



Healthcare Attorney Guide

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MICHAEL H. ALLEN, OF COUNSEL

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Michael's practice focuses on health care business organizations including physician practices, and personal services, including estate planning, trust and probate administration.

Areas of focus: Stark & Anti-Kickback, Acquisitions & Dispositions, Creation & Governing Documents, Contract Drafting, Joint Ventures



K. LANCE ANDERSON, MEMBER

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Lance assists healthcare clients regularly within the innovation and research enterprise, including technology transactions involving research institutions and clinical contexts. Lance prepares and negotiates agreements for all facets of innovation capture and disposition and also counsels clients on matters ranging from federally funded research to supply and distribution agreements. Additional areas include health-IT agreements, start-ups, patent prosecution and strategy, trade secrets, employee mobility, and policy work.

Areas of focus: Acquisitions & Dispositions, Creation & Governing Docs, Contracts Drafting, Joint Ventures, Intellectual Property Disputes, Licensing/Trade Secrets, Trademarks/Copyrights, Patents, Information Technology, Clinical Research/IRB/Grants



KEVIN M. BERNYS, MEMBER

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Kevin acts as counsel to healthcare providers and suppliers, advising on: structure and governance matters; joint ventures, ambulatory surgical centers, affiliations and contract matters; revenue enhancement and compensation structures; risk management; and fraud/abuse and HIPAA matters.

Areas of focus: Compliance & Operations, Stark & Anti-Kickback, Certificate of Need & Licensing, Billing & Audits/Fraud & Abuse, HIPAA/HITECH/EHR Security, Acquisitions & Dispositions, Creation & Governing Documents, Contract Drafting, Joint Ventures, Risk Management, Peer Review, Medical Staff Privileges



JOHN G. CAMERON, JR., MEMBER

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John is the quintessential business lawyer. He is both an advisor to businesses on commercial transactions and real estate developments, and a highly skilled litigator who has won cases in state and federal courts throughout the Midwest.

Areas of focus: Acquisitions & Dispositions, Creation & Governing Documents, Contracts Drafting, Joint Ventures, Real Estate



CAROLYN P. CARY, OF COUNSEL

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Carolyn represents healthcare employers in litigation pertaining to wrongful discharge, civil rights, and federal and state employment laws. She has extensive experience in such areas as privacy rights, sexual harassment and employee termination as well as compliance with the Family and Medical Leave (FMLA), Fair Labor Standards Act (FLSA) and the Americans with Disabilities Act (ADA). She works closely with employers to negotiate collective bargaining agreements, represents them in arbitration proceedings and defends them against unfair labor practice charges. Carolyn's commercial litigation practice includes contract disputes, business torts, non-compete agreements, defamation, conflicts among parting members/shareholders in a variety of businesses. She is skilled at developing strategies, policies and procedures to reduce the risk of litigation.

Areas of focus: Employment & Labor Matters



SCOT C. CROW, MEMBER

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Scot's healthcare practice includes general corporate and acquisition counsel for companies in the dental, healthcare consulting assisted living sectors and memory care sectors.

Areas of focus: Acquisitions & Dispositions, Creation & Governing Documents, Contract Drafting, Joint Ventures, Underwriter's Counsel – Bond Financing, Financing, Real Estate Development



PETER DOMAS, OF COUNSEL

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Peter helps clients navigate the complex statutory and regulatory environment unique to healthcare corporate, transactional, and litigation matters. He also counsels clients on the development and maintenance of effective internal compliance programs with a special focus on federal and state fraud and abuse laws, reimbursement regulations, and HIPAA. Peter is also a Certified Public Accountant in both Michigan and Illinois.

Areas of focus: Compliance & Operations, Stark & Anti-Kickback, Billing & Audits/Fraud & Abuse, HIPAA/HITECH/EHRs Privacy, HIPAA/HITECH/EHRs Security, 501(c)(3) Status, Acquisitions & Dispositions, Creation & Governing Docs, Contracts Drafting, Equipment Acquisitions & Leasing, Governance & Contract Disputes, Information Technology, Long-Term Care, Insurance Reimbursement, Non-profit, and healthcare accounting matters



BRIAN S. FLEETHAM, MEMBER

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Brian practices primarily in health law. He has extensive experience representing physicians, other health care providers, professional entities, and physician organizations with respect to business transactions, contracts, corporate governance, arrangements with hospitals and other facilities, and regulatory matters, such as Stark, HIPAA, fraud and abuse, and health care compliance.

Areas of focus: Physician and Other Provider Representation, Sales and Purchases of Professional Practices, Professional Entities, Physician Organizations, Payor Participation and Contracting, Physician/Hospital Arrangements, Stark & Anti-Kickback Analysis and Compliance, General Healthcare Contracting, HIPAA/HITECH, Healthcare Compliance, Corporate Governance, Healthcare Joint Ventures, Healthcare Transactions



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James focuses his practice on providing regulatory transactional and litigation services for hospitals, group practices, and professional health care providers.

Areas of focus: Compliance & Operations, Stark & Anti-Kickback, Certificate of Need & Licensing, 501(c)(3) Status, Acquisitions & Dispositions, Creation & Governing Documents, Contract Drafting, Joint Ventures, Bond Financing, Equipment Acquisition & Leasing, Buy & Sell Transaction Funding, Governance & Contract Disputes, Licensing, Trademarks/Copyrights, Information Technology, Risk Management, Peer Review, Medical Staff Privileges, Practice Integration



JERRY GAFFANEY, MEMBER

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Jerry represents all types of health care providers including hospitals, hospital medical staffs, physicians (individually and in various types of groups), outpatient treatment centers and ambulatory surgery centers. He has extensive experience in managed care contracting, Stark and Fraud and Abuse issues and transactions involving the purchase and sale of hospitals, hospital systems and physician practices.

Areas of focus: Compliance & Operations, Stark & Anti-Kickback, Acquisitions & Dispositions, Creation & Governing Documents, Contract Drafting, Joint Ventures, Risk Management, Peer Review, Medical Staff Privileges, Accountable Care Organizations, Practice Intergration



C. TIMOTHY GARY, OF COUNSEL

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Tim serves as the CEO of DW Franklin Consulting Group, and a member of the firm's healthcare practice. He has served as Vice President and General Counsel of one of the largest managed Medicaid entities in the United States, Senior Vice President and Chief Operating Officer of a national health and wellness company providing population health management services to mid to large-size employers and health insurance companies throughout the United States, and the chair of the healthcare practice of a large regional law firm.

Areas of focus: Compliance & Operations, Stark & Anti-Kickback, Billing & Audits/Fraud & Abuse, HIPAA/HITECH/EHRs Privacy, HIPAA/HITECH/EHRs Privacy, Acquisitions & Dispositions, Governance & Contract Disputes, Risk Management, Accountable Care Organizations, Restructuring



DEBORAH L. GRACE, MEMBER

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Deb is the chair of our firm's Benefits Committee, which is responsible for the design and administration of our own retirement and welfare benefit plans. She has experience as a plan sponsor and as a fiduciary.

Areas of focus: HIPAA/HITECH/EHRs Privacy, 501(c)(3) Status, Acquisitions & Dispositions



DAVID J. HOUSTON, MEMBER

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Dave is a commercial and employment litigator who has handled cases in courts and before administrative agencies including the Equal Employment Opportunity Commission.

Areas of focus: Employment & Labor Matters



KERRY B. HARVEY, MEMBER

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Kerry's private practice experience includes representation of healthcare providers, financial institutions and public officials. He served on the Board of Director's of Kentucky's largest owner/operator of hospitals, as well as publicly traded financial institutions. In addition to extensive litigation experience, Kerry advised a number of businesses as outside general counsel concerning compliance, governance, and regulatory issues.

Areas of focus: Stark & Anti-Kickback, Billing & Audits/Fraud & Abuse, Employment & Labor Matters, Governance & Contract Disputes, Alternative Dispute Resolution, Insurance & Malpractice



ALEXANDRA A. HALL, ASSOCIATE

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Alexandra practices in all areas of health care law and represents a variety of health professionals and organizations. She assists a wide range of health care providers with complex statutory and regulatory issues, including the establishment of internal quality assurance and compliance plans. Alexandra also has significant experience in supporting health care providers with the Medicare appeals process.

Areas of focus: Compliance & Operations, Stark & Anti-Kickback, Certificate of Need & Licensing, Billing & Audits/Fraud & Abuse, HIPAA/HITECH/EHRs Privacy, HIPAA/HITECH/EHRs Security, Contracts Drafting, Governance & Contract Disputes Risk Management, Peer Review, Medical Staff Privileges, Accountable Care Organizations, Practice Integration



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Jay has an extensive background in healthcare merger and acquisition and finance matters, including health system affiliations, bond issues and project finance, joint ventures and management arrangements. Among his experience is acting as lead counsel on: the combination of three suburban Detroit health systems comprised of eight hospitals and 3,300 licensed beds; the acquisition of a 390-bed hospital in suburban Detroit; and a member substitution transaction involving a 400 licensed bed south central Michigan health system and a 2,000+ licensed bed Michigan health system. He has represented health systems in more than 50 public and private bond financings as well as specialty project financings aggregating over \$4 billion.

Areas of focus: Stark & Anti-Kickback, Certificate of Need & Licensing, 501(c)(3) Status, Acquisitions & Dispositions, Creation & Governing Documents, Contract Drafting, Joint Ventures, Bond Financing, Equipment Acquisition & Leasing, Buy & Sell Transaction Funding



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Wendy provides regulatory advice in connection with the licensing, packaging and marketing of health products (drugs, medical devices, natural health products), product recalls and product liability litigation. Wendy also gives advice related the regulation of health professionals and employment advice in connection with healthcare employees. Wendy is often called upon to assist clients with Canada's federal and provincial privacy legislation.

Areas of focus: Regulatory, Employment & Labour Matters, Privacy, Product Liability



CAROLYN JOHNSEN, MEMBER

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Carolyn's practice focuses on restructuring health care-related businesses including the reorganization, merger and/or acquisition of small hospitals and physician practices.

Areas of focus: Advising management of restructuring alternatives, Representation of companies and creditors involved in commercial bankruptcies, Mergers and acquisitions in commercial bankruptcy



SARA H. JODKA, OF COUNSEL

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Sara assists healthcare providers with employment law compliance and litigation, and cybersecurity issues, especially data privacy. She has worked with many clients regarding security incidents, including data breaches. She is widely respected for her work in these emerging areas of technology-related law and regularly counsels clients on issues related to social media, "bring-your-own-device" (BYOD) policies, wearables, cyber-smearing, and workplace/patient privacy.

Areas of focus: Cybersecurity, Data Privacy, and Labor and Employment



RUSSELL A. KOLSRUD, MEMBER

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Russ co-chairs the Behavioral Healthcare Practice Group. He is a senior trial lawyer for clients with commercial disputes, health care controversies, transaction disagreements and disputes with government regulatory and licensing agencies. He is also involved in the implementation of strategies to integrate medical and behavioral health care, electronic medical record exchanges and handle Medicaid and Medicare claims denials and procurement issues.

Areas of focus: Compliance & Operations, Billing & Audits/Fraud & Abuse, HIPAA/HITECH/EHRs Privacy, HIPAA/HITECH/EHRs Security, 501(c)(3) Status, Real Estate, Acquisitions & Dispositions, Creation & Governing Docs, Bond Financing, Equipment Acquisitions & Leasing, Governance & Contract Disputes, Intellectual Property Disputes, Insurance & Malpractice, Licensing, Information Technology, Risk Management, Peer Review, Medical Staff Privileges, Accountable Care Organizations, Practice Integration



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Areas of focus: 501(c)(3) status, Acquisitions and dispositions, Real estate, Creation and governing docs, contract drafting, and Joint ventures.



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Ralph has extensive experience in transaction and other areas for outpatient providers, physicians and physician practice groups, which includes ten years as General Counsel of a national dialysis provider. He also is actively involved in administrative functions of the Firm's Healthcare practice.

Areas of focus: Compliance & Operations, Stark & Anti-Kickback, Billing & Audits/Fraud & Abuse, 501(c)(3) Status, Acquisitions & Dispositions, Creation & Governing Documents, Contract Drafting, Joint Ventures, Equipment Acquisition & Leasing, Buy & Sell Transaction Funding, Governance & Contract Disputes



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Leslee provides general corporate and real estate counsel to national, regional and emergent businesses and nonprofits in daily contracts and affairs, organization, financing, transactions and governance.

Areas of focus: Stark & Anti-Kickback, 501(c)(3) Status, Acquisitions & Dispositions, Real Estate, Creation & Governing Documents, Contract Drafting, Joint Ventures, Equipment Acquisition & Leasing, Buy & Sell Transaction Funding



KELLY M. MARTORANO, OF COUNSEL

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Kelly assists clients such as, large and small companies, financial institutions, and municipalities with evaluating and navigating various transactional and regulatory environmental issues.

Areas of focus: Real Estate, Creation & Governing Documents, Contracts Drafting



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Christina is a litigator that assists healthcare clients with all matters related to their business operations.

Areas of focus: Compliance & Operations, Employment & Labor Matters, Governance & Contract Disputes, Alternative Dispute Resolution



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Cyndi is the manager of the firm's Employee Benefits practice. Her practice includes helping employers and insurers comply with complex federal regulations. She is the assistant editor for the *Healthcare* section of the *Dickinson Wright Insurance Legal Newsletter*.

Areas of focus: HIPAA/HITECH/EHRs Privacy, Acquisitions & Dispositions



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Greg is co-chair of the Behavioral Healthcare Practice Group. He represents behavioral health care companies, facilities and networks, behavioral health care information networks, medical groups, federally-qualified health centers, trade associations, nonprofit and for profit hospitals, international and domestic medical tourism companies on a full spectrum of regulatory, transactional and litigation matters.

Areas of focus: Compliance & Operations, Stark & Anti-Kickback, Certificate of Need & Licensing, Billing & Audits/Fraud & Abuse, HIPAA/HITECH/EHRs Privacy, HIPAA/HITECH/EHRs Security, 501(c)(3) Status, Acquisitions & Dispositions, Real Estate, Creation & Governing Docs, Contracts Drafting, Joint Ventures, Bond Financing, Equipment Acquisitions & Leasing, Buy & Sell Transaction Funding, Employment & Labor Matters, Anti-Trust Matters, Governance & Contract Disputes, Alternative Dispute Resolution, Insurance & Malpractice, Licensing/Trade Secrets, Information Technology, Risk Management, Peer Review, Medical Staff Privileges, Accountable Care Organizations, Practice Integration, Clinical Research/IRB/Grants, Restructuring, Research Collaboration



FRANCIS R. ORTIZ, MEMBER

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Frank is the manager of Dickinson Wright's Regulatory practice. He has represented life, health and disability insurers before courts and regulatory agencies for more than 30 years.

Areas of focus: Billing & Audits/Fraud & Abuses, Employment & Labor Matters, Governance & Contract Disputes, Alternative Dispute Resolution, Insurance & Malpractice



EDWARD PERDUE, MEMBER

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Edward is a member of Dickinson Wright's Commercial Litigation Department and has been with the firm since 1996. He is a director of the Defense Research Institute, a member of the Federation of Defense and Corporate Counsel, and former chair of the Michigan Defense Trial Counsel's commercial litigation section. A former municipal prosecutor, Ed has extensive trial experience and acts as a lead counsel on a wide variety of matters pending throughout the nation. Ed is both aggressive and strategic in his approach to litigation and he is one of the firm's most seasoned and skilled trial lawyers.

Areas of focus: Employment and Labor Matters, Antitrust Matters, Governance and Contract Disputes, Alternative Dispute Resolution, Intellectual Property Disputes, Insurance and Malpractice



CRAIG A. PHILLIPS, MEMBER

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Craig provides counsel to numerous clients on intellectual property-related business transactions including non-disclosure, cooperation, joint development, research, joint venture, licensing, supply, acquisition, and divestiture agreements. Craig has extensive experience in helping clients with information technology issues.

Areas of focus: HIPAA/HITECH/EHRs Security, Acquisitions & Distributions, Contracts Drafting, Joint Ventures, Equipment Acquisitions & Leasing, Buy & Sell Transaction Funding, Intellectual Property Disputes, Licensing, Social Media, Information Technology



JESSICA L. RUSSELL, ASSOCIATE

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Jessica assists healthcare clients with governance, including contracting and licensing, compliance with HIPAA, Stark and Antikickback regulations and Medicare billing requirements.

Areas of focus: Compliance & Operations, Stark & Anti-Kickback, Certificate of Need & Licensing, Billing & Audits/Fraud & Abuse, HIPAA/HITECH/EHRs Privacy, HIPAA/HITECH/EHRs Security, Creation & Governing Documents, Contracts Drafting Equipment Acquisition & Leasing, Buy & Sell Transaction Funding, Antitrust Matters, Governance & Contract Disputes



KIMBERLY J. RUPPEL, MEMBER

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Kim is a commercial litigator who represents individual providers and group practices involved in governmental investigations as well as private disputes. Her skills include developing efficient and cost-sensitive litigation strategies, counselling clients on discovery tactics and obligations with a focus on relevant privacy laws, and negotiating early resolutions of disputes. She has presented on the topics of HIPAA litigation and compliance and the Affordable Care Act, and she regularly authors insurance and employee benefit related articles.

Areas of focus: Governmental Investigations, HIPAA Issues, Alternative Dispute Resolution, Employee Benefit Litigation, Contract Disputes



JOHN T. SCHURING, MEMBER

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John counsels businesses on general business and corporate planning issues, mergers, acquisitions and divestitures of corporate assets, and real estate transactions. He has extensive experience with negotiating, drafting and reviewing commercial contracts, including supply and distribution agreements. He also advises lenders and borrowers in connection with commercial loan transactions, and counsels clients with respect to debtor-creditor rights issues.

Areas of focus: 501(c)(3) Status, Acquisitions & Dispositions, Creation & Governing Documents, Contract Drafting, Joint Ventures



MARKI STEWART, MEMBER

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Marki has extensive experience providing clients guidance on federal fraud and abuse laws, including the Anti-Kickback Statute and the Stark law, in addition to specialized knowledge in telemedicine, Accountable Care Organizations, and contract drafting and review. She also represents providers before various regulatory boards and in medical malpractice cases as well.

Areas of focus: Compliance & Operations, Stark & Anti-Kickback, Certificate of Need & Licensing, HIPAA/HITECH/EHRs Privacy, Creation & Governing Documents, Employment & Labor Matters, Governance & Contract Disputes, Alternative Dispute Resolution, Insurance & Malpractice, Risk Management, Peer Review, Medical Staff Privileges, Accountable Care Organizations



WILLIAM M. THACKER, MEMBER

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Bill's practice includes traditional labor matters, employment litigation and day-to-day counseling of clients on the various employee and labor relations issues that arise within their organizations.

Areas of focus: Contracts Drafting , Employment & Labor Matters, Alternative Dispute Resolution



DAVID I. THOMPSON, MEMBER

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David's practice encompasses corporate, transactional, and business matters, with particular emphasis on providing counsel to management of small to mid-size companies. He regularly represents buyers and sellers of closely-held businesses in the negotiation, documentation, and closing of purchase and sale transactions. He also represents healthcare providers, including physician and other professional groups, diagnostic imaging centers, clinical laboratories and others in both business and regulatory settings.

Areas of focus: Compliance & Operations , Stark & Anti-Kickback, Billing & Audits/Fraud & Abuse, HIPAA/HITECH/EHRs Privacy, Acquisitions & Dispositions, Creation & Governing Documents, Contract Drafting, Joint Ventures



BILLEE LIGHTVOET WARD, OF COUNSEL

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Billee concentrates her practice in healthcare compliance, corporate law and commercial transactions. She represents hospitals, physician practices, dental groups, and other practitioners as well as medical device manufacturers, clinical research organizations and other healthcare-related entities in corporate, transactional and regulatory matters. She advises new and established businesses on legal and operational issues including entity structure and formation, corporate governance, owner relations, mergers and acquisitions, contractual arrangements and other business matters.

Areas of focus: Compliance & Operations, Stark & Anti-Kickback, HIPAA/HITECH/EHRs Privacy, Acquisitions & Dispositions, Creation & Governing Documents, Joint Ventures, Risk Management, Medical Staff Privileges, Clinical Research/IRB, Sales and Purchases of Professional Practices, Physician/Hospital Contracting, General Healthcare Contracting, Healthcare Transactions, Telemedicine/Mobile Health, FDA, Academic Medical Centers and Affiliations



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Seth defends healthcare clients facing complex and sensitive governmental investigations by law enforcement and regulatory agencies. For 13 years, Seth worked as a federal prosecutor leading Medicare/Medicaid fraud investigations, among other financial investigations. For an additional seven years, Seth worked for two leading international law firms in New York and Washington, D.C., where he represented individuals and entities investigated for health care fraud.

Areas of focus: Government investigations, Stark & Anti-Kickback, Medicaid/Medicare fraud, upcoding, wire fraud, conspiracy, RICO



ROSANNA J. WILLIS, MEMBER

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Rose's practice focuses entirely on the legal representation of participants in the healthcare industry. She is a frequent speaker at regional and national healthcare conferences, and has written extensively, on top legal issues faced by participants in the healthcare industry. Her clients represent a broad spectrum of the industry, including for example, hospitals, physicians and physician practices (single and multi specialty), urgent care facilities, physical therapy providers, dentists, ambulatory surgical centers, laboratories, pharmacies, adult foster care facilities, long-term care facilities, and other businesses that are part of the health care system.

Areas of focus: Compliance & Operations, Stark & Anti-Kickback, Certificate of Need & Licensing, Billing & Audits/Fraud & Abuse, HIPAA/HITECH/EHRs Privacy, HIPAA/HITECH/EHRs Security, Acquisitions & Dispositions, Creation & Governing Documents, Contract Drafting, Joint Ventures, Equipment Acquisition & Leasing, Buy & Sell Transaction Funding, Employment & Labor Matters, Governance & Contract Disputes, Accountable Care Organizations, Reimbursement



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Mark's practice focuses on transactional, corporate and regulatory law for medical practices operating in several states. He has facilitated the creation and ongoing operations of large-scale independent medical "supergroups" – including the creation of a national specialty management alliance – and the formation and operation of multispecialty group practices. His experience includes the acquisition, development, financing, construction and operation of medical offices, including physician-owned large-scale real estate "megamedaplexes" free-standing dialysis centers, vascular access facilities, urgent cares, imaging centers, reference laboratories, and endo/surgical centers. Mark has also negotiated participation right contracts with ACOs, CINs, ESCOs etc. on behalf of physician groups.

Areas of focus: Compliance & Operations, Stark & Anti-Kickback, Certificate of Need & Licensing, Billing & Audits/Fraud & Abuse, HIPAA/HITECH/EHRs Privacy, Acquisitions & Dispositions, Real Estate, Creation & Governing Documents, Contract Drafting, Joint Ventures, Equipment Acquisition & Leasing, Buy & Sell Transaction Funding, Accountable Care Organizations



SERENE ZENI, OF COUNSEL

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Serene represents health professionals and healthcare organizations in a vast array of contexts. She assists clients in finding new and compliant ways to generate revenue, such as integrating concierge models, attracting medical tourists, and incorporating technology. Many of her clients are entrepreneurs leading the healthcare industry in new business models, from aesthetic medical spas to innovative care delivery franchises. Beyond the basic business of healthcare, Serene has extensive experience helping her clients manage administrative law matters, whether defending a professional's license against state prosecution or addressing controversies with state and federal agencies.

Areas of focus: Compliance & Operations, Stark & Anti-Kickback, Certificate of Need & Licensing, Billing & Audits/Fraud & Abuse, HIPAA/HITECH/EHRs Privacy, HIPAA/HITECH/EHRs Security, Acquisitions & Dispositions, Real Estate, Creation & Governing Docs, Contracts Drafting, Joint Ventures, Equipment Acquisition & Leasing, Employment & Labor Matters, Governance & Contract Disputes, Alternative Dispute Resolution, Risk Management, Peer Review, Medical Staff Privileges, Accountable Care Organizations, Practice Integration, Clinical Research/IRB, Restructuring



L. PAHL ZINN, MEMBER

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Pahl represents healthcare providers and insurers in antitrust and complex business litigation, and regularly counsels them on antitrust and trade regulation related matters.

Areas of focus: Compliance & Operations, Antitrust Matters, Governance & Contract Disputes, Intellectual Property Disputes, Insurance & Malpractice