public Health, Alicia brings her unique perspective and experience to her clients’ most nuanced regulatory problems.

Alicia’s work with behavioral health providers includes advising on licensing and accreditation, Medicare and Medi-Cal reimbursement, federal and state privacy and confidentiality requirements, and operational issues. She also helps California providers navigate voluntary and involuntary treatment under the Lanterman-Petris-Short Act (LPS Act). In addition to providing guidance and counsel on current legal issues, Alicia also provides her clients with insights into broader behavioral health policy trends that could affect them in the future, including both federal and state-level initiatives to reform behavioral health care.

For her hospital and health system clients, Alicia similarly advises on a broad range of compliance, reimbursement, and operational issues, including those involving behavioral health treatment. She specializes in EMTALA, and her work with hospitals in this space involves reviewing and revising EMTALA policies, providing in-service education for physicians and staff, managing investigations and surveys, and advising on EMTALA’s intersection with state laws, including state involuntary civil commitment laws. In addition, Alicia has litigated appeals challenging administrative and reimbursement actions for her hospital and health system clients in a number of federal courts and the California Superior Court.

Alicia also works with her clients to operationalize changes to the state scope of practice for various allied health professionals. In particular, she counsels hospitals on medical staff issues, including drafting policies and advising on

supervision requirements for allied health professionals, and privacy and confidentiality issues arising during investigations into physician behavior and peer review proceedings.

Alicia has a deep commitment to issues affecting health equity and public health education. She has studied, written, and presented in this area for nearly a decade, first as a student earning her Master of Public Health, and now as a practicing healthcare attorney and lecturer at the University of California, Los Angeles Fielding School of Public Health, where she co-teaches Legal Environment of Health Services Management.

## Recognition

- Best Lawyers, Health Care Law, 2024 & 2025

## Professional Affiliations

- American Bar Association
- Los Angeles County Bar Association
- California Society for Healthcare Attorneys
- American Health Lawyers Association

## News

- HLB is Published in Thomson Reuters Westlaw Today
- Thirty-One HLB Attorneys Have Been Named “Best Lawyers in America 2025” and “Ones to Watch”
- Alicia Macklin and Kerry Sakimoto Published in AHLA
- Alicia Macklin and Rachel Zacharias Published in Reuters and Westlaw Today
- Alicia Macklin and Erin Sclar Published in the Daily Journal, “SB 43: Revised definition now includes severe substance use disorders and expanded criteria”
- Alicia Macklin and Erin Sclar present at CSHRM and SCAHRM’s Behavioral Health Risk Management Symposium
- Alicia Macklin is Quoted in Bloomberg Law article, “Abortion Ban, Emergency Care Guidance Clash in Fifth Circuit”
- Twenty-One HLB Attorneys Have Been Named “Best Lawyers in America 2024” and Five HLB Attorneys as “Ones to Watch”
- Robert Miller, Alicia Macklin and Stephanie Gross are Quoted in Modern Healthcare, “Lawyers say healthcare clients want help with deals, reproductive care”
- Alicia Macklin Quoted in Medical Staff Briefing
- Published in Reuters: An uncertain outlook for reproductive health law in 2023
- Between EMTALA and State Abortion Restrictions: The Post-Dobbs Dilemma
- Hooper, Lundy & Bookman Celebrates 35 Years!
- HLB Attorneys Author False Claims in Healthcare
- Hooper, Lundy & Bookman Elevates Eight Partners
- Financial Relief for Providers During the COVID-19 Pandemic: Guide
- Hooper, Lundy & Bookman Elevates Three Partners and Four Senior Counsel
- Hooper, Lundy & Bookman Ranked in the 2020 Edition of US News/Best Lawyers in America Best Law Firms
- 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

## Insights

- SB 1451: New California Law Simplifies 103 and 104 NP Certification, Updates Patient Disclosures, and Clarifies Physician Licensure For Postgraduates
- HLB's Health Equity Essentials Update
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- The Future of the Stark Law is Clouded by Uncertainty
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- HHS Finalizes Amendments to HIPAA Strengthening Privacy of Reproductive Health Information Post-Dobbs
- HLB's Health Equity Essentials Update
- HHS Issues Guidance Regarding Informed Consent and Patient Privacy in Medical Training Settings
- HLB's Health Equity Essentials Update
- Part 2 Update: HHS Final Rule Aligning Federal Protections for Substance Use Disorder Records with HIPAA
- HLB's Health Equity Essentials Update
- Abortion Back Before the Supreme Court
- Changes to California's Behavioral Health Care System: Expansion of Eligibility for Conservatorship or Involuntary Care; Funding and Capital Projects; SUD Treatment
- California Signs into Law Legislative Package Expanding Access and Protections for Reproductive and Gender-Affirming Health Care
- Medicare and Behavioral Health: OPPS and PFS Rules Propose Changes to Improve Access
- Proposed Rule on Remedy to 2018–2022 340B-Acquired Drug Payment Policy Would Reduce Non-Drug Outpatient Payments by 0.5% for 16 Years
- HHS Proposes to Amend HIPAA to Strengthen Privacy of Reproductive Health Information Post-Dobbs
- Conflicting Federal Decisions Issued on the FDA's Approval of Medication Abortion
- Finalizing the Path to Independent Practice Authority for Nurse Practitioners in California
- Long-awaited Proposed Updates to Align Federal Protections for Substance Use Records with HIPAA
- Important OIG Advisory Opinion on Hospital-Employed NPs
- CMS Publishes RFI on ACA Essential Health Benefits
- Increasing Reliance on Telebehavioral Health – Beyond COVID-19
- Courts And Regulators Continue To Grapple With Dobbs
- Update: Justice Department Sues Idaho Over Abortion Prohibition in Medical Emergencies
- Update: Texas Sues Over EMTALA Guidance, Setting Up Showdown Regarding Abortion Care in Emergency Settings
- California's Health Care Quality and Affordability Act
- The Good Faith Estimate Requirement and Further Guidance from CMS
- Update: CMS and OSHA Release Federal Vaccine Mandates
- California Strengthens Mental Health Parity Law
- Governor Newsom Signs Historic Mental Health Legislation
- HHS Finalizes Transitional Changes to 42 CFR Part 2 Regulations
- Flexibilities for the California Medi-Cal Program and Medi-Cal Providers Provided by Executive Order N-55-20
- CMS Issues Second Interim Final Rule to Expand Provider Flexibility and Coverage During the COVID-19 Pandemic

- EMTALA Guidance for Hospitals Managing the COVID-19 Pandemic
- HHS Announces Allocations from Provider Relief Fund; Hospitals Must Submit Data by Saturday, April 25 for Targeted Allocation
- The CARES Act Amends Part 2 to Align with HIPAA
- CMS Expands the Accelerated and Advance Payments Program During COVID-19 Pandemic
- Section 1135 Waivers Issued Following President's Emergency Declaration
- CMS Issues EMTALA Guidance for Hospitals Facing Influx of Patients with Suspected or Confirmed Novel Coronavirus (COVID-19) and EMTALA 1135 Waiver
- COVID-19 Response: HLB Resource Page, California State of Emergency and Guidance, and CMS Survey Guidance
- California Announces Proposal for Important Changes to the Medi-Cal Delivery System
- New Law Changes Physician Assistant Supervision Requirements Effective January 1, 2020
- HHS Proposes Changes to Rules Governing the Confidentiality of Substance Use Disorder Information
- CMS Proposes Significant and Far-Reaching Hospital Price Transparency Requirements in CY 2020 OPPS Proposed Rule
- Health Law Perspectives June 2019
- What the Supreme Court's Azar v. Allina Ruling Means for Health Care Providers
- President Trump signs the SUPPORT for Patients and Communities Act (H.R. 6)
- Telehealth Updates – California
- 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
- Connecticut Permits Prescribing Limited Controlled Substances via Telemedicine
- The Better Care Reconciliation Act of 2017 – A First Look
- Stark Law: New Self-Disclosure Protocol

## Events

- Alicia Macklin Speaks at CHA's 2024 Behavioral Health Care Symposium
- Alicia Macklin is Speaking at CHA's 2024 Consent Law Seminar
- Alicia Macklin is Speaking at CHA's 2024 Emergency Services Forum
- Alicia Macklin is Speaking at CHA'S 2023 Behavioral Health Care Symposium
- Hospital Association of Southern California (HASC) 2023 Annual Meeting
- CSHA Annual Meeting
- CANP 44th Annual Educational Conference
- Transforming Medi-Cal to Reduce Health Disparities
- Overcoming Barriers to Advance Health Equity: Value Based Arrangements and Other Regulatory Updates Addressing Social Determinants of Health
- HLB Announces Webinar Series Focused on Value-Based Care
- HASC Virtual 2021 Annual Meeting
- Webinar: Hospital Price Transparency: Preparing for January 2021
- HLB 2019 Managed Care Update Seminar
- HCCA 2019 Orange County Regional Conference
- CAMSS 48th Annual Educational Forum: Medical Staff Legal Update
- The National Symposium on Health Law and Policy