

HEALTHCARE



Healthcare Overview

Jimerson Birr offers corporate, operational, regulatory, transactional, and litigation capabilities for all types of healthcare industry clients. Jimerson Birr's Healthcare Industry Team becomes partners with our clients in developing and effectuating multifaceted corporate transactions, litigation tactics, government reimbursement solutions, regulatory compliance methods, managed care contracting programs, and efficiency/cost reduction systems. Through interdisciplinary collaboration and specialized experience, the firm offers pioneering and competent solutions that align with the business objectives of our healthcare industry clientele.

Healthcare Corporate Governance and Transactions

When operating a healthcare business or configuring healthcare business transactions, executive management must account for the laws, rules, regulations, and other legal contemplations that are unique to the healthcare industry. The firm serves healthcare industry clients setting up, operating, integrating, restructuring, acquiring or selling companies in a manner that is compliant with state and federal rules and regulations, including federal Stark laws, federal Anti-Kickback laws and state self-referral, fee-splitting, and other relevant laws. Our lawyers have decades of "in the trenches" experience presiding over board rooms and providing counsel to entrepreneurs, executive management teams, boards of directors, shareholders and investors through all aspects of the business life cycle – from formation, to operation, to exit.

Healthcare Regulatory & Compliance Law

Subordinate only to hands-on patient care, protecting a patient's personal information from a breach of privacy, charging honestly for the care provided, and auditing the compliance of a practice or facility are the most important operational aspects of any medical organization. Every healthcare related company is vulnerable to compliance worries. Our attorneys assure compliance with all facets of applicable laws, rules and regulations, develop and maintain compliance plans, assist in training staff and providers, and correct any irregularities. Data security remains critically important in most industries, but even more so with the healthcare professions. A data breach can cause untold amounts of damage to both patients and facilities. Jimerson Birr performs or works with its network of specialists to conduct HIPAA and HITECH assessments which incorporate and build upon regulatory standards, while also providing a prescriptive framework to address breaches and violations. The firm endeavors to provide healthcare companies with high security assurances and a clearer path to compliance.

False Claims Act, Fraud & Abuse Representation

Jimerson Birr helps clients stay within the boundaries of federal and state fraud and abuse laws, including the Stark Law, Anti-Kickback Statute, False Claims Act, Eliminating Kickbacks in Recovery Act, and state laws relating to self-referrals, kickbacks, fee splitting, and other types of prohibited business conduct. We take a proactive approach to risk management, by conducting internal investigations geared toward identifying and preventing potentially unlawful or impermissible conduct. If wrongdoing is found, we help in mitigating damages, preventing future misconduct, assisting in determining whether the actions are proper or required to be self-disclosed to government regulators and, when needed, support clients with voluntary disclosures. Jimerson Birr works with healthcare companies to respond to government investigations or audits, and defends clients in legal or administrative proceedings if the matter rises to that point.

Nursing Homes & Long-Term Care Facilities Representation

Our senior living and care clients count on us for comprehensive counsel on all parts of the development, financing, operation, regulation, and reimbursement of long-term care across the continuum, including home care providers, adult day care centers, continuing care retirement communities, respite care providers, skilled, intermittent and custodial nursing providers, sub-acute care providers, hospice, assisted living, independent living communities, senior housing, nursing homes, pharmacy and durable medical equipment providers.

Healthcare Litigation

Jimerson Birr's healthcare litigation team serves clients facing high-stakes government and business disputes. Our clientele appreciates our understanding of the intersection of healthcare business with the laws governing the industry, and believe that our sturdy, effective advocacy and commitment to efficient and timely resolution is essential to their operational success. We offer a spectrum of litigation services, including False Claims Act litigation, defending hospitals and other providers sued by employees, vendors, government agencies and others, shareholder disputes, administrative proceedings and appeals, including facility and individual licensure disputes, bid protests, reimbursement and payor litigation, Telecommunication Consumer Protection Act (TCPA) litigation, appeals of civil monetary penalties imposed by government agencies, medical staff credentialing, peer review proceedings and judicial reviews, and responses to medical record subpoenas and disclosure requests. In the end, many clients hire our firm for our proven track record of winning results in contested litigation.

We understand the business models of our healthcare clients, and tether our advice to milestones that align with their strategic objectives. Our team has an enduring commitment to efficiently delivering uncompromising quality, as well as shouldering the burdens of our clients so that they can focus on patient care.

WHO WE SERVE

- › Hospitals, Clinics, Laboratories and Surgical Centers
- › Physicians and Physician Groups
- › Nursing Homes & Long-Term Care Facilities Companies
- › Pharmaceutical Companies and Pharmacies
- › Dentists and Dental Practices
- › Medical Supply, Device and Technology Companies

WHAT WE DO FOR THE HEALTHCARE INDUSTRY

Jimerson Birr recognizes that companies in the risky, complex, and heavily regulated healthcare sector depend on sound counsel for mission-critical operational, legal and regulatory issues. We are committed to the goal of helping healthcare executives mitigate risk and prevent problems before they arise or escalate.

- › We stay fully apprised of changes to healthcare laws and industry trends in order to proactively keep our clients informed through our educational efforts and industry wide training initiatives.
- › We draft and structure documents in a manner that will make the language more understandable, address the primary risks of your particular organization, and bring the documents into compliance with state and federal rules and regulations.
- › Our dedication to efficient and cost-conscious practice of law, in conjunction with innovative and flexible compensation terms, enable us to help healthcare executives effectively plan and maintain their budgets without surprise.
- › We have the resources and bandwidth to address legal issues which may occur in the everyday management and operation of the business.

Our Healthcare Industry Attorneys cover all aspects of a company's legal needs, with specialty service offerings centered around:

- › State and Federal Healthcare Investigations
- › Healthcare Billing, Reimbursement, Audits and Appeals
- › Healthcare Professional Licensing and Discipline, including Physicians and Nurses
- › Hospital Privileges, Medical Staff Issues, Peer Reviews and Credentialing
- › Government Investigation and Enforcement Defense
- › Telemedicine and Telehealth Law
- › Anti-Kickback, Stark laws, Self-Referral and Fee-Splitting Compliance
- › Health Care Fraud and Abuse Compliance
- › HIPAA, HITECH and Privacy Laws Compliance
- › False Claims Act litigation
- › Healthcare Litigation

More than just Healthcare Industry Law specialists, Jimerson Birr has a team of attorneys with experience and expertise in every legal issue you may encounter, including:

- › Accounting Firms
- › Appeals
- › Administrative Law and Licensing
- › Arbitration & Mediation
- › Asset Protection Law
- › Bet The Company Litigation
- › Bankruptcy and Restructuring
- › Borrower Representation
- › Business Litigation
- › Business Process Consulting
- › Corporate and Board of Directors Governance and Operations Counsel
- › Corporate Formation, Transactions and Dissolution
- › Class Action Litigation Defense
- › Data Privacy and Cybersecurity
- › Disaster and Crisis Preparation and Response
- › Economic Development and Government Incentives
- › Eminent Domain Law
- › Employment Law
- › Environmental Diligence, Compliance, Permitting and Mitigation
- › Executive Coaching
- › Fair Credit Reporting Act Defense
- › Fair Debt Collection Practices Act Defense
- › Florida Consumer Collection Practices Act Defense
- › Florida Registered Agent Services
- › General Counsel for Small Businesses or Start Up Companies
- › Government Procurement and Bid Protests
- › Governmental Relations and Advocacy
- › Immigration Law for Businesses
- › Insurance Procurement and Coverage
- › Intellectual Property Protection
- › Landlord/Tenant Leasing (Commercial)
- › Land Use and Zoning
- › Legal Opinions
- › Opportunity Zone Investing
- › Public-Private Partnerships
- › Premises Liability
- › Property Insurance Claims
- › Property Tax Disputes
- › Real Estate Transactions & Disputes
- › Receiverships
- › Records Management and Document Retention
- › Shareholder Disputes and Derivative Litigation
- › Subpoena Response
- › Telephone Consumer Protection Act Defense
- › Trade Secret Protection
- › Vendor Contracting
- › Workplace Safety, OSHA and CDC Compliance

Attorneys

