

HEALTHCARE PROVIDERS



Husch Blackwell understands the complex market demands that healthcare providers face, and we're committed to helping them keep ahead of the constantly shifting healthcare landscape. We draw on our experience and comprehensive industry knowledge in advising providers on transactions, regulatory compliance, labor and employment challenges, privacy and data security concerns, and litigation.

Academic medical centers

Husch Blackwell takes a holistic approach to its partnerships with more than 400 hospitals, research entities, and institutions of higher education. Drawing on the resources of our full-service firm, our attorneys provide transactional, compliance, and operational counsel; training; government affairs advocacy; and litigation and enforcement defense.

Ancillary services

Clients that provide care outside of traditional hospital and doctor's office settings trust our counsel on licensure and certification, physician practice management, and risk management. Our team also advises on public and private financing vehicles and regulatory compliance, including state fraud and abuse statutes and regulations of the Centers for Medicare and Medicaid Services (CMS).

I'm always so impressed with the depth of our team at Husch Blackwell. Whether it's physician contracts, reimbursement issues or patent work, I know they have the experience we need.

— General Counsel,
Children's Hospital

Contact Information

Curt J. Chase
816.983.8254
curt.chase@
huschblackwell.com

Behavioral health

Husch Blackwell has significant experience handling legal issues unique to behavioral health providers, such as privacy, restraint, and seclusion, and chemical dependency. Our team also advises on compliance, reimbursement, labor and employment, litigation, and the application of general healthcare laws – such as the Emergency Treatment and Active Labor Act (EMTALA) – in a behavioral health context. Further details about our Behavioral Health work are available [here](#).

Children's hospitals and pediatric providers

Husch Blackwell understands the unique challenges associated with the ever-changing delivery of healthcare services to a vulnerable population of children and their families. Our counsel includes physician recruitment and integration strategies, regulatory compliance, innovative uses of accountable care networks, outcome-oriented reimbursement methodologies, captive insurance plans, and telehealth networks.

Hospitals and health systems

Our team is on the cutting edge of hospital industry advancements, developing innovative relationships between hospitals and providers and even between multiple hospitals and hospital systems. We advise hospitals and health systems on compliance and regulatory matters, including fraud and abuse avoidance and all aspects of Medicare, Medicaid, Stark Law, and federal anti-kickback law. Labor and employment, research and technology, and strategic transactions are

other areas of focus for our team.

Pharmacy, specialty pharmacy, and pharmacy benefit managers

Husch Blackwell is one of the only law firms in the country with an entire group devoted to pharmacy law and practice. Our attorneys offer pragmatic and strategic counsel on complex matters such as Medicare and Medicaid coverage and provider enrollment, billing and reimbursement, federal and state fraud and abuse laws, patient privacy and data security, and licensing and accreditation requirements. We also advise on transactions, investigations, and litigation.

Physicians and other professionals

The Husch Blackwell team has decades of experience advising physicians and other professionals on the nonclinical aspects of their business, often serving as primary outside counsel. We help providers resolve reimbursement issues, analyze potential business transactions, and develop strategies for growth, including through innovative integration arrangements, network development, and ancillary ventures.

Post-acute care providers

Our team has the depth and breadth of knowledge to help our clients' businesses grow along with the aging U.S. population. Our counsel to skilled nursing facilities, senior living facilities, and other post-acute care providers includes licensure matters, corporate compliance, internal investigations, privacy, data security, and Medicaid certification.

Rural health providers

Our team understands the unique situations our clients face in delivering high-quality healthcare to rural communities. We provide counsel on the development of provider networks and affiliations with large health systems, access to capital and equipment, licensing and certification, IT support and compliance, and provider staffing models and telehealth support. We also assist with regulatory compliance and reimbursement issues unique to rural providers.

Experience

Physician Group Receives Substantial Reduction in Overpayment

Representative Experience

Represented hospital systems and medical groups in developing, negotiating and implementing service line management agreements.

Assisted hospital systems and physician groups with the sale and acquisition of medical practices and other affiliations.

Assisted multispecialty physician groups in developing and applying for approval from Centers for Medicare and Medicaid Services (CMS) as shared savings ACOs.

Assisted ACOs in negotiations with health plans for commercial products and analyzed antitrust issues regarding the joint negotiation with health plans based on

clinical integration.

Represented provider networks and quasi-networks such as IPAs, PHOs and ACOs in provider contracting, quality assurance, utilization review, and claims payment. We also counseled on risk-based contract negotiations, gain sharing, insurance, and licensure.

Assisted a children's hospital in preparing a comprehensive analysis of alternative contractual relationships with an ACO-like organization affiliated with another pediatric hospital. We handled the contract negotiations and analyzed federal antitrust, tax, and healthcare regulatory matters for the new network.

Created a multi-community, clinically integrated PHO involving two hospital systems.

Participated in American Health Lawyers Association's work groups for Managed Care and ACO and Bundled Payment.

Advised providers on antitrust implications of joint venture transactions, development of ACOs, integrated networks, managed care contracting, and price and cost surveys among competitors.

Structured and developed pediatric provider networks designed for Medicaid managed care and/or commercial payor contracting.

Represented Medicaid providers in supplemental reimbursement Disproportionate Share Hospital (DSH) appeals and consult on Upper Payment Limit (UPL) program development.

Designed and developed patient safety organizations unique to children's hospitals.

Designed, developed and evaluated compliance with federal research regulations (informed consent/IRB issues), NIH Grants Policy Statements, and federal investigations involving pediatric research.

Provided counsel regarding GME matters, including community provider/educational institution affiliation models, funding and resident allocation considerations, resident and medical student supervision requirements, and appropriate billing practices as they relate to teaching physicians and academic institutions.

Advised on day-to-day operational issues impacting pediatric providers such as consent, guardianship, and child abuse/ neglect reporting requirements.

Defended psychiatric hospitals and psychiatric residential treatment facilities in decertification proceedings, including immediate jeopardy situations.

Developed a multi-state guardianship and consent matrix and decision tool for client currently being utilized by providers in Colorado, Kansas, Montana, Utah, and Wyoming to help front line personnel navigate sensitive and oftentimes highly controversial situations related to the terminally ill and end of life decisions, durable power of attorney and healthcare proxies, minor consent issues, and guardianship.

Led a lengthy and complex negotiation between

anesthesiology group and hospital to facilitate the transition of 11 anesthesiologists and select clinical and operations staff to the hospital.

Successfully negotiated major updates to joint venture arrangement between a neuro service provider and a large health system in Arizona which led to the provider working with the hospital to build and develop a new offering, a neuro services tower.

Assisted hospital in preserving relationships with departing cardiologists who were forming an independent group. Created complex, comprehensive set of arrangements with cardiologists and outside management company to preserve services to hospital patients.

Merged three orthopedic practices with very different compensation structures, varied affiliations, and different management approaches into one single large orthopedic practice, the largest in western Missouri and eastern Kansas.

Represented healthcare provider in defending against a GAO bid protest challenging the Federal Bureau of Prisons' award of a contract to the client for substance use and mental health treatment services.

Represented infusion care provider and specialty pharmacy in dispute with insurance company over wrongful denial and underpayment of insurance claims.

Represented physician-owned hospitalist practice in a suit for breach of contract, tortious interference with existing

contracts, and conspiracy to tortiously interfere with existing contracts.