



## Andrew Brenton

### SENIOR COUNSEL

MADISON, WI

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### OVERVIEW

With a deep understanding of healthcare law, Andrew focuses his practice on helping clients in the hospice sector.

With a deep understanding of healthcare law, Andrew focuses his practice on helping clients in the hospice and post-acute care sectors.

Andrew is part of the firm's coast-to-coast Hospice & Palliative Care Team, working with clients on a broad range of healthcare regulatory compliance issues, including with respect to Medicare regulations, provider enrollment rules, and fraud and abuse laws. He answers questions that otherwise might keep clients awake at night. Andrew and the team also help navigate clients through a wide range of government audits, fraud and repayment investigations, and provider and payor contracting issues.

Clients appreciate Andrew's background as in-house counsel for the Wisconsin Hospital Association, where he monitored changing state and federal legislation and rulemaking and how they influenced healthcare providers. In that position, Andrew handled contracting, compliance, governance and healthcare policy matters, including issues related to the Health Insurance Portability and Accountability Act and data privacy, telehealth and meaningful use of electronic health records. He advocates for clients so they can stay focused on their patient care missions.

### Industries

Education  
Healthcare  
Life Sciences

### Services

Healthcare Regulatory &  
Compliance Counseling  
Hospice & Palliative Care  
Hospice Medicare & Medicaid  
Audits

## Experience

### HEALTHCARE EXPERIENCE

- Counseled two hospice clients through complicated Medicare repayment investigations that resulted in reductions in potential overpayment liability of approximately \$18 million and \$4.5 million, respectively.
- Navigated numerous hospice clients through other complex internal fraud and abuse investigations and 60-Day Repayment Rule investigations.
- Assisted on legal team in successfully arguing for the invalidity of a Unified Program Integrity Contractor (UPIC)'s multi-million dollar extrapolated overpayment on behalf of hospice client.
- Led clients receiving contractor claim denials through the labyrinthine Medicare administrative appeals process, including advocating for clients at the redetermination, reconsideration, and administrative law judge phases of appeal.
- Ushered two hospice clients through regulatory due diligence efforts for the successful acquisition of another hospice provider and a home health agency, respectively.
- Drafted and negotiated, on behalf of hospice clients, various complex healthcare agreements with hospitals, nursing homes, assisted living facilities, physicians, physician groups, and vendors.
- Counseled and led hospice client through contract negotiation process with large payor for the provision of hospice and palliative care services to Medicare Advantage beneficiaries.
- Counseled clients during the COVID-19 pandemic on Provider Relief Fund use and reporting requirements and new Medicare telehealth rules.

### ASSOCIATION COUNSEL

- Led public policy development efforts related to telehealth, electronic health records, trauma care and emergency preparedness.

## Experience

- Coordinated development and execution of plan for Wisconsin to adopt interstate licensure compact, ensuring ability of out-of-state nurses to continue practicing in-state.
- Led negotiation of complex cloud migration contract.
- Drafted and reviewed employee handbook policies and counseled human resources director on employment practices.
- Drafted corporate bylaws and resolutions, and advised senior management on governance and other legal issues.

## Recognition

- Best Lawyers: Ones to Watch, Health Care Law, 2021-2024

## Education

- J.D., University of Wisconsin Law School
  - *cum laude*
  - *Wisconsin Journal of Law, Gender & Society*, Senior Managing Articles Editor
- B.A., University of Wisconsin-Madison
  - highest distinction
  - History

## Admissions

- Wisconsin
- Illinois

## Community Leadership

- Wisconsin Hospice and Palliative Care Association, Board Member
- Dane County Bar Association, former Board Member
- Specialty Purebred Cat Rescue
- Dane County Humane Society



Monitoring updates and  
fostering learning.