



Mark A. Johnson

Partner

Managing Partner, San Diego Office

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CAPABILITIES

Administrative Law

Compliance

False Claims Act

Litigation, Mediation,
Arbitration

Managed Care

Provider and Supplier
Operations

Reproductive Health

EDUCATION

Emory University School of
Law, J.D., *with honors*, 1997

Revelle College, University of
California, San Diego, B.A.,
1994

BAR ADMISSIONS

California, 1997

“Every issue, concern, investigation, or dispute that my clients face doesn't exist in a vacuum. Effective counsel requires seeing these matters through the prism of how a given approach will impact their broader business and legal interests and ongoing operations.”

In the courtroom, before regulators, or in legislative offices, Mark Johnson is a forceful advocate for post-acute health care providers and clients in every part of the health care ecosystem. With a career dedicated to advancing the interests of his health care clients and the entire industry, Mark has earned a reputation for his comprehensive knowledge of the legal and regulatory framework in which they operate and his intuitive understanding of the business, financial, and practical challenges they face. Whether representing clients in fraud and abuse investigations and proceedings, contributing to the development of legislation and policy, or advising on compliance and other matters, Mark serves as a valued partner and indispensable ally.

Focusing a significant percentage of his practice on the unique legal and business issues that arise in the post-acute health care space, Mark is a trusted authority and thought leader in the industry. He represents skilled nursing facilities and a broad range of post-acute healthcare providers, including some of California's largest skilled nursing companies. His clients also include healthcare provider trade associations, pharmacies, home health companies, and other related businesses and individuals.

Mark's clients benefit from his deep and broad insights not only into laws and regulations as written but as they are interpreted and enforced in practice. Regulators and other relevant authorities at the federal and state levels know and respect Mark, facilitating productive discussions and favorable resolutions that help his clients avoid needless disruption and expense. He provides counsel on matters involving appropriate reimbursement from governmental payors or health plans and insurers, manages audits, investigations, and legal actions relating to fraud, abuse, and program integrity. Mark also fights adverse survey, certification, and enforcement actions and handles major transactions such as mergers, acquisitions, asset sales, joint ventures, and financings.

A seasoned litigator, Mark defends his clients in a wide range of civil and regulatory cases, with a particular emphasis on fraud investigations and issues involving the False Claims Act. He is acutely aware of how the federal government approaches anti-fraud enforcement in the health care space, allowing him to effectively parry its often overzealous efforts. Mark's advocacy has diffused existential threats to individual practitioners and large health care organizations alike, and led to favorable outcomes in complex, high-stakes investigations and proceedings.

Many health care businesses and organizations turn to Mark to serve as their outside general counsel and provide actionable guidance on an array of day-to-day operational questions, strategic planning issues, compliance matters, and reimbursement battles. Mark feels privileged to participate in important policy issues and the development of law by representing stakeholders, helping to draft and shape legislation, training clients in compliance, and defending them in litigation.

Mark has been recognized by *Chambers USA* as offering notable fraud and abuse strength. Clients have stated, "Mark is really sharp and hard-working." And, Mark is "Excellent in every way."

As both a legal and business adviser, Mark provides health care clients with holistic representation that can position them for sustained success in an ever-changing market.

Recognition

- Chambers USA, Top Healthcare Lawyer: California, 2021-2024
- Best Lawyers, Health Care Lawyer of the Year, 2022; Health Care Law, 2018-2024
- The National Law Journal, Healthcare/Life Sciences Trailblazers, 2021
- Law360, Health Care MVP, 2020
- California Association of Health Facilities, Distinguished Service Award in recognition of his excellent service and outstanding dedication to the long-term care profession in California, 2007
- San Diego Business Journal, Top 100 Leaders in Law, 2022

Professional Affiliations

- American Bar Association
- American Health Lawyers Association
- California Association of Health Facilities
- California Society of Healthcare Attorneys

News

- Mark Reagan and Mark Johnson Quoted in Skilled Nursing News, "Supreme Court Ruling is a 'Game Changer' for Challenging Nursing Home Staffing Mandate, CMS Authority"
- Hooper, Lundy & Bookman Again Ranked Among Top Health Law Firms In The United States By Chambers USA
- Twenty-One HLB Attorneys Have Been Named "Best Lawyers in America 2024" and Five HLB Attorneys as "Ones to Watch"
- Hooper, Lundy & Bookman Again Ranked Among Top Health Law Firms In The United States By Chambers USA
- Twenty-Four HLB attorneys have been named "Best Lawyers in America 2023" and "Ones to Watch"

Insights

- Governor Newsom Signs into Law AB 1502: the Skilled Nursing Facility Ownership and Management Reform Act of 2022; Key Deadline: July 1, 2023

- DMFEA Launches Operation SAFE to Investigate SNFs During COVID-19
- COVID-19 Response: HLB Resource Page, California State of Emergency and Guidance, and CMS Survey Guidance
- DOJ Enhances Pursuit of Grossly Substandard Care at SNFs
- AseraCare Court Confirms that Difference of Reasonable Clinical Opinion Cannot Alone Establish Objective Falsity in False Claims Cases

Events

- Mark Johnson and Scott Kiepen Speak at CAHF's Summer Conference
- Mark Johnson is speaking at AHLA's Advising Providers: Legal Strategies for AMCs, Physicians, and Hospitals
- CAHF Annual Conference
- CAHF Summer Conference
- LeadingAge California Annual Conference