



Serving the healthcare industry for decades, Duane Morris has one of the most experienced and respected health law practice groups in the United States. In offices across the United States and in London, Asia and the Middle East, more than 45 Duane Morris lawyers counsel leading organizations in every major sector of the healthcare industry on regulatory, business transaction and litigation matters. Our full-time healthcare lawyers understand market demands as today's healthcare providers focus on cost-effective ways to deliver healthcare services. Duane Morris develops innovative and creative ways to help healthcare clients increase their profitability and protect their assets, tailoring our services to specific segments of the healthcare industry, which include hospitals; physicians; post-acute care, long-term care and senior services; information technology; litigation; and mHealth, telemedicine and health information technology.

## ACCOLADES

### CHAMBERS USA 2016 ON DUANE MORRIS' HEALTHCARE PRACTICE

This team is known as "[a] leading healthcare firm with a strong litigation team



and transactional support group. Possesses a diverse client base including nonprofit corporations, hospitals and physician groups." Meanwhile, this "[t]alented group provid[es] a range of healthcare services, including Medicare and Medicaid regulatory advice and associated litigation. Skilled practitioners offer guidance to hospitals, physician groups and assisted living centers, among other clients." Sources say: "All of them in their specialty are very knowledgeable and I don't feel like I'm wasting time educating them. ... Very effective before the Commonwealth of Pennsylvania."



### U.S. NEWS-BEST LAWYERS 2017

Best Law Firms awarded Duane Morris top-tier national ranking in healthcare law.

### LEGAL 500 2016

Legal 500 2016 ranked Duane Morris in the area of Healthcare: Service Providers, noting that "Duane Morris is 'outstanding,' its 'alacrity is refreshing' and the 'client services are impeccable,'" according to sources.



## RANGE OF SERVICES

While we have a prominent national practice, we also focus on the regional issues that matter most to our clients. Whether the client is an academic medical center, community hospital, physician practice, nursing home or an assisted living/senior housing provider, we can serve the full spectrum of their needs—from local and regional issues to matters with national and even international implications. Some of our areas of healthcare concentration include:

- ▶ CARE AND DISEASE MANAGEMENT
- ▶ CERTIFICATE OF NEED, LICENSING AND CHANGE OF OWNERSHIP
- ▶ FACULTY PRACTICE PLANS
- ▶ GOVERNANCE ISSUES
- ▶ HEALTHCARE AND PRIVATE EQUITY
- ▶ HEALTHCARE FRAUD AND ABUSE
- ▶ HEALTHCARE LITIGATION
- ▶ HEALTHCARE PRODUCTS SUPPLIERS AND DISTRIBUTORS
- ▶ HOME HEALTHCARE AND COMMUNITY-BASED SERVICES
- ▶ HOSPICE AND PALLIATIVE CARE SERVICES
- ▶ INSURANCE REIMBURSEMENT/PAYOR CONTRACTING
- ▶ LEGISLATIVE AND PUBLIC POLICY ISSUES, INCLUDING LOBBYING
- ▶ MERGERS, ACQUISITIONS AND BUSINESS TRANSACTIONS
- ▶ mHEALTH, TELEMEDICINE AND HEALTH INFORMATION TECHNOLOGY
- ▶ POST-ACUTE CARE AND SENIOR SERVICES
- ▶ PRIVACY AND SECURITY FOR HEALTHCARE PROVIDERS
- ▶ REGULATORY COMPLIANCE
- ▶ SERVICES FOR HOSPITALS
- ▶ SERVICES FOR PHYSICIANS

## ACTIVE IN THE HEALTHCARE INDUSTRY

Our lawyers are actively involved in state and national professional associations in the healthcare industry, including:

- ▶ AMERICAN HEALTH CARE ASSOCIATION
- ▶ AMERICAN HEALTH LAWYERS ASSOCIATION
- ▶ AMERICAN HOSPITAL ASSOCIATION
- ▶ FLORIDA HOSPITAL ASSOCIATION
- ▶ HEALTHCARE FINANCIAL MANAGEMENT ASSOCIATION
- ▶ HOSPITAL & HEALTHSYSTEM ASSOCIATION OF PENNSYLVANIA
- ▶ ILLINOIS ASSOCIATION OF HEALTHCARE ATTORNEYS
- ▶ ILLINOIS HEALTH CARE ASSOCIATION
- ▶ ILLINOIS NURSING HOME ADMINISTRATORS ASSOCIATION
- ▶ NEW YORK STATE HEALTH FACILITIES ASSOCIATION
- ▶ PENNSYLVANIA TRAUMA SYSTEMS FOUNDATION

## RECENT REPRESENTATIVE MATTERS

- ▶ Obtained settlement in a complex litigation on behalf of the **HOSPITAL AND HEALTHSYSTEM ASSOCIATION OF PENNSYLVANIA (HAP)** with the Commonwealth of Pennsylvania, in which the Commonwealth agreed to repay or credit to hospitals and physicians **\$200 MILLION** in overpayments of state-mandated assessments intended to finance the Medical Care Availability and Reduction of Error (MCARE) Fund for professional liability claims.
- ▶ Obtained summary judgment on behalf of **VIRTUA HEALTH, INC.**, a health system of four hospitals in southern New Jersey, against Deborah Heart and Lung Center, a specialty hospital in southern New Jersey, in federal antitrust litigation in which the court held Deborah failed to show any adverse effect on competition in the market.
- ▶ Represented **EINSTEIN HEALTHCARE NETWORK** in the sale of its Belmont Center for Comprehensive Treatment, consisting of a 147-bed inpatient psychiatric hospital and two related outpatient programs, to Acadia Healthcare.
- ▶ Represented the physician members of **SOUTH FLORIDA AMBULATORY SURGICAL CENTER, LLC** in connection with the buyout of the company's corporate majority interest holder to a public healthcare delivery systems company.
- ▶ Represented physician practice group specializing in medical oncology in its acquisition of a radiation oncology facility located in Athens, Georgia, from an operator and manager of radiation oncology facilities for total transaction consideration of **\$4.7 MILLION**.
- ▶ Represented **CATHEDRAL VILLAGE**, a nonprofit owner and operator of a skilled nursing facility, continuing care retirement community and personal care home, in its affiliation with Presbyterian Senior Living.
- ▶ Represented **VICTORY INTERNAL MEDICINE**, a Staten Island group practice with 13 physicians, in its acquisition by Mount Sinai Health System. Victory Internal Medicine is now renamed Mount Sinai Doctors Victory Internal Medicine.
- ▶ Represented **HEALTH PARTNERS PLANS** against a lawsuit brought by a home-based healthcare provider alleging late payments. A three-judge panel ruled that the disputed claims issues could not be litigated because they were covered by a previous settlement and release agreement between the two parties.
- ▶ Represented a New Jersey-based Federally Qualified Health Center in obtaining a favorable settlement with the New Jersey Office of the State Comptroller in a matter involving alleged Medicaid overpayments where the amount of the settlement was less than one-third of that which the state initially sought to recover.
- ▶ Counseling the city of **BELLEVILLE, ILLINOIS**, concerning indications by St. Elizabeth's Hospital, the city's second-largest employer and provider of a significant portion of the city's healthcare, that the hospital will relocate to nearby O'Fallon, and coordinating opposition to proposed Certificate of Need application to detail adverse effects relocation of hospital would have upon community.
- ▶ Represented a Colorado nonprofit general acute care hospital in the follow-on offering, to physician investors, of units in a hospital/physician-owned outpatient surgery center, and related amendments to the operating agreement.
- ▶ Counseled client with the retention of its section 501(c)(3) tax-exempt status and conversion of its non-private foundation status from that of a publicly supported organization supported in large part by gross receipts from exempt function activities (*i.e.*, revenues from billings for employee/physicians services) to that of a faculty practice plan, including the documents and agreements necessary for this 800-member physician group practice to operate, for Beth Israel Deaconess Medical Center, Harvard Medical Faculty Physicians at Beth Israel Deaconess Medical Center Inc., and the Harvard Medical School.

## CLIENT TESTIMONIALS

"At M\*Modal, we are proud that our technology and services bring value to doctors, patients and the entire healthcare system. Our technology allows physicians at hospitals, clinics and private practices to more effectively document patient care in a meaningful way. When we faced litigation regarding an agreement with a debtor in a bankruptcy that threatened our intellectual property, we turned to Duane Morris for the firm's experience in commercial litigation, bankruptcy, healthcare and intellectual property. We needed lawyers who understood our business, our speech recognition and natural-language understanding technology, the healthcare industry and bankruptcy law. We found all of that in Duane Morris. Thanks to the fantastic work on the part of our legal team, we obtained a ruling from a bankruptcy court in Delaware that precluded our intellectual property and trade secrets being disclosed to a competitor. Of one of our lawyers, it was remarked during trial, 'I have never seen a counsel that cared that much—and got the whole court to feel that.' I am very pleased with our decision to choose Duane Morris."

**MICHAEL FINKE**  
**CHAIRMAN & CEO, M\*MODAL**

"Catholic Health East's more than 100 healthcare institutions provide healthcare with compassion and integrity. To do that well means relying on only the best to serve our legal needs so that our caregivers can focus on our patients. The attorneys I work with at Duane Morris are recognized leaders in the healthcare industry, and have extensive experience in compliance issues and complex Medicare and Medicaid reimbursement regulations, human resources counseling and training, wage-and-hour issues, FLSA matters and more. Recently, the firm represented member Lourdes Health System as lead counsel in a case involving Medicare reimbursements and was able to successfully resolve the matter without prolonged litigation."

**MICHAEL HEMSLEY**  
**VICE PRESIDENT, LEGAL SERVICES & GENERAL COUNSEL**  
**CATHOLIC HEALTH EAST**

## FOR MORE INFORMATION, PLEASE CONTACT

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