HUSCH BLACKWELL



Edward L. Barker

SENIOR COUNSEL

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OVERVIEW

After 25 years as chief legal officer of a multistate hospital network, Ed has a rare understanding of both healthcare business operations and the U.S. healthcare system's regulatory landscape.

Known for his practical, engaging style and close attention to clients, Ed is frequently sought out for strategic consulting. He advises clients on matters such as corporate organization, physician acquisition and employment programs, hospital-physician integrations, alternative healthcare delivery systems and financing transactions.

Ed's operational and legal experience includes guiding multihospital health systems, health plans, ambulatory and specialty providers, and large physician groups through large-scale transactions. These include mergers, acquisitions and affiliation divestitures and reorganizations.

His comprehensive knowledge of the healthcare industry also includes knowing exactly how to raise significant amounts of capital. His success follows meticulous strategic planning, thoughtfully designed approaches and careful preparation of every step in the process.

Ed has completed total quality management programs for professionals involving methods such as lean and Six Sigma at the Intermountain Healthcare Delivery Institute in Salt Lake City.

Industry

Healthcare

Services

Academic Medicine

Corporate

Healthcare M&A, Joint Ventures, and Other Transactions

Healthcare Operations

Healthcare Providers

Healthcare Regulatory & Compliance Counseling

Nonprofit Organizations & Religious Institutions

Post-Acute Care

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Experience

IN-HOUSE COUNSEL EXPERIENCE

- SCL Health; Chief Legal Officer, 2010-2013; Senior Vice President and General Counsel, 1987-2013

HEALTHCARE TRANSACTIONS

- Acted as lead counsel and responsible executive team member in numerous large-scale healthcare merger, acquisition and divestiture transactions, including for-profit, nonprofit, public, private, academic, religious and secular entities. Involved in transaction planning, approval and implementation, and ensured that plans' original goals and objectives were met successfully and without difficulty.
- Led purchase of Silver Bow Community Hospital in Butte, Montana.
- Oversaw sale of DePaul Hospital, a Catholic institution in Cheyenne, Wyoming, to local county hospital.
- Managed purchase of Providence Medical Center, Physician Resources of Kansas and Providence Place Inc., part of diocesan hospital system in Kansas City, Kansas.
- Purchased on client's behalf Hilltop Rehabilitation Hospital, a local stand-alone ancillary service provider in Grand Junction, Colorado, and steered its successful integration into hospital operations.
- Created Exempla Healthcare, a two-hospital healthcare system in Denver, Colorado, that grew in size and complexity and 11 years later required conversion of ownership, management and operations. Served as lead counsel during dispute with local board resulting in arbitration, takeover and successful consolidation.
- Purchased Holy Rosary Hospital and related operations in Miles City, Montana, and led its subsequent conversion to critical access hospital.
- Purchased Healthcare of America's for-profit hospital, Bethany Medical Center in Kansas City, Kansas, and oversaw its clinical service consolidation at Providence Medical Center.

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Experience

- Developed joint venture between Jewish and Catholic healthcare providers to collaboratively provide patient care in both inpatient and outpatient settings at Saint Joseph Hospital in Denver.
- Hosted and moderated the HB webinar on public/private partnership used in healthcare by AMCs and others to finance campus and facility renovations.
- Developed and implemented clinical joint ventures with AMCs.

HEALTHCARE OPERATIONS

- Created new Catholic canonical entity, Leaven Ministries, as sole canonical sponsor of multistate health system; provide ongoing legal advice.
- Originated and operated systemwide risk finance and management program, which has self-insurance structure, common occurrence reporting, patient safety committee, standard patient safety plan, self-administered claims and safety event reporting, resulting in operation's consistent top-two ranking for total cost of risk.
- Created and implemented systemwide standard process, management and tools for physician contracting and integration efforts.
- Participated in creation of Kansas City Tri-Source Insurance Co., an HMO, with six hospitals and their physician organizations; served on board of directors.
- Helped create systemwide multistate financing structure that resulted in single obligated group debt structure and industry-first master trust indenture.
- Created, operated and became president and board chair of Leaven Insurance Co., a single-parent company in Cayman Islands that had great operational flexibility in primary retention, reinsurance, self-insurance trust, excess and umbrella program with domestic and foreign commercial insurers.

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Experience

PROVIDER ALIGNMENT AND INTEGRATION

- Created fully integrated entity for Denver physician group, Primera Healthcare LLC.
- Created local limited liability company, MedMap LLC, that subsequently became vehicle for physician-hospital integration and investment activities, including medical office buildings, lithotripsy services, and clinically integrated and back offices services.
- Participated in creating Yellowstone Community Health Plan, the first Montana HMO owned, operated and governed by local hospital and community.

HEALTHCARE COMPLIANCE COUNSELING & DEFENSE

- Represented health systems before U.S. Department of Health and Human Services, U.S. Department of Justice, Federal Trade Commission, Internal Revenue Service, Centers for Medicare and Medicaid Services, multiple state health departments and other regulatory and enforcement agencies.
- Created and operated multistate health system's corporate integrity program and became its first corporate integrity officer.

Recognition

- *The Best Lawyers in America®*
    - Health Care Law, 2020-2027
    - Best Lawyers® Health Care Law "Lawyer of the Year," Kansas City, 2023

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Education

- J.D., Washburn University School of Law
  - with honors
  - *Washburn Law Journal*, Managing Business Editor
- B.S., Kansas State University
  - Business Administration and Political Science

Admissions

- Missouri
- Colorado
- Kansas
- U.S. District Court, District of Kansas
- U.S. District Court, Western District of Missouri
- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Tax Court

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Community Leadership

The caring that underlies Ed's legal practice is evident in his volunteer activity. He helps guide Mosaic, a faith-based organization committed to people with intellectual disabilities, assists a university and serves more than a half dozen different healthcare institutions, as well as some of the physicians who staff them.

- University of St Mary, Board and Committee
- Mosaic, Board of Directors, Omaha, Nebraska, 2015-Present, Compliance/Integrity Committee
- DePaul Hospital, Cheyenne, Wyoming, Board and Committee Member, Board of Directors, 1990-1996
- University of Saint Mary, Leavenworth, Kansas, Board of Directors, 2013-Present. Committees: Audit, Executive, Finance, Risk, Admissions, Marketing (Chair)
- SCL Health, Denver, Colorado, Secretary and Chief Legal Officer, 1979-2014, Committees: Audit, Executive, Finance, Quality, Nominating & Governance, Risk (Vice President, Secretary)
- St. Francis Health Center, Topeka, Kansas, Board of Directors, 2008-2012, Committees: Executive, Finance, Risk, Quality
- St. Mary's Hospital and Medical Center, Grand Junction, Colorado, Board of Directors, 2007-2012, Committees: Executive, Finance, Quality, Building/Construction, Risk (Vice Chair)
- Saint Joseph Hospital, Denver, Colorado, Board of Directors, 1996-2010. Committees: Executive, Finance, Building/Construction
- Colorado Preferred Physicians Organization, Wheat Ridge, Colorado, Board of Directors and Shareholder Representative, 1990-2012
- DePaul Hospital, Cheyenne, Wyoming, Board of Directors, 1990-1996, Committees: Finance, Foundation, Risk

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*Contact Edward to set up an in-person consultation by appointment in the Kansas City office.

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