



## David J. Vernon

(he/him)

### Partner

**Managing Partner, Washington, D.C. Office**

**Chair, Academic Medical Center/Teaching Hospitals Working Group**

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### CAPABILITIES

Business Transactions

Compliance

Digital Health

Hospital-Physician

Integration

Medical Education

Medicare, Medicaid, Other

Governmental

Reimbursement and

Payment

Reproductive Health

Administrative Law

Provider and Supplier

Operations

Academic Medical Centers

and Teaching Hospitals

Hospitals and Health

Systems

Skilled Nursing Facilities

(SNFs) and Long-Term Care

Providers

Trade Associations

### EDUCATION

University of California,  
Berkeley School of Law, J.D.,  
2012

Vassar College, B.A., 2006

### BAR ADMISSIONS

Washington, D.C., 2016

California, 2012

*"Parsing regulations or sub-regulatory guidance can involve getting deep into the weeds. But I never lose sight of the fact that the time spent focused on the details ultimately pays dividends for providers and allows them to focus on delivering excellent patient care."*

David Vernon helps providers navigate the complex and multi-layered Medicare and Medicaid reimbursement landscape. His deep regulatory knowledge, his experience in reimbursement matters generally, and extensive work on Graduate Medical Education reimbursement issues in particular, and his appreciation of the operational and occupational challenges providers face, have allowed David to successfully advise clients on agency requirements and favorably resolve numerous reimbursement disputes for providers across the country.

A widely recognized licensure and certification expert, David also advises clients on complex regulatory issues that arise in the context of mergers, acquisitions, reorganizations, and related transactions. He assists clients with a broad range of licensing and certification, fraud and abuse, and compliance matters, developing effective strategies and practical solutions based on his understanding of how both regulators and providers go about their work. He quickly identifies issues and potential areas of concern before they metastasize into costly and disruptive problems.

David has cultivated productive relationships with State and Federal regulators, which allows him to diffuse contentious disagreements and facilitate efficient resolutions for his clients. He has achieved numerous successful outcomes in licensure, certification, compliance, and reimbursement matters or appeals, including those involving provider certification, Medicare Area Wage Index and rural floor issues, and Graduate Medical Education reimbursement. David is one of only a handful of attorneys in the United States with substantial experience in Graduate Medical Education reimbursement matters, making him a sought-after resource for teaching hospitals requiring seasoned counsel for their unique needs.

David's health care experience and work with teaching hospitals predate his legal career. Prior to law school, he worked as the research analyst to the President and CEO of the Association of American Medical Colleges, and has

published several articles in peer-reviewed biomedical journals. While earning his law degree, David was co-president of the Healthcare & Biotech Law Society and worked as a research assistant for the Warren Institute's Health, Economic & Family Security Program on legal issues impacting the creation of safety-net Accountable Care Organizations.

### **Representative Matters**

- Advising health care providers on various reimbursement issues under the Medicare and Medicaid programs, including GME, area wage index, rural floor, and allied health.
- Assisting health care providers, including hospitals, skilled nursing facilities, clinics, home health agencies, hospices, ambulances, and residential care facilities for the elderly with regulatory compliance, licensure and certification, payment, and operational issues.
- Assisting health care clients in addressing complex regulatory issues that arise in the context of mergers, acquisitions, reorganizations and related transactions.
- Advocating for appropriate medical education reimbursement through PRRB appeals and/or other regulator communication.
- Drafting GME affiliation agreements, resident and medical student rotation agreements, and resident employment agreements.
- Prosecuting multiple hospital group appeals, before CMS and in federal court, seeking hundreds of millions of dollars in Medicare payments related to area wage index and rural floor policy changes.

### **Recognition**

- Super Lawyers, Washington, D.C., Rising Star in Health Care Law, 2018-2022
- Best Lawyers, Ones to Watch, Health Care Law, 2023

### **Professional Affiliations**

- American Bar Association
- American Health Lawyers Association
- California Society of Healthcare Attorneys
- District of Columbia Bar

### **Community**

- DC Soccer Club

### **News**

- Several News Outlets Cover HLB's Ninth Circuit Victory
- Several HLB Lawyers Author AHHA'S Hospitals and Health Systems, Second Edition
- Catherine Wicker and David Vernon Quoted in McKnight's Long-Term Care News Article
- David Vernon is Quoted in HCCA's Report on Medicare Compliance Article, "Medical Direction of Anesthesia at Heart of \$2.239M CMP Settlement"
- Hooper, Lundy & Bookman Elevates Five Partners and One Office Managing Partner
- David Vernon quoted in Report on Medicare Compliance
- Hooper, Lundy & Bookman Elevates Two Partners and Three Senior Counsel
- New Deadline of November 18, 2022 to Challenge Direct Graduate Medical Education HCRIS Data under Section 131 of the Consolidated Appropriations Act of 2021
- David Vernon quoted in Report on Medicare Compliance

- Twenty-Four HLB attorneys have been named “Best Lawyers in America 2023” and “Ones to Watch”
- Hooper, Lundy & Bookman Celebrates 35 Years!
- AHLA Announces New 2022 Leadership Positions
- Hooper, Lundy & Bookman Congratulates 2021 District of Columbia Super Lawyers
- Medical Group Pays \$373,715 to Settle CMP Case on Supervision
- 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
- 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
- Hooper, Lundy & Bookman Congratulates 2019 District of Columbia Super Lawyers
- CMS Proposes Coverage with Evidence Development for CAR T-Cell Therapies
- 2018 Year-End Review of Graduate Medical Education Reimbursement
- Super Lawyers Recognizes Outstanding HLB Attorneys

## Insights

- Important Changes to SNF Disclosure Requirements for Medicare Certification, New 855A SNF Attachment Form, and Off-Cycle Revalidations
- Supreme Court Decision Overturns Deference to Agency Interpretations of the Law
- Governor Newsom Signs into Law AB 1502: the Skilled Nursing Facility Ownership and Management Reform Act of 2022; Key Deadline: July 1, 2023
- CMS Receives Torrent of Comments on Proposed GME Reimbursement Rules
- CMS Issues Second Interim Final Rule to Expand Provider Flexibility and Coverage During the COVID-19 Pandemic
- Health Law Perspectives June 2019
- 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
- Preparing for Upcoming Changes to ACGME Common Program Requirements
- CMS Proposes to Expand Telehealth Reimbursement Under Medicare
- Application Due Soon for Two New Rounds of Residency Slot Redistribution
- 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

## Events

- David Vernon Speaks at AHLA’s Advising Providers: Legal Strategies for AMCs, Physicians, and Hospitals
- David Vernon Speaks at AHLA Conference
- CHA’s Hospital Finance Week Webinar Series
- AHLA Institute on Medicare and Medicaid Payment Issues
- HLB Webinar – Hot Topics in GME Reimbursement
- Academic Medical Centers and Teaching Hospitals Institute