



HEALTH LAW

According to the Bureau of Labor Statistics, the health care sector employs approximately 11 percent of American workers and is one of the largest categories of consumer spending. And the health care sector continues to grow as a share of the overall U.S. economy.

Combine that with the fact that it is also one of the most highly regulated industries, and you can understand why it is critical for health care providers to have competent legal counsel familiar with the industry. Bell Nunnally has long-term, in-depth experience helping both health systems and providers and their related industry partners navigate and anticipate changes in the complex web of laws, regulations and rulings that apply to the daily business of providing health care and running companies subject to the health care laws.

Providing services in mergers and acquisitions, strategic joint ventures, health care compliance and defense of health care industry clients in various claims and enforcement actions, we regularly represent:

- Hospitals and health care systems
- Doctors and medical practices
- Dentists and dental practices
- Durable medical equipment suppliers
- Home health services
- Compounding pharmacies
- Health care practice management companies

Health Care Compliance

Our Health Care Compliance attorneys provide experienced counsel on reducing and remediating compliance risks. We assist clients in establishing compliance programs from the ground up for new ventures. For our clients with existing compliance programs, we are often engaged in evaluating and updating their programs and policies to ensure they conform with a continuously evolving regulatory environment.

As part of our health care compliance review, our attorneys seek to identify and eliminate any gaps, while advising those within the company of their corporate responsibilities. Our health care clients also benefit from our strong white-collar practitioners, who work hand-in-glove to assist with internal investigations, self-reporting strategies and a vigorous defense, when needed. Our strong working relationships and experience with federal and state investigative and prosecuting agencies allow us to traverse through government investigations where others may stumble.

Health Care Industry Transactions

For health care businesses looking to merge with, acquire or otherwise change ownership structures, our attorneys provide seasoned guidance during the due-diligence phase of transactions, working to identify potential compliance and regulatory risks and collaborating with our clients to address them as quickly and efficiently as possible. In addition, where applicable, our attorneys can assist with structuring a transaction to comply with corporate practice of medicine and other regulatory requirements

Compliance and Regulatory

We routinely advise clients on how to comply with complex federal and state regulations, including:

- HIPAA privacy and security protections and violations
- Medicare and Medicaid compliance
- Patient Protection and Affordable Care Act matters (PPACA)
- Anti-Kickback and Self-Referral (Stark Law) advice
- Corporate Integrity Agreement (CIA) negotiation and compliance
- False Claims Act
- Texas Patient Solicitation Act
- Texas Medicaid Fraud Prevention Act

Health Care Enforcement

Accusations of health care fraud can be highly charged and progress rapidly. For health care providers caught in the crosshairs, it is paramount to begin mounting a defense as early as possible. The mere reference to health care fraud, whether well-founded or not, may result in licensing investigations, Medicare and Medicaid audits, and other regulatory and criminal investigations that take practitioners' and providers' attention away from their primary responsibility — treating patients.

Our attorneys not only defend those accused of health care fraud, but also prepare them for audits and investigations, working diligently to prevent, when possible, the accusations in the first place.

We operate with a multi-disciplinary approach, addressing the acute issues, as well as the secondary — and not always obvious — issues that can arise in these situations. Our health care experience is augmented by the firm's numerous adjacent practice areas, providing clients with critical perspective, strategy and expertise.

Regulatory issues on which we advise health care businesses and providers include:

- Medicare, Medicaid, Tricare and other payor reimbursement audits and investigations (i.e., alleged fraud relating to reimbursement claims)
- Private insurance audits and reimbursement disputes
- Health and Human Services Office of the Inspector General (HHS-OIG) investigations
- Compounding pharmacy investigations
- Anti-kickback and Stark Law claims
- Antitrust claims
- False Claims Act and whistleblower matters
- Drug and medical device liability defense
- Commercial disputes

Related Practices

Labor and Employment

Litigation

Mergers and Acquisitions

White Collar Criminal and Regulatory Defense

Related Industries

Health Care

Insurance

Software, Technology and Telecommunications

Wholesale, Retail and Services