

# Hooper, Lundy & Bookman Secures Major Appellate Victory for Family Health Centers of Southwest Florida in Medicaid Reimbursement Dispute

News

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Hooper, Lundy & Bookman (HLB), a premier national boutique health law firm exclusively representing providers and suppliers of health care, is proud to announce a significant litigation victory on behalf of Family Health Centers of Southwest Florida (FHC), one of the largest federally qualified health centers (FQHCs) in the state. In a unanimous decision, the Eleventh Circuit Court of Appeals affirmed a lower court ruling in favor of FHC, finding that the State of Florida's restrictive interpretation of what constitutes a "change in scope of services" under the federal Medicaid Act is inconsistent with federal law.

The case involved FHC's request for a Medicaid Prospective Payment System (PPS) rate adjustment to account for substantial and necessary expansion of its operations since 2000, including adding more sites, practitioners, and more intensive patient services to meet evolving community health needs. Florida had denied the adjustment, offering only a minimal increase tied solely to the addition of new optometry services. HLB successfully argued that federal law (42 U.S.C. § 1396a(bb)) requires a broader understanding of scope changes, encompassing operational growth, the increased intensity and complexity of patient care, rising market costs for practitioners, and evolving patient needs — not merely adding or eliminating discrete specific services.

This ruling marks the first federal appellate decision to interpret the meaning of "change in scope" under the Medicaid FQHC statute (42 U.S.C. § 1396a(bb)(3)(B)), setting a vital precedent that ensures FQHCs receive fair reimbursement necessary to maintain access to care for vulnerable populations and providing critical clarity for health centers and state Medicaid agencies nationwide. The decision has potential implications for FQHCs in other states where similarly restrictive interpretations of the Medicaid FQHC statute may be hindering appropriate reimbursement.

"This result underscores the critical importance of deep expertise in federal and state Medicaid reimbursement law and a nuanced understanding of state-level Medicaid policymaking and amendment processes," said Lloyd Bookman, Founding Partner at HLB and lead counsel for FHC. "Ensuring safety-net providers like FHC are properly reimbursed according to federal law is essential for maintaining patient access for vulnerable populations."

## PROFESSIONAL



**LLOYD A. BOOKMAN**  
Founding Partner  
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**PAUL L. GARCIA**  
Partner  
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Paul Garcia, HLB partner and in this litigation, said, “HLB’s ability to navigate these complexities at every stage — from administrative advocacy through high-stakes federal court litigation — distinguishes us in this challenging legal environment for providers.” “This victory is about ensuring the financial stability of providers like FHC who serve on the front lines. Proper reimbursement, as mandated by Congress and clarified by this decision, is fundamental to maintaining access to vital healthcare services for vulnerable populations.”

Rather than pursuing potentially less effective avenues, HLB developed and executed an aggressive and successful litigation strategy, asserting FHC’s rights under federal law via Section 1983 of the Civil Rights Act and prevailing at both the district court and appellate levels. HLB’s success in this case reflects its exclusive commitment to health care providers, its national leadership in Medicare and Medicaid reimbursement litigation, and its proven track record of achieving favorable outcomes in the most complex reimbursement disputes.

As the largest law firm in the country focused solely on representing providers and suppliers, HLB remains the go-to firm for those seeking experienced, results-driven counsel in critical reimbursement matters.

FQHCs, RHCs, or and other providers facing Medicaid reimbursement challenges are encouraged to contact [Lloyd Bookman](#) or [Paul Garcia](#) at HLB.

For media inquiries, please contact [Jennifer Turgeon](#).

**Profiled in the news:**

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