



Health Law

MINTZ LEVIN
Mintz Levin Cohn Ferris Glovsky and Popeo PC





Keeping Your Business Healthy

The health care industry has always been complex and multifaceted, but never more so than today. The Affordable Care Act is intended to expand coverage, increase quality and accountability, and decrease overall costs. It will also revolutionize the entire health care delivery system.

Although private health insurance reforms dominated the health care reform debate, health care reform legislation is also leading to vast changes to the Medicare and Medicaid programs. These changes will include new and strengthened mechanisms for combating fraud, waste, and abuse in the state and federal health care programs. Even before passage of health care reform, the Obama administration placed a high priority on health care fraud enforcement. Taken together, these developments mean that the health care industry can expect to see a marked rise in Anti-Kickback Statute and Stark Law claims, as well as whistleblower suits brought under the False Claims Act.

At the same time, the health care industry is grappling with the Obama administration's goal of every American having an electronic health record (EHR) by 2014. This fundamental shift in the way that the health care industry does business will bring with it many legal, operational, and financial challenges. Hospitals, physicians, and other health care providers must carefully evaluate the various EHR systems on the market and ensure full protection of their legal rights when entering into vendor agreements. The cost of purchasing and implementing an EHR system is substantial; although the federal government will provide financial incentives to hospitals and physicians who engage in "meaningful use" of EHR technology, determining how to qualify for such payments will be complicated. Implementation of EHR technology will also give rise to a host of concerns about compliance with state and federal laws protecting the privacy and security of patient information.

Mintz Levin's Health Law attorneys and ML Strategies' government relations professionals fully understand the substantial changes taking place in the health care industry and how they are affecting the business of health care. We regularly advise clients on how to adapt to this constantly changing environment and how to develop strategies to keep their organizations moving forward.

Who We Represent

Payors

- Commercial Insurers
- Medicare/Medicaid Managed Care Plans
- Medicare Part D Plans
- TRICARE
- Pharmacy Benefit Managers

Providers

- Academic Medical Centers
- Ambulatory Service Providers
- Dialysis Providers
- Hospice Providers
- Home Care Agencies
- Laboratories
- Hospitals and Hospital Systems
- Assisted Living/Life Care Communities
- Long Term Care Facilities
- Physicians/Physician Practices
- Retail Pharmacies
- Retail Health Clinics

Manufacturers/Suppliers/Distributors

- Health Care IT
- Durable Medical Equipment
- Medical Devices
- Pharmaceutical Products
- Biotech Products
- Diagnostics

Lenders and Investors

- Bond Issuers/Underwriters
- Commercial Lenders
- Private Equity
- Venture Capital
- Investment Banks
- Hedge Funds

Representative Clients

- Alphatec Spine, Inc.
- American Well
- Ardent Health Services
- BioHorizons Implant Systems, Inc.
- Caris Life Sciences, Inc.
- Catalyst Health Solutions, Inc.
- CVS Caremark Corporation
- DaVita Inc.
- Fidelis Care New York
- Fundamental Administrative Services, LLC
- HealthpointCapital
- Kindred Healthcare, Inc.
- Lenox Hill Hospital
- Partners HealthCare
- Teva Pharmaceuticals Industries, Ltd.

Service Offerings

- Accreditation, Licensing, and Certification
- Antitrust
- Clinical Trials, FDA, and Research
- Compliance and Regulatory Counseling
- Contracting
- Fraud and Abuse
- Governance
- Government Audits, Investigations, and Litigation
- Graduate Medical Education Program Accreditation
- Health Care Enforcement Defense
- Health Care Reform
- Health IT
- Medicare Advantage and Medicare Part D
- Mergers, Acquisitions, Financings, and Joint Ventures
- Privacy and Security/HIPAA Compliance
- Reimbursement

Highlights

- *Chambers USA: America's Leading Lawyers for Business 2010* recognized our Health Law practice in Boston, New York, and Washington, D.C., as well as Nationwide for the East Coast
- Six Health Law attorneys are listed as leaders in their field by *Chambers USA: America's Leading Lawyers for Business 2010*
- *Nightingale's Healthcare News* has named our Health Law attorneys to its lists of Outstanding Healthcare Fraud and Compliance Lawyers, Outstanding Hospital Lawyers, Outstanding Healthcare Transaction Lawyers, Outstanding Young Healthcare Lawyers, and Outstanding Healthcare Antitrust Lawyers
- We are ranked among the top 15 health law practices in the U.S. by *Modern Healthcare*
- Five Health Law attorneys were selected for the 2011 edition of *The Best Lawyers in America*
- Five Health Law attorneys have been named Massachusetts or New York Super Lawyers
- We have received the American Health Lawyers Association's Award of Excellence
- Our team consists of more than 25 full-time Health Law attorneys and many others who represent health care industry clients
- Many of our attorneys have served as in-house counsel or held senior government positions



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