



## Erin R. Sclar

(she/her/hers)

### Associate

San Francisco: 415.875.8512

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#### CAPABILITIES

Administrative Law

Antitrust and Unfair Business Practices

Compliance

Medicare, Medicaid, Other Governmental Reimbursement and Payment

Public Agency Law

Reproductive Health

Ambulance Providers

Behavioral Health Providers

Counties, Health Districts, and Public Agencies

Digital Health and Other Health Technologies

Hospitals and Health Systems

#### EDUCATION

UC College of the Law San Francisco (fka University of California, Hastings College of the Law), J.D., 2020

Washington University, Master of Social Work, 2012

University of Notre Dame, B.A., 2009

#### BAR ADMISSIONS

California, 2021

“The start of my work in health policy coincided with the dawn of the Affordable Care Act and the dramatic changes and challenges that this new legal landscape presented to providers. That is what galvanized my desire to focus on the legal, regulatory, and payment issues they face so they could focus on serving patients.”

Erin Sclar focuses her practice on an array of matters for publicly funded health centers and safety net providers, as well as issues facing start-up health care providers and large health systems alike, including those pursuing innovative care delivery models. Her long involvement in public health predates her legal career, with an extensive policy and advocacy background informing her current practice, especially regarding Medicaid payment rates and disputes.

Providers receive well-researched and actionable guidance from Erin, who understands that her answers and counsel directly impact their abilities to deliver care to the most vulnerable patients, including those needing mental and behavioral health services. She helps her clients navigate the unique legal framework that applies to the health care work of county governments, public healthcare districts, and other publicly funded providers. Erin is also actively involved in litigation in federal court and at the trial and appellate levels in California, including responding to requests for temporary restraining orders and other emergency motions.

Prior to attending law school, Erin worked in diverse health care advocacy and policy roles, including founding a consulting practice focused on Medicaid advocacy in Florida, teaching policy to social work graduate students at the University of South Florida, and serving as a legislative affairs associate for a national hospital trade association in Washington, D.C.

Erin's subsequent academic career was equally focused on health policy. In law school, she served as a judicial extern in the Northern District of California, was a research fellow at the UCSF/UC Hastings Consortium on Law, Science, and Health Policy, and was a legal intern for the Harvard Law School Center for Health Law and Policy Innovation. She graduated *summa cum laude* and Order of the Coif from the University of California, Hastings College of the

Law and served as the president of the Hastings Health Law Organization.

### **Representative Matters**

- Successfully defended emergency motion for a temporary restraining order regarding ambulance service in a major California county.
- Prosecuted Medicaid payment rate action against the State of Florida regarding reimbursement to a federally qualified health center.
- Counseled numerous health care providers on implementation of innovative health care delivery models, including scope of practice issues and telehealth.

### **Professional Affiliations**

- California Society of Health Care Attorneys
- American Health Law Association
- American Bar Association

### **News**

- 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
- Ruby Wood, Catherine Srithong Wicker and Erin Sclar Published in CHLN's, "Implementing AB 890 and NP Independent Practice Authority in California"
- Paul Garcia, Erin Sclar and Kelly Carroll Published in Law360's Expert Analysis, "How Spending Clause Ruling May Affect Medicaid Litigation"
- Justices Could Impede Court Access With Medicaid Ruling

### **Insights**

- Changes to California's Behavioral Health Care System: Expansion of Eligibility for Conservatorship or Involuntary Care; Funding and Capital Projects; SUD Treatment
- Finalizing the Path to Independent Practice Authority for Nurse Practitioners in California
- Telemedicine Abortion Post Dobbs
- California Enacts Legislative Package Expanding Protections and Access to Abortion Services
- California Statutory Amendment Provides Anti-Kickback Carve Out for Healthcare Provider Directory and Marketing Services