

Health Care Attorney Guide

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GEOGRAPHICAL LISTING**ARIZONA**

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KENTUCKY

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MICHIGAN

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TENNESSEE

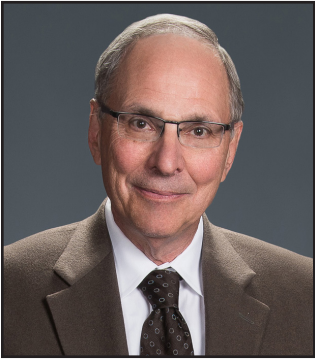
C. Timothy Gary
 Ralph Z. Levy, Jr.

TEXAS

K. Lance Anderson

CANADA

Wendy G. Hulton



Michael H. Allen | OF COUNSEL

Saginaw | 989.791.4643 | mallen@dickinsonwright.com

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 and Dispositions, Creation and 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 and Dispositions, Creation and Governing Documents, Contract Drafting, Joint Ventures, Intellectual Property Disputes, Licensing and Trade Secrets, Trademarks and Copyrights, Patents, Information Technology, Clinical Research, Institutional Board Review (IRB), and Grants

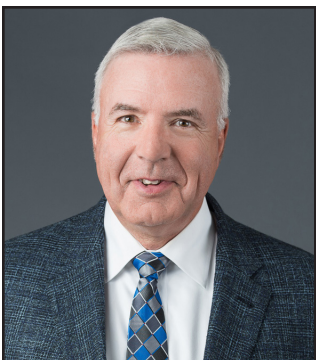


Jeremy Belanger | ASSOCIATE

Troy | 248.433.7542 | jbelanger@dickinsonwright.com

Jeremy advises client on matters related to business formation and transaction, contracting, regulatory compliance, and audits. His experience includes working with large hospital systems and small single member practices. Prior to becoming an attorney, Jeremy worked as an insurance fraud investigator and brings a unique perspective to client matters based on this experience.

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



Kevin M. Bernys | MEMBER

Troy | 248.433.7234 | kbernys@dickinsonwright.com

Kevin counsels health care 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 and Operations, Stark Law and Anti-Kickback, Certificate of Need and Licensing, Billing and Audits/Fraud and Abuse, HIPAA/HITECH/EHR Security, Acquisitions and Dispositions, Creation and Governing Documents, Contract Drafting, Joint Ventures, Risk Management, Peer Review, Medical Staff Privileges



Jessica L. Busch | OF COUNSEL

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Jessica advises on corporate governance, contracting, regulatory compliance, and licensing. She regularly counsels health care industry clients and has experience resolving compliance and licensing matters with state and federal regulatory agencies.

Areas of focus: Creation and Governing Documents, Contract Drafting, Joint Ventures



Carolyn P. Cary | OF COUNSEL

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

Areas of focus: Employment and Labor Matters



Frederick M. Cummings | MEMBER

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Fred has extensive trial experience in the areas of health care, medical malpractice, and medical products liability defense litigation. He also has significant experience in all aspects of complex litigation and is an experienced arbitrator and mediator.

Areas of focus: Medical Malpractice, Products Liability



Peter Domas | MEMBER

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Peter helps clients navigate the complex statutory and regulatory environment unique to health care 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 and Operations, Stark Law and Anti-Kickback, Billing and Audits/Fraud and Abuse, HIPAA/HITECH/EHRs Privacy, HIPAA/HITECH/EHRs Security, 501(c)(3) Status, Acquisitions and Dispositions, Creation and Governing Documents, Contract Drafting, Equipment Acquisitions and Leasing, Governance and Contract Disputes, Information Technology, Long-Term Care, Insurance Reimbursement, Non-Profit, and Health Care Accounting Matters



Erica A. Erman | Associate

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Erica focuses her practice on health care law and commercial litigation. She works on a variety of health care-related litigation cases. Upon graduation, she served as a Judicial Law Clerk to the Honorable Robert M. Brutinel of the Arizona Supreme Court.

Areas of focus: Health Care Litigation, Commercial and Business Litigation



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



James C. Foresman | MEMBER

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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 and Licensing, 501(c)(3) Status, Acquisitions and Dispositions, Creation and Governing Documents, Contract Drafting, Joint Ventures, Bond Financing, Equipment Acquisition and Leasing, Buy and Sell Transaction Funding, Governance and Contract Disputes, Licensing, Trademarks and Copyrights, Information Technology, Risk Management, Peer Review, Medical Staff Privileges, Practice Integration



Jerry K. 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 Law and Fraud and Abuse issues and transactions involving the purchase and sale of hospitals, hospital systems, and physician practices.

Areas of focus: Compliance and Operations, Stark Law and Anti-Kickback, Acquisitions and Dispositions, Creation and Governing Documents, Contract Drafting, Joint Ventures, Risk Management, Peer Review, Medical Staff Privileges, Accountable Care Organizations, Practice Intergration and Governing Docs, Contracts Drafting, Equipment Acquisitions and Leasing, Governance and Contract Disputes, Information Technology, Long-Term Care, Insurance Reimbursement, Non-Profit, and Health Care Accounting Matters



C. Timothy Gary | OF COUNSEL

Nashville | 615.780.1105 | tgary@dickinsonwright.com

Tim serves as the CEO of Crux Strategies and is a member of the firm's Health Care Practice. He has served as the Vice President and General Counsel of one of the largest managed Medicaid entities in the United States, the 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 Health Care Practice of a large regional law firm.

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



Deborah L. Grace | MEMBER

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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 and Dispositions



Kerry B. Harvey | MEMBER

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Kerry represents health care providers, financial institutions, and public officials. He served on the Board of Directors 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 Law and Anti-Kickback, Billing and Audits/Fraud and Abuse, Employment and Labor Matters, Governance and Contract Disputes, Alternative Dispute Resolution, Insurance and Malpractice



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 and Labor Matters, Privacy, Product Liability



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 and Dispositions, Restructuring



Russell A. Kolsrud | MEMBER

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Russ co-chairs the Behavioral Health Care 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. Russ 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 and Operations, Billing and Audits/Fraud and Abuse, HIPAA/HITECH/EHRs Privacy, HIPAA/HITECH/EHRs Security, 501(c)(3) Status, Real Estate, Acquisitions and Dispositions, Creation and Governing Documents, Bond Financing, Equipment Acquisitions and Leasing, Governance and Contract Disputes, Intellectual Property Disputes, Insurance and Malpractice, Licensing, Information Technology, Risk Management, Peer Review, Medical Staff Privileges, Accountable Care Organizations, Practice Integration



Ralph Z. Levy, Jr. | OF COUNSEL

Nashville | 615.620.1733 | rlevy@dickinsonwright.com

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 and Dispositions, Creation and Governing Documents, Contract Drafting, Joint Ventures, Equipment Acquisition and Leasing, Buy and Sell Transaction Funding, Governance and 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 and Dispositions, Real Estate, Creation and Governing Documents, Contracts Drafting, Joint Ventures, Equipment Acquisition and Leasing, Buy and Sell Transaction Funding, Risk Management



Christine 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 and Operations, Certificate of Need and Licensing, Employment and Labor Matters, Governance and 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 and Dispositions



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



Kimberly J. Ruppel | MEMBER

Troy | 248.433.7291 | kruppel@dickinsonwright.com

Kim is a commercial litigator who represents individual providers and group practices involved in government investigations as well as private disputes. Her skills include developing efficient and cost-sensitive litigation strategies, counseling health care-related 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. Kim regularly authors insurance and employee benefit related articles.

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



William M. Thacker | MEMBER

Ann Arbor | 734.623.1902 | wthacker@dickinsonwright.com

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 and Labor Matters, Alternative Dispute Resolution



David I. Thompson | MEMBER

Phoenix | 602.285.5021 | dthompson@dickinsonwright.com

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 and Operations, Stark Law and Anti-Kickback, Billing and Audits/Fraud and Abuse, HIPAA/HITECH/EHRs Privacy, Acquisitions and Dispositions, Creation and Governing Documents, Contract Drafting, Joint Ventures



Alexandra A. Vallee | 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 and Operations, Stark Law and Anti-Kickback, Certificate of Need and Licensing, Billing and Audits/Fraud and Abuse, HIPAA/HITECH/EHRs Privacy, HIPAA/HITECH/EHRs Security, Contract Drafting, Governance and Contract Disputes Risk Management, Peer Review, Medical Staff Privileges, Accountable Care Organizations, Practice Integration



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 and Operations, Stark Law and Anti-Kickback, HIPAA/HITECH/EHRs Privacy, Acquisitions and Dispositions, Creation and Governing Documents, Joint Ventures, Risk Management, Medical Staff Privileges, Clinical Research and Institutional Review Board (IRB), Sales and Purchases of Professional Practices, Physician/Hospital Contracting, General Health Care Contracting, Health Care Transactions, Telemedicine/Mobile Health, FDA, Academic Medical Centers and Affiliations



Rose J. Willis | MEMBER

Troy/Saginaw | 248.433.7584 | rwillis@dickinsonwright.com

Rose's practice focuses entirely on representing participants in the health care industry. She is a frequent speaker at regional and national health care conferences and has written extensively on top legal issues faced by participants in the health care industry. Her clients represent a broad spectrum of the industry, including 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 and Operations, Stark Law and Anti-Kickback, Certificate of Need and Licensing, Billing and Audits/Fraud and Abuse, HIPAA/HITECH/EHRs Privacy, HIPAA/HITECH/EHRs Security, Acquisitions and Dispositions, Creation and Governing Documents, Contract Drafting, Joint Ventures, Equipment Acquisition and Leasing, Buy and Sell Transaction Funding, Employment and Labor Matters, Governance and Contract Disputes, Accountable Care Organizations, Reimbursement



Mark E. Wilson | MEMBER

Troy | 248.433.7581 | mwilson@dickinsonwright.com

Mark is the Chair of the Health Care Practice Group. His practice includes 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. Mark’s experience includes the acquisition, development, 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/surgical centers. He has also negotiated participation right contracts with ACOs, CINs, ESCOs, etc., on behalf of physician groups.

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