Healthcare

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The healthcare industry in the 21st century is enduring remarkable transformation resulting from increased demand, new technologies, shifting business and reimbursement models, and intense government scrutiny. Our team of highly skilled attorneys offers corporate, regulatory, transactional, and litigation capabilities for all types of healthcare industry clients including:

- **Healthcare systems –** Today's Healthcare systems face extraordinarily complex business and regulatory issues. Strategic planning must balance the needs of patients and staff with the growing uncertainty that results from decreased federal and state funding and an increased demand for care based on quality. Professional and institutional licensure and accreditation bodies are becoming increasingly vigilant, questioning the quality of care. Due to the state and federal regulatory requirements liability, staffing and patient care issues arise, which increases the need for strategic planning and outside legal guidance.

Our healthcare law attorneys serve as counsel to hospitals and healthcare systems throughout the state and have experience representing them in transactions of all types. These include hospital restructurings and expansions, conversions, acquisitions, and development of hospital-physician joint ventures and ambulatory surgery, radiation, oncology, and cardiology centers. We represent clients in administrative

hearings and litigation involving managed care, employment and commercial disputes, reimbursement matters, medical staff relationships, insurance and liability questions of all kinds. We keep abreast of changing reimbursement models and develop creative solutions to difficult problems.

- **Physicians, dentists, and other healthcare providers –** Our healthcare law attorneys understand the "business" of healthcare and have extensive experience with the numerous business and legal issues facing physicians and other healthcare providers. This includes preparation of physician employment agreements, developing compensation plans, managing buy-in and buy-out issues, mergers and acquisitions including but not limited to Private Equity and hospital, and dealing with non-competition agreements and issues. We are recognized leaders in complex reimbursement and regulatory disputes, claim audits, disciplinary proceedings before state professional licensing boards, restrictive covenant breaches, insurance fraud matters, governmental investigations including fraud and abuse, and owner/shareholder disputes.
- **Ambulatory surgery centers/Ambulatory care facilities –** these licensed healthcare facilities have experienced explosive growth and unprecedented consolidation and capital investment in recent years, yet continue to be highly fragmented and competitive. As physicians, management companies, private equity, and other investors join forces to strengthen their positions in this dynamic environment, they face reimbursement, regulatory, compliance, billing, and transactional implementation issues that can cause roadblocks to their success.

Brach Eichler's healthcare law attorneys are uniquely equipped to help identify and mitigate risk, uncover new opportunities and develop winning strategies that maximize long-term value. With unparalleled experience and industry knowledge, our multidisciplinary team offers practical and operational approaches to addressing the unique legal, transactional, and regulatory needs of these facilities. We provide clients with innovative, business-oriented legal solutions tailored to their competitive and operational challenges, such as syndicating start-ups, private equity partnerships, transactions with management companies and health systems, and joint venture arrangements.

- **Nursing homes, assisted living facilities, home health agencies, and hospice –** Brach Eichler's practice is comprised of an integrated, inter-disciplinary team that has the experience to provide tailored counsel. Nursing and assisted living facilities, home health, hospice providers, and other long-term care concerns across the country have relied on us to handle the often unique legal matters facing the long-term care and related industry.

We assist in licensure and fraud and abuse compliance, Fair Housing and Americans with Disabilities Act (ADA) compliance, Medicare and Medicaid billing issues, and risk management. Look to us to provide assistance with developing and implementing admission agreements and resident policies, reviewing and negotiating contracts with vendors and ancillary service providers, and managing employee and patient care matters. We advise on conducting investigations, resolving disputes with residents and families, and numerous other operational issues.

- **Urgent care facilities –** Consumer demand, a sharp increase in funding, and retailers flocking to the health and well-being market — they've all propelled the nationwide roll-out of retail health clinics and urgent care centers. Brach Eichler attorneys have extensive experience representing companies that develop, operate, and manage urgent care centers. Our multidisciplinary team provides strategic counsel on all of the transactional, regulatory, and compliance needs of these growing entities.

- **Physician specialty societies –** Brach Eichler provides sophisticated, integrated, and cost-effective counsel to physician specialty societies. We regularly provide these organizations counseling regarding the complex business and regulatory issues that physicians face daily.
- **HIPAA –** We understand the complexities of HIPAA privacy and security rules and have deep experience in assisting healthcare providers in developing a HIPAA compliance program and providing workforce training. Our experience extends to helping substance use disorder and mental health treatment facilities with the additional federal and state confidentiality requirements imposed upon them. We regularly help clients in navigating through data and security breach events, including mitigating risk, conducting investigations, making required notifications, and responding to federal and state regulatory agency investigations.