

Knowledgeable Health Care Lawyers And Litigators

Whether confronting payment, employment, licensing, audit review, corporate, tax, compliance or privacy matters, health care providers need legal advisors who will provide them with consistent, timely, accurate, practical and cost-effective guidance. Offit Kurman's Health Care Practice Group is the trusted advisor of health care providers, professionals, payers and vendors.

Our team of health care attorneys represent providers from individual and group professionals to large institutions, along the entire continuum of care including primary, acute, behavioral health, substance abuse, long-term, and home and community based care. The team further advises regional and statewide provider associations as well as managed care organizations. These attorneys are also well integrated within the firm's other practice areas (i.e., Litigation, Labor and Employment, Business Transactions, Nonprofit Entities, Intellectual Property and Asset Protection), which provide them with the ability to advise clients on a wide range of legal matters that affect health care professionals and their industry. These legal matters include:

OPERATIONS AND REGULATORY

- License application, citations, revocations and related proceedings, including certificates of need
- Professional certifications, accreditation and credentialing
- Corporate, board governance and best practices (Officer and Director exposure)
- Operational compliance, fraud and abuse advice and programs
- Health worker employment and labor relations issues
 - Employment contracts, restrictive covenants and human resource services
- Enterprise Risk Management (ERM) and assessments
- Transactional compliance with fraud and abuse laws (Anti-Kickback Statutes, Stark, Civil Monetary Penalties, state law, corporate practice of medicine/dentistry, fee splitting, tax exemption matters)
- Regulatory and prosecutorial enforcement issues including white collar healthcare criminal defense and whistleblower litigation
- Individual and entity exclusions and terminations
- Litigation related to healthcare practices, professionals and providers
- Medicare issues, Medicaid, CMS, MCO, insurer issues
- Practice buy ins and exits
- Rate setting reimbursement disputes with regulators and/or insurers or MCOs
- Regulatory and/or payer's audits including Medicare and Medicaid contractors (MACs, RACs, ZPICs, etc.)
- Corporate and internal investigations

PRIVACY, HIPAA, DATA BREACHES AND CYBER-SECURITY

- Privacy policies and procedures
- Privacy compliance and board governance
- Cyber-security advice and requirements
- Business associate oversight and compliance
- Breach investigations, response and notifications
- Office of Civil Rights (OCR) audits and investigations
- Privacy and security risk assessments
- Outside Privacy Officer services

HEALTH CARE LAW ATTORNEYS

Joseph T. Kelley III

Joseph T. Kelley, Jr.

Michael N. Mercurio



RELATED SERVICES

Business Formation And Governance

- OCR Audit readiness reviews
- Responding to subpoenas and requests for protected health information (PHI)
- Meaningful use compliance
- Information governance

CORPORATE STRATEGY AND TRANSACTIONS

- Entity selection and creation
- Profit/Nonprofit/Charitable determination and filings
- Tax and related issues
- M&A, purchase and sale of providers/practice groups
- Provider agreements
- Business contracts
- Real estate leasing, conveyancing, construction

GENERAL COUNSEL SERVICES

- Outside General Counsel
 - Fixed fee for stated services
 - Daily fee rate outside or inside
 - Hourly billing
- Providing all legal services required of a healthcare entity

BUSINESSES, PROFESSIONS AND INDUSTRIES SERVED

- Licensed professionals (physicians, physicians assistants, dentists, therapists)
- Behavioral health and human services
- Home health care
- Telemedicine
- IDD and autism providers
- Special Education and charter schools and professionals
- Health care staffing agencies
- Managed Care Organizations (MCOs)
- Pharmacies
- Technology and other vendors that serve these industries