



HOSPITALS AND HEALTHCARE FACILITIES

Better Health

The attorneys on Barnes & Thornburg's Healthcare team provide hospitals and healthcare facilities with legal counsel on the full range of operational and compliance matters. We represent for-profit and not-for-profit hospitals, specialty hospitals, physician-owned hospitals, hospices, ambulatory surgery centers and hospital-physician joint ventures in virtually everything from the formation of provider-based departments to joint ventures involving for-profit and tax-exempt entities.

Our clients include health systems, acute care hospitals, critical access hospitals, rehabilitation hospitals, freestanding psychiatric hospitals, clinical laboratories, ambulatory surgery centers, diagnostic imaging centers, dialysis providers, urgent care centers and workplace clinics, among others.

Moreover, our lawyers are fluent in representing hospitals and medical staffs throughout the country on a wide range of complex issues unique to their relationships and duty to promote high-quality care in a fair and effective manner. We emphasize the use of strong communication skills to forge mutually acceptable resolution to conflicts that frequently occur between medical staffs and hospitals.

In addition, our team has substantial experience working with the governing boards of myriad healthcare industry clients. We are routinely retained to advise clients on sensitive matters related to the exercise of fiduciary responsibilities by the various stakeholders in each organizational structure, as well as assist clients in implementing internal mechanisms, policies and protocols designed to assist governing boards in managing information flow and establishing reporting systems – all with a view toward informed decision making. We regularly:

- Handle facility business transactions including mergers, acquisitions

Why Barnes & Thornburg?

Finding new ways to help clients identify solutions and new business opportunities, across industries, is at our core. We are, at times, more than lawyers, we are advisers bringing new ideas to light. We understand what keeps you up at night and work collaboratively to find practical and creative solutions, at the heart of business.

RELATED PRACTICES

Drug and Medical Device

Healthcare

Hospitals and Other Healthcare Providers

Life Sciences

and asset purchase deals

- Counsel clients on litigating complex matters, drafting and implementing system-wide compliance plans, licensing and certification issues, compliance with tax-exempt bond requirements, and completion of Centers for Medicare & Medicaid Services (CMS) and The Joint Commission surveys
- Prepare and conduct medical staff peer review and hearings
- Draft and interpret medical staff bylaws, rules and regulations
- Draft and implement corrective action plans
- Form institutional review boards
- Advise on governance matters for tax-exempt hospital boards of directors
- Advise on physician integration and alignment, Medicare and Medicaid reimbursement and compliance with the Stark Law, Anti-Kickback Statute, state and federal fraud and abuse regulations, HIPAA and the Emergency Medical Treatment & Labor Act (EMTALA)
- Draft, review and negotiate a wide variety of contracts, such as physician employment agreements, professional services agreements, call coverage agreements, research agreements, lease agreements, physician recruitment agreements, and hospice services and management agreements
- Handle virtually all types of certificate of need (CON) matters – from application to hotly contested disputes before state boards and courts

Practice Leaders



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