Health Law

The Lathrop GPM Health Law practice group is dedicated to providing the best client value by offering unmatched experience, deploying an enthusiastic and talented team tailored to each project. We regularly help our clients — from large multi-state delivery systems and health plans to solo rural practitioners — resolve complex regulatory issues, and we work proactively to help implement sensible plans for the future in an ever-shifting regulatory landscape. We take a practical, collaborative approach, working alongside our clients to understand their businesses and empower them to pursue their missions with confidence.

Our areas of deep experience include health care compliance and regulatory matters, health care transactions, and health care litigation. We also regularly provide general counsel services to our health care clients and assistance on a wide range of routine business matters, including contracting, employment, labor law, employee benefits, and real estate issues.

Health Care Transactions

Lathrop GPM's Health Law team provides the highest levels of expertise, experience, and specialization in virtually every type of health care contracting relationship, merger, acquisition, and joint venture. Whether it involves negotiating the terms of a physician practice sale to or by a hospital, a long-term professional services or management agreement, adding a hospital to an existing system, adding an additional service or location, forming hospital-physician joint ventures, or enabling providers to collaborate in bringing new services to the community, Lathrop GPM's Health Law practice provides the skills, leadership, and creativity critical to developing strategies that meet the challenges presented by such transactions.

Our experience includes:

- Affiliations, joint ventures, and collaborations
- Mergers and acquisitions
- Antitrust counseling in transactions
- Health care financing
- Facility and provider licensing
- Provider, vendor, and managed care contracting
- Technology transfers

Our experience particular to academic medicine includes:

- Advising on reimbursement and billing in physician teaching settings and other complex areas, such as transplant services, clinical labs, and in joint ventures with community providers
- Issues related to graduate medical education funding
- Negotiating and drafting electronic health record arrangements to facilitate clinical care, education, and research
- Clinical research contracting, compliance and reporting issues
- Negotiating and drafting contractual arrangements involving AMC physicians
- Structuring relationships between components of AMCs
- Obtaining favorable OIG advisory opinions for AMC clients
- Negotiating and drafting contracts between AMC components and other health systems.
- Advising on intellectual property policies and practices
- Negotiating technology transfer agreements and arrangements
- Patent prosecutions for AMC technology, including biologics

Health Care Regulatory Counseling

Health care providers in the United States offer their services and conduct their businesses in an environment of ever-changing and highly technical laws and regulations, state and federal oversight, and political and public scrutiny. Lathrop GPM's Health Law team understands that when it comes to compliance, the rules are complex and the stakes are high. We routinely help our clients develop compliance plans and guide them through responding to and defending

against federal and state regulatory inquiries.

Our experience includes:

- Federal and state fraud and abuse laws
- Stark Law and Anti-kickback Statute compliance
- Government investigations and self-disclosure
- False Claims Act
- HIPAA and state privacy, security and breach matters
- Medicare and Medicaid billing and reimbursement issues
- Patient rights, including vulnerable adult and child protection laws
- Medical staff issues
- Medicare and Medicaid enrollment, participation and program integrity matters
- Tax and tax exemption law
- Antitrust law
- Advising diagnostic imaging centers, clinical labs, DMEPOS, HHAs and other ancillary providers
- State fee splitting and corporate practice of medicine
- Facility and provider licensing
- Provider, vendor, and managed care contracting

Academic Medicine

The Lathrop GPM Health Law team is one of the most experienced groups of attorneys working with academic medical centers, as well as their related professional schools (including medical schools, dental schools, nursing schools, and schools of pharmacy). Lathrop GPM's extensive Employment & Labor practice group lends us additional knowledge to address the complex, intersecting issues faced by academic medical centers.

Health Care Litigation

Our health care litigation attorneys provide our clients in the health care field with knowledgeable, practical representation. The litigators on the health care team represent health plans, hospitals, clinics, physician groups, individual health care professionals, and other

providers in litigation, before state licensing boards and administrative bodies, and in responding to civil and criminal investigations.

Our experience includes:

- Qui tam and whistleblower defense
- Government and internal investigations
- False Claims Act
- Federal and state fraud and abuse laws
- Matters before state licensing boards
- Patient rights, including vulnerable adult and child protection laws
- Medicare enrollment, billing, reimbursement, and participation disputes
- Licensing and credentialing disputes

Long-term Care & Senior Housing

Lathrop GPM's health law team includes deep long-term care industry expertise. Our team of attorneys serves as primary counsel for many regional long-term care providers, and has extensive real estate development and financing experience. Our relevant experience includes:

- Assisting long-term care and senior housing organization clients in multiple acquisition transactions each year, involving bond financing, purchase of facilities, licensing, employment and employee benefit, Medicare and Medicaid enrollment, real estate, and tax-exemption issues. We handle all aspects of the transaction and work alongside bond counsel, as well as the client's operational staff, to ensure a smooth transition to new ownership and continuity in payor relationships
- Advising our Minnesota assisted living clients on their transition to the new licensure standards for such facilities, including new resident contracts, changes of ownership and survey issues
- Working with a number of long-term care and senior housing organizations on a variety of day-to-day operational matters, including ADA and FHA compliance, business and resident contracts, state regulatory issues, risk management, and business operations

- Serving programs for people with disabilities and mental health needs, including waivered group homes, ICF/MRs, day training and habilitation, extended employment, and community-directed community supports, as well as community mental health programs, ARMS and IRTS programs; our work for these clients includes licensing, county contracting, interpretation of payor requirements, and managing client situations for clients under public or private guardianship
- Assisting in contracting and relationships with providers in compliance with fraud and abuse and self-referral prohibitions
- Preparing policies, forms, and training materials to satisfy the federal and state HIPAA privacy requirements
- Responding to questions and issues in Medicare and Medicaid reimbursement
- Advising on investigations involving personal injury and security issues
- Assisting with licensing and accreditation of their facilities
- Advising on corporate governance and structure issues such as creation of parent holding company structures or consolidation of multi-entity systems
- Board training on governance issues such as fiduciary duties, conflicts of interest, and inclusive decision-making