

Health Care Attorney Guide

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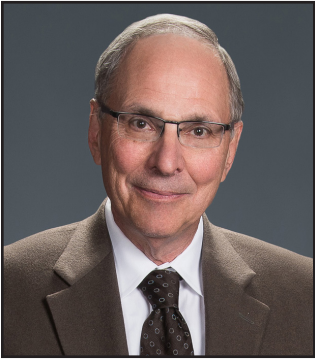
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Michael H. Allen | OF COUNSEL

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Michael's practice focuses on health care business organizations – which includes physician practices – and personal services – which covers estate planning and trust and probate administration.

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



K. Lance Anderson | MEMBER

Austin | 512.770.4207 | klanderson@dickinsonwright.com

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

Areas of focus: Acquisitions, Dispositions & Restructuring; Creation & Governing Documents; Contract Drafting; Joint Ventures; Intellectual Property Disputes; Licensing & Trade Secrets; Trademarks, Copyrights, & Patents, Information Technology; Clinical Research, Institutional Board Review (IRB); Grants



Erica A. Erman | Associate

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Erica's work includes handling administrative hearings, counseling clients with issues related to HIPAA compliance, Stark and AKS, state licensing, contract drafting, and health care business transactions. Erica has experience in litigating both state and federal False Claims Act cases, has counseled clients with the Parity Act and psychiatric urgent care, and has written multiple articles on emergent case law regarding parity.

Areas of focus: Behavioral Health; Health Care Litigation; Regulatory



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 law, HIPAA, fraud and abuse, and health care compliance.

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



James C. Foresman | MEMBER

Saginaw | 989.791.4644 | jforesman@dickinsonwright.com

James provides regulatory transactional and litigation services for hospitals, group practices, and professional health care providers.

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



Deborah L. Grace | MEMBER

Troy | 248.433.7217 | dgrace@dickinsonwright.com

Deborah counsels private companies and equity funds on the benefit plan implications of business acquisitions and dispositions, including due diligence reviews, and she advises on the integration of benefit programs. Her experience includes advising non-US entities on the unique tax rules that require separate legal entities under common control to be treated as one employer for US non-discrimination rules.

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



Angelina M. Gonzalez | Associate

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Angelina M. Gonzalez focuses her practice on civil and administrative litigation, healthcare matters, and government contracts. Angelina has represented a variety of clients in highly complex civil and administrative litigation matters, including academic health centers, a state administrative agency, a private non-profit university, and other corporate clients.

Areas of focus: Licensure; Certificate of Need; State & Federal Regulatory Compliance; Risk Analysis; Governance; Contract Disputes



Wendy G. Hulton | PARTNER

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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. She also advises on the regulation of health professionals and on employment matters related to health care employees. Wendy is frequently asked to assist clients with Canada's federal and provincial privacy legislation.

Areas of focus: Regulatory; Employment & Labor Matters; Privacy; Product Liability



Sara H. Jodka | Member

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Sara H. Jodka is a privacy attorney, legal advisor and litigator. She regularly works with businesses (including working hand-in-hand with their IT departments) to create privacy programs from start to finish through privacy by design, assists in security certifications and audits, drafts and negotiates tech contracts including “as-a service” contracts, clickwrap, software licensing, subscription services, cloud services, EULAs, BAAs, DPAs, etc., prepares for and responds to data breaches, including post-breach remediation, and provides employee training, among other things. Her clients are typically sophisticated businesses with many legal and regulatory compliance matters, including highly-regulated industries, including healthcare, finance, technology, sports betting, and cannabis. She works hand-in-hand with her client to help them launch new technologies, ensuring compliance with privacy requirements, including HIPAA/HITECH. Some of those technologies include medical devices, telehealth, wellness, COVID-19 tracking, ecommerce, social/protective services, geo-mapping, drone aviation, food delivery, and other apps, as well as communication tools, toys using artificial intelligence, voice recognition, and real-time chat functionality. Her regulatory compliance work spans the GDPR, PIPL, CASL, CCPA, CAN-SPAM, TCPA, and everything in between and continues to expand as more and more state and federal privacy laws are enacted.

Sara is one of only a few licensed attorneys in the United States with multiple privacy certifications for both the US and Europe from the International Association of Privacy Professionals (CIPP-US and CIPP-E) and as a Certified Information Privacy Manager (CIPM).

Areas of focus: HIPAA/ HITECH/EHR’s Privacy; HIPAA/HITECH/EHR’S Security, 501(c)(3) Status (X); Telehealth (✓); Contracts (employment, payor agreements, etc.); Employment & Labor Matters; Licensing/ Trade Secrets; Social Media; Information Technology, Acquisitions, Dispositions & Restructuring



Carolyn J. Johnsen | MEMBER

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Carolyn’s experience includes creating complex plans of reorganization for multi-million dollar companies in a wide range of industries, including health care, mortgage lending, real estate, manufacturing, retail, refining, hospitality, aviation and energy-related. She has negotiated multiple multi-million dollar transactions with lenders, investment bankers and brokers, asset purchasers and sellers, and governmental agencies.

Areas of focus: Acquisitions, Dispositions & Restructuring



Ralph Z. Levy, Jr. | OF COUNSEL

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

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



Leslee M. Lewis | MEMBER

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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. She also handles mergers and acquisitions for manufacturing, service, non-profit, health care, professional, construction, automotive, real estate, agricultural, energy, restaurant, and distribution clients.

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



Christina K. McDonald | MEMBER

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As a seasoned trial advocate, Christy has significant experience achieving favorable results for clients in employment cases and commercial disputes, as well as in litigation involving real estate, construction, and health care disputes.

Areas of focus: Compliance & Operations; Certificate of Need & Licensing; Employment & Labor Matters; Governance & Contract Disputes; Alternative Dispute Resolution; Insurance and Malpractice



Cynthia A. Moore | MEMBER AND DIVISION DIRECTOR, REGULATORY – ADMINISTRATION
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Cynthia counsels a diverse group of employers in the tax and ERISA aspects of welfare benefit plans, including Section 125 plans, COBRA compliance, consumer-directed health plans, retiree medical plans, VEBA's, and wellness plans.

Areas of focus: Governmental Investigations; HIPAA/HITECH/EHR's Privacy; Acquisitions, Dispositions, & Restructuring



Gregory W. Moore | MEMBER
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Greg is co-chair of the Behavioral Health Care 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, and international and domestic medical tourism companies on a full spectrum of regulatory, transactional, and litigation matters.

Areas of focus: Compliance & Operations Stark Law & Anti-Kickback; Certificate of Need & Licensing; Billing & Audits/Fraud and Abuse; HIPAA/HITECH/EHR's Privacy; HIPAA/HITECH/EHR's Security; 501(c)(3) Status; Acquisitions, Dispositions, & Restructuring; Real Estate; Creation and Governing Documents; Contract Drafting; Joint Ventures; Bond Financing; Equipment Acquisitions & Leasing; Buy & Sell Transaction Funding; Employment & Labor Matters; Antitrust 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, Institutional Review Board (IRB); Grants; Restructuring; Research Collaboration



Craig A. Phillips | MEMBER
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Craig specializes in helping clients navigate the complex legal issues that arise when technology is used in the healthcare industry, including assisting clients navigating the requirements of HIPAA, HI-TECH, and other compliance, data privacy, and cyber security issues. Craig has extensive expertise negotiating commercial and technology-related transactions from large hospitals to smaller practices, including critical software applications, EMR, cloud services, software-as-a-service, and other technology and services agreements, as well as social media issues and brand strategy for healthcare entities.

Areas of focus: HIPAA/ HITECH/ EHR's Privacy; HIPAA/HITECH/ EHR'S Security; Acquisitions, Dispositions, Restructurings; Joint Ventures; Contracts (employment, payor agreements, etc.); Information Technology; Trademarks and Copyrights, & Patents; Licensing Transactions; Social Media; Research/Collaboration



Kimberly J. Ruppel | MEMBER

Troy | 248.433.7291 | kruppel@dickinsonwright.com

Kim is a commercial litigator who represents individual providers and health systems involved in government investigations as well as private disputes. She is chair of the firm's Telehealth task force and co-chair of the firm's Healthcare Litigation task force. Her skills include developing efficient and cost-sensitive litigation strategies, counseling healthcare clients on discovery tactics, regulatory compliance, internal investigations, and negotiating early resolutions of disputes. She has presented and published on the topics of Telehealth, Non-compete Agreements and HIPAA Litigation and Compliance.

Areas of focus: Telehealth; Fraud & Abuse Investigations; Licensing Investigations; HIPAA Compliance; Insurance Coverage & Litigation; Contract Disputes



Christopher J. Ryan | OF COUNSEL

Ann Arbor | 734.623.1907 | cryan@dickinsonwright.com

Christopher Ryan is a civil litigator with a special focus on the healthcare industry and co-chairs the firm's healthcare litigation task force. For over a decade, Chris has represented businesses, physicians, hospitals, and insurance companies in a wide range of litigation matters and in all phases of litigation. He is admitted and has practiced in courts throughout the State of Michigan and is also licensed to practice in the State of Arizona.

Areas of focus: Litigation; Non-Competition Agreements; Billing Investigations & Audits; Medical Malpractice; Licensing Investigations; Breach of Contract



William M. Thacker | MEMBER

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

Areas of focus: Contract 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. David also represents health care 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 Law & Anti-Kickback; Billing & Audits/ Fraud & Abuse; HIPAA/HITECH/EHRs Privacy; Acquisitions, Dispositions, & Restructuring Creation & Governing Documents; Contract Drafting; Joint Ventures



Allison C. Tuohy | Associate

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An attorney in the firm's Troy office, Allison Tuohy practices in all areas of healthcare law, with a particular interest in mergers and acquisitions and behavioral health, and represents a variety of healthcare professionals and organizations. Allison received her Bachelor of Arts degree in Community and Global Public Health from the University of Michigan and her Juris Doctorate from Wayne State University Law School.

Areas of focus: Real Estate; Behavioral Health; Health Care Transactional; Acquisitions, Dispositions & Restructuring; Formation & Governing Documents; Joint Ventures; Governance & Contract Disputes; Contracts (employment, payor agreements, etc.)



Alexandra A. Vallee | MEMBER

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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 Law & Anti-Kickback; Certificate of Need & Licensing; Billing & Audits/Fraud & Abuse; HIPAA/HITECH/EHRs Privacy; HIPAA/HITECH/EHRs Security; Contract Drafting; Governance & Contract Disputes Risk Management; Peer Review; Medical Staff Privileges; Accountable Care Organizations; Practice Integration



Kathleen Campbell Walker | MEMBER

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Kathleen has served as immigration counsel to national, regional, and local healthcare providers for over thirty years. She assists healthcare providers, both corporate and individual, in seeking immigration solutions for staffing as well as business planning goals. Kathleen also serves as the head of the firm's Immigration Practice Group. In addition, she is a former national president and general counsel of the American Immigration Lawyers Association (AILA) and continues to serve on its national Board of Governors. Kathleen is board certified in Immigration and Nationality Law by the Texas Board of Legal Specialization, has testified before Congress multiple times on immigration law and policy, and received the AILA Founder's Award, which is awarded periodically to the person or entity who has had the most substantial impact on the field of immigration law or policy in the preceding period.

Areas of focus: Physician National Interest Waivers; Interested Government Agency Waivers for J-1 Physicians; Schedule A Applications for Nurses & Physical Therapists; Trade Nafta/USMCA professional visas; F-1 visas, H-1B visas, J-1 visas, DS-3035 applications; Non-Profit Affiliation for H-1B Cap Exemption; Consular Applications; Administrative Processing; Admission issues; 212(d) (3) waivers; Investment Based Start-Ups; Extraordinary Ability EB-1, Exceptional Ability EB-2, O-1 petitions, E-1 & E-2 Treaty Trader visas; Compliance & Maintenance of Status; 212(e) Foreign Residence Requirements, OPT STEM; Form I-9 & Worksite Compliance; Licensing Challenges for Foreign Nationals; Immigration Recruitment Strategies; Legislative Changes; Family Based & Investment Based Immigrant Alternatives



Billee Lightvoet Ward | OF COUNSEL

Grand Rapids | 616.336.1008 | bward@dickinsonwright.com

Billee concentrates her practice in health care 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 health care-related entities in corporate, transactional, and regulatory matters. Billee 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 Law & Anti-Kickback; HIPAA/HITECH/EHRs Privacy; Acquisitions, Dispositions & Restructuring; Creation & Governing Documents; Joint Ventures; Risk Management; Medical Staff Privileges; Clinical Research & Institutional Review Board (IRB); Sales & Purchases of Professional Practices; Physician/Hospital Contracting; General Health Care Contracting; Health Care Transactions; Telemedicine/Mobile Health; FDA; Academic Medical Centers & Affiliations



Mark E. Wilson | MEMBER

Troy | 248.433.7581 | mwilson@dickinsonwright.com

Mark's practice includes transactional, corporate, and regulatory laws for medical practices operating in several states. He currently serves as general counsel for a large health care system in Mid-Michigan. He has facilitated the creation and ongoing operations of large-scale independent single and multispecialty medical "supergroups" – including the creation of a national specialty management alliance and the formation and operation of multispecialty group practices. Mark's experience includes the acquisition, development, structuring, financing, construction, and operation of numerous health care facilities, including medical offices, physician-owned large-scale real estate "megamedaplexes," free-standing dialysis centers, vascular access facilities, urgent care centers, imaging centers, reference laboratories, and endo/ASCs. He has also formed numerous joint ventures or developed risk-based participation right arrangements with ACOs, CINs, ESCOs, IDNs etc., on behalf of physician groups.

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