

Health Care

Pullman & Comley's Health Care practice has counseled clients in nearly every major sector of the health care industry on regulatory, transactional and business matters. Our experienced and innovative attorneys help navigate the complex maze of health care law for a broad range of health care providers and businesses in related fields. Our commitment to the highest quality legal service is grounded in our ethic of practical, responsive advice that helps our clients achieve their clinical and business goals.

The Health Care practice stays abreast of current legal issues in the health care field, such as state and federal efforts on health care reform and developments affecting physician self-referral (known as "Stark"), HIPAA, fraud and abuse and other health care regulations. Our attorneys have served in leadership positions in state and national health law organizations, and frequently lecture and write on cutting-edge topics. This experience gives us a sophisticated understanding of the business realities our clients face and an ability to craft creative solutions to meet the changing demands of the dynamic health care sector.

Our core group of health care attorneys is supported by attorneys from our Business Organizations and Finance, Real Estate, Labor and Employment, Employee Benefits, Government Finance and Privacy and Data Security groups. We serve as general counsel to institutional providers and group practices and advise in most areas, including:

- Mergers, acquisitions, affiliations, and development of integrated delivery systems
- Medicare and Medicaid reimbursement/fraud and abuse
- Internal and government investigations
- **Compliance and risk management**
- Strategic partnerships and joint ventures
- Certificate of Need ("CON") proceedings and advice
- Tax-exemption
- Patient care/licensure
- Professional discipline and credentialing proceedings
- HIPAA/HITECH Act
- Corporate structure, governance and compliance
- Health information technology (HIT) and technology licensing
- Managed care contracting

Health Care

- Tax-exempt bond financing
- Litigation and administrative proceedings
- Licensure and Medicare certification surveys and complaint investigations
- Reimbursement audits and medical record reviews
- Joint Commission accreditation and sentinel event reporting
- Disclosures under OIG and CMS voluntary disclosure protocols
- Electronic Medical Record contracting and meaningful use requirements
- Proceedings before medical examining and nursing boards
- Advice to Institutional Review Boards and FDA compliance

In addition to the above services, our lawyers assist clients on a day-to-day basis with various operational issues in health care. These services include:

- Advising board members and management on governance matters
- Patient rights and adverse event reporting
- Medical staff credentialing and corrective actions
- Drafting and amending bylaws
- Structuring compliance programs and policies
- Advice regarding tax-exempt organization issues
- Peer review and impaired physician issues
- Advice regarding charitable donations
- Executive employment and severance agreements
- Exclusive provider agreements (e.g., radiology, pathology)

Experience

- Assisted hospitals in completing "Stark audits" to inventory all financial relationships with physicians, and developed policies and procedures governing such relationships
- Represented health center in negotiations with a vendor for acquisition and implementation of a new electronic health record and practice management system
- Represented home health agency in the acquisition of another agency and its corporate restructuring
- Represented hospitals and specialty practice groups in negotiating exclusive service agreements in fields such as radiology, anesthesiology and pathology to meet business and compliance objectives

Health Care

- Assisted in the development and provided ongoing representation of hospital-affiliated physician practices
- Served as general counsel to a teaching hospital and advised on all aspects of hospital operations, governance and compliance, including sitting on the hospital's Institutional Review Board (IRB), Compliance Committee and Ethics Committee
- Represented physicians before the Medical Examining Board, including high-profile cases involving the use of controversial treatment modalities
- Serves as general counsel to one of the largest community health centers in the state, assisting in regulatory compliance, corporate governance and transactions, contracts, policy development, and day to day operational and risk management issues
- Advise clients on Certificate of Need (CON) matters and representation of clients in regulatory proceedings before the Office of Health Care Access (OHCA) Represent both hospitals and physicians in development of joint ventures for diagnostic and therapeutic services, including imaging, lithotripsy and cardiac treatment
- Represent providers in contract negotiations, including managed care contracting, commercial leases, services agreements, and clinical research agreements
- Assisted a hospital to establish a multi-faceted collaborative relationship with a larger Connecticut-based health system, including the establishment of an in-house rehabilitation center
- Defended a specialty provider in a Medicaid audit for alleged improper use of evaluation and management and therapy codes for rehabilitation patients referred to its facilities
- Represented an ambulatory surgery center in the sale of a majority interest to a national operator of surgery centers