

Health Care & Life Sciences

The Health Care and Life Sciences Law Group at Norris McLaughlin & Marcus provides a variety of services to clients throughout the health care field, including highly specialized work in the regulatory areas governing the delivery of health care services under state and federal law. The Health Care and Life Sciences Law Group advises clients on compliance with these health care regulations in the negotiation and structuring of numerous transactions between and among providers, payors and suppliers. In addition, we handle a broad range of health care law litigation including hearings and appeals related to professional misconduct and discipline, private and public insurance audits and refund requests, fraud and abuse and disputes with other agencies overseeing the practice of medicine.

Our health care clients include hospitals and their affiliated corporations, medical societies, hospital medical staffs, health care service providers including physicians, psychologists, podiatrists, dentists, nurses and social workers, medical device companies, nursing homes and other long-term care facilities, rehabilitation facilities, home care providers, pharmaceutical companies, retail pharmacies, health data analytics companies, laboratories, imaging centers, ambulatory surgery centers and other providers of health care services, insurance companies and practice management companies. The types of matters handled by the group include:

- Representation of Hospitals and Health Facilities
- Representation of Physicians, Physician Groups and other Healthcare Practitioners
- Representation of Medical Staffs
- Representation of Medical and Specialty Societies
- Corporate Structuring of Health Systems and Entities
- Healthcare Network Mergers, Acquisitions, Affiliations and Joint Ventures
- Peer Review Proceedings
- Medical Staff Actions and Hospital Privilege Issues
- Professional Licensing, Discipline and Defense before State Licensing Agencies
- Healthcare Practitioner Impairment
- Specialty Certification Board Actions and Maintenance of Certification
- CMS Investigations and Audits
- Commercial Insurance Investigations and Audits
- DOJ Healthcare Fraud and Abuse Investigations
- DEA Investigations and Actions
- HHS Office of Civil Rights Investigations and Actions
- Physician Medical Practice Acquisitions
- Medical Training Program and Affiliation Agreements
- Exclusive Services Agreements
- Clinical Research and Clinical Trial Agreements
- Patient Consent and Treatment Matters
- Physician Agreements (Employment, Incentive Compensation, Call Coverage, Services)
- Healthcare Litigation
- Medicare and Medicaid Reimbursement Matters and Regulation Compliance
- Managed Care Agreements and Organizations



- Certificate of Need, Licensure and Regulatory Requirements
- Corporate Compliance Programs
- HIPAA and HITECH Compliance Programs
- Telemedicine Agreements
- Regulatory and Compliance Counseling Including Fraud and Abuse, Stark, Anti-kickback, False Claims Act, HIPAA and HITECH
- Employment Counseling and Litigation
- Capital Finance
- Construction of Hospitals and Other Facilities
- Representation of Institutional Lenders Financing Health Care Projects
- Tax-Exemption Issues
- HITECH and Patient Safety Organization Matters
- Guardianship Proceedings
- Real Estate and Land Use (Medical Office Buildings)
- Antitrust Counseling and Litigation

Representative Matters

A sample of the types of matters the Health Care and Life Sciences Law Group have handled for our health care clients include:

- Structuring and negotiation of numerous health system mergers and affiliations
- Representation of health system in acquisition of numerous community-based physician practices.
- Preparation of numerous exclusive service agreements for radiology, pathology, anesthesiology, hospitalist, laboratory, emergency, pharmacy, and other services.
- Successful formation of an accountable care organization (ACO) under PPACA, including navigation through CMS application process and credentialing process, preparation of ACO participant agreements and cost savings/sharing methodology.
- Advising clients on compliance with Stark, Anti-kickback and healthcare regulations in structuring various transactions.
- Development of program and participation agreement template for hospital subsidy of community physician practice purchase of electronic medical record software in compliance with Stark exception.
- Development and review of hospital and medical staff bylaws for compliance with state and federal healthcare regulations.
- Review of Clinical Trial Agreements for research/clinical trials involving pharmaceuticals.
- Preparation of Academic Mission Support Agreements among hospitals, affiliated medical schools and medical practice groups.
- Development of corporate compliance programs for hospitals, laboratories, physician practices and health systems.
- Development of HIPAA privacy and security policies and procedures, prepare business associate agreements and provide guidance on specific privacy and security issues and breach notification compliance.
- Preparation of OIG advisory opinion request concerning laboratory testing for community-based physician practices.
- Preparation of physician employment, incentive compensation, recruitment and income guarantee agreement templates.
- Preparation of physician call coverage agreements.
- Preparation of affiliation/training agreements for training of fellows, residents, medical students, PAs, RNs, PTs, and OTs.
- Preparation of supply chain management agreement among multiple health systems.



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