



Health Care Law

For more than 40 years, our health care attorneys have partnered with providers and health plans to understand and address their unique and complex policy, regulatory and business issues. Our diverse team has firsthand regulatory, compliance and clinical experience, and many of our attorneys have served as in-house counsel or clinical practitioners. Clients across a broad spectrum of health care organizations trust that we provide sound, practical advice based on an understanding of their business and an in-depth knowledge of the latest developments in the health care industry.

Areas of Focus

Certification, Accreditation, Enrollment & Licensure

Our attorneys address certification, accreditation and licensure challenges for hospitals, health care facilities, and individual providers. We also help organizations navigate the survey process, respond to notices of deficiencies and develop plans of correction.

Clinical Research

Our firm works with many health care providers that participate in industry-sponsored clinical research trials or sponsor their own trials. We advise them on a variety of operational, HIPAA privacy, compliance and legal topics related to the research in which they engage.

Compliance, Fraud & Abuse

Our attorneys work extensively with the fraud and abuse laws, to include the Stark Law, the Anti-Kickback Statute, the Civil Monetary Penalties Law, the Overpayment Statute, the False Claims Act and qui tam actions. We are skilled at structuring arrangements and transactions to comply with these laws and reviewing proposed transactions and arrangements to identify possible problem areas. We stand by our clients in responding to and defending against audits, investigations and qui tam actions and assist with voluntary disclosures.

Health Care Employment & Labor

From providing guidance on employment policies and benefits to defending employers in legal actions, we blend employment knowledge with health care experience to proactively and creatively advise health care employers.

Health Care Litigation

Our knowledgeable team of health care litigators draws upon its diverse experience to guide clients and help them avoid unnecessary litigation, minimize risk when litigation is inevitable and preserve relationships. Our attorneys focus on outcomes that produce effective, favorable resolutions and prevent prolonged, costly lawsuits.

Appellate Advocacy

We handle cases as appellate counsel regardless of whether Bricker was involved as trial counsel. Our team also partners with trial counsel to identify appellate issues, draft briefs and prepare for oral argument. We are experienced in handling class action litigation and administrative appeals.

Business Litigation

Our clients include hospitals, managed care organizations, insurers, provider groups and other health care organizations across the U.S. in complex commercial litigation matters.

Construction Law

Our team includes several construction attorneys with extensive trial experience who come from technical and engineering backgrounds to provide assistance in all aspects of health care construction.

Employment & Labor

We provide health care employers with strategic advice, a focused and aggressive defense, and practical solutions to quickly achieve the best possible outcome. Our employment litigators regularly appear in state and federal courts, arbitrations and mediations, and before administrative agencies and other tribunals.

False Claims Act Defense

We represent clients at the state and federal level in a variety of Medicare and Medicaid fraud and abuse cases. In addition, our False Claims Act team works with health care organizations to conduct compliance audits and internal investigations designed to reduce the likelihood of a violation.

Medical Negligence Defense

With over eight decades of combined experience in complex medical negligence litigation, our team is uniquely qualified to represent hospitals, nurses, physicians and other health care providers in the courtroom and through mediation. We readily defend medical negligence, wrongful death and birth trauma claims.

Workers' Compensation

We know what to look for when investigating a workers' compensation claim, how to stop it in its tracks and how to manage allowed claims so health care employees can return to work. In addition, we play a leading role in drafting and lobbying for workers' compensation reform.

Health Care Regulatory

Our attorneys work with administrators to ensure their facilities, their operations and their staffs avoid noncompliance. With our familiarity and ongoing analysis of current health care laws and regulations, we regularly assist hospitals and other health care facilities in overcoming regulatory challenges and advocating policy changes.

Health Care Transactions

We regularly advise clients on joint ventures, mergers, practice and facility acquisitions and divestitures, corporate reorganizations, partnerships and other integration-oriented transactions. Whether engaging in a single transaction or a long-term strategic plan with many related transactions, our attorneys help health care organizations position themselves for success.

Health Information Technology & HIPAA

We are a nationwide leader in comprehensive legal services related to HIPAA and the privacy and security of health information. We work with health care organizations to resolve electronic health record issues, including meeting Meaningful Use requirements and responding to Meaningful Use audits. Additionally, our attorneys are on the forefront of the rapidly evolving field of health information exchanges.

Hospice

Our firm is a leading provider of legal services to hospices and home health agencies. Specifically, we advise on regulatory matters, reimbursement, contracts, corporate structuring, transactions, fraud and abuse issues, arrangements with other providers, HIPAA and HITECH issues, audits and compliance plans.

Long-Term Care

We are a leading provider of legal services to long-term care providers, including skilled nursing facilities, nursing facilities and assisted living facilities. Specifically, we advise on regulatory matters (including CON, licensure, certification, sales and acquisitions, bed values, franchise permit fee and space requirements), reimbursement (including the evaluation of potential overpayments and reporting and refunding overpayments in compliance with the 60-Day Rule), contracts, resident agreements, corporate structuring, transactions, fraud and abuse, arrangements with other providers (including referral sources), HIPAA and HITECH privacy and security, surveys, audits and compliance programs (including policies and procedures, training and investigation of possible noncompliance).

Medicare, Medicaid & Managed Care

We continuously monitor Centers for Medicare & Medicaid Services (CMS) communications and other developments and collaborate with our health care clients to understand and achieve full compliance with the latest statutes, rules and regulations. When necessary, our attorneys help our clients prevent and solve any compliance issues or reimbursement disputes.

Provider & Medical Staff Issues

In collaboration with our employment attorneys, we work with hospitals and health systems to plan for and address legal issues involving medical staff and advanced practice provider governing documents; medical staff integration; sharing protected information; credentialing; quality assessment, performance improvement and peer review processes; and recruiting and contracting.