



Michael A. Kurs

Member

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Michel Kurs devotes himself to providing responsive and personal attention to the challenges visited upon his clients by state and federal agencies. He regularly represents for-profit and not-for-profit entities and licensed professionals in their dealings with regulators and enforcement authorities. A substantial portion of his practice involves his responding to or handling investigations pertaining to false claims act cases, sexual abuse claims and standard of care related complaints. He also consults on substance use treatment confidentiality rules, drug enforcement issues and represents emergency medical services and their responders.

Michael draws upon decades of experience representing a wide range of clients who have included hospitals, nursing homes, surgical centers, ambulance organizations insurance companies, managed care companies, banks, construction companies, large employers, municipalities, power generators, and schools. He has also represented physicians (including anesthesia, bariatric, cardiology, ER, family, gerontology, hospitalist, gastrointestinal, OB-GYN, oncology, osteopathic, pediatric, psychiatric and radiology), dentists, nurses and other health care providers.

Michael has tried jury and non-jury cases, argued before the appellate courts and handled federal and state agency proceedings including audit, licensure, antitrust, employment, reimbursement, tax, discrimination and rate cases.

Michael regularly contributes to the American Bar Association publication PREVIEW of United States Supreme Court Cases.

Practice Areas

Health Care; Litigation; Internal Investigations

Experience

- Connecticut Supreme Court decisions including 319 Conn. 367 (2015) (right to arbitration of an energy contract dispute); 313 Conn. 669 (2014) (wind turbine siting and jurisdiction over siting)

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BRIDGEPORT
203.330.2000

HARTFORD
860.424.4300

SPRINGFIELD
413.314.6160

STAMFORD
203.324.5000

WATERBURY
203.573.9700

WESTPORT
203.254.5000

WHITE PLAINS
914.705.5355

Michael A. Kurs

- Successful defense of complex professional standard of care cases and other complaints for physicians and other health care professionals before the Connecticut Medical Examining Board and the Department of Public Health
- Achieved resolution for hospital of multimillion-dollar negligence actions within limits of hospital's insurance coverage through negotiations with insurer and plaintiff's counsel
- Obtained mediated resolution of multimillion-dollar ERISA claim against Health Plan sponsor
- Administrative agency proceedings for private and public clients including rate cases, certificate of need proceedings, patient complaint proceedings, bid contests and representation of clients in appeals to court from agency decisions
- Representation of medical professionals and institutions in government investigations including investigations related to fraud, abuse and overpayments
- Counsel and advice to institutions and professionals regarding healthcare and corporate compliance issues including Stark, anti-trust, anti-kickback and HIPAA

Bar and Court Admissions

Connecticut

Georgia

Mashantucket Tribal Court

New York

U.S. Supreme Court

U.S. Court of Appeals for the Eleventh Circuit

U.S. District Court, District of Connecticut

U.S. District Court, Northern District of Georgia

U.S. District Court, Southern District of Georgia

Education

Antioch Law School, J.D., 1980

Yale University, B.A., 1977

Publications

"No poach" Indictment Serves as Reminder for Competitors
Hartford Business Journal, 04.05.2021

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Out From under the Brick—A Long Road to a “New” Antitrust Remedy for Connecticut Consumers
10.12.2018

What Standard Governs the Dismissal of a Relator's Claim for Violation of the False Claims Act's Seal Requirement in an Action Over Hurricane Katrina-Related Insurance Payments?
PREVIEW of United States Supreme Court Cases, 10.21.2016

May Vermont Apply Its Health Care Database Law to the Third-Party Administrator for a Self-Insured ERISA Plan?
PREVIEW of United States Supreme Court Cases, 11.30.2015

Reimbursement Wars: Seeking Help From the Courts
Connecticut Law Tribune, 05.24.2010

When Must a Relator File a Notice of Appeal Within 30 Days?
PREVIEW of United States Supreme Court Cases, 04.20.2009

Doctor Arrested for Not Producing Subpoenaed Records
Healthcare Liability & Litigation, 04.09.2009

Jury's Verdict in Summary Suspension Case Nullified
The ABA Health eSource, 05.20.2008

Can the False Claims Act Apply to Claims That Were Never Presented to the Federal Government?
PREVIEW of United States Supreme Court Cases, 02.28.2008

From Hospital to Locked Ward to Civil Rights Action
Healthcare Liability & Litigation, 12.20.2007

Alerts and Newsletters

Information Blocking FAQs – The April 5th Implementation Deadline Has Passed; What Providers Need to Know
04.08.2021

Are You a Hospital or Health Care System with No Poach Agreements?
03.25.2021

The New Information Blocking Rules: Preventing Harm Exception and Test Result
03.12.2021

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Is Now the Time to Buy or Sell? A Transactional Primer for Home Health Agencies
03.05.2021

The New Information Blocking Rules: What Providers Need to Know Before the April 5 Deadline
02.26.2021

Competitor "No Poach Agreements" Can Lead to Criminal Prosecutions, Fines and Jail Time
01.12.2021

Connecticut DEEP Releases Draft 2020 Integrated Resources Plan
12.18.2020

Southern District of New York's Decision to Invalidate Health Care Provider Exclusion and Work Availability Requirement of FFCRA May Have Implications for Connecticut
08.07.2020

Governor Lamont Orders Mandatory COVID-19 Testing of All Nursing Home and Assisted Living Agency Employees
06.03.2020

Connecticut's Acting DPH Commissioner Walks Back One of Predecessor's Final Orders
05.20.2020

The COVID-19 Telehealth Boom Might be Here to Stay, but HIPAA Flexibility Might Not
05.19.2020

Professional Affiliations

Connecticut Bar Association

Hartford County Bar Association - 2021 Bench Bar Committee Co-chair

Connecticut Bar Foundation - James W. Cooper Fellow

Connecticut Health Lawyers Association

The Hartford County Bar Foundation, Inc. - board

American Health Lawyers Association

Community Involvement

Yale Club and Scholarship Foundation of Hartford - past president

MetroHartford Alliance - Connecticut Health Council Executive Committee

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New York State Bar Association

State of Connecticut Adult Mental Health Planning Council - former vice chair, 2002-2008

Connecticut State Board of Mental Health - former member

Yale Alumni Nonprofit Alliance - New England Chapter Leadership Committee

Honors & Recognitions

Selected as a 2017-2018 Connecticut *Super Lawyer* in the area of Health Care

Maintains highest peer review rating by Martindale-Hubbell (AV)

**For more about the standards for inclusion in Connecticut Super Lawyers, please see www.superlawyers.com/connecticut/selection_details.html.