



Health Care Litigation

Reinhart's Health Care Litigation group represents clients nationwide in a variety of matters. In order to best serve our clients and deliver informed counsel, we combine the perspective of our Health Care Practice – which spans the entire continuum of patient care – with the philosophy of our Litigation attorneys, who strive to avoid lengthy court battles but know what they need to prove to win. The result is a unique combination of institutional knowledge and litigation savvy that equips us with the insight we need to successfully defend our clients in today's dynamic, litigation-intense regulatory environment.

We understand the intense pressure that health care organizations experience when faced with an expanding list of compliance rules and obligations. That's why our attorneys make it a point to know not just the laws surrounding a particular client matter, but also the client's business and mission. With the experience gained from our decades of serving all types of health care organizations, we know how the businesses of hospitals, health systems, long-term care facilities and hospices operate, and we leverage that insight to overcome regulatory and litigation obstacles. We also appreciate the unique missions of our different health care clients, and that passion shines through in our dedicated counsel.

Drawing on the experience of our Hospice and Palliative Care group – one of the largest and most robust law practices dedicated to hospice in the United States – our Health Care Litigation team has particular prominence responding to and defending all types of government audits.

Yet we also have a wide range of experience defending issues that any health care organization might face, including compliance, contract disputes, government investigations, credentialing, HIPAA and privacy issues. Our team assists various companies in the health care industry with their compliance programs, with particular experience serving hospitals and health systems; post-acute care and long-term care facilities; physician groups; and hospice and palliative care facilities.

We also defend false claims act litigation and prosecute Medicare appeals contesting recoupment or denial of claims. We have extensive experience conducting internal investigations and responding to government investigations of false claims, Stark Law and regulations, as well as other criminal and civil liability arising from allegations of Medicare or Medicaid fraud. We regularly provide counsel on the following types of matters, representing hospitals and health systems, long-term care facilities, home health and hospice providers and others:

Investigations

- *Government Investigations:* Respond to investigations or surveys of health care clients conducted by government agencies (e.g., CMS, OIG, FBI) and government contractors (e.g., ZPICs, MACs, MICs).
- *Accreditor Investigations:* Respond to investigations or surveys of health care clients conducted by accreditation organizations (e.g., CHAP, Joint Commission).

- *Internal Investigations*
 - *Complaints*: Manage investigations by health care clients into complaints made against the organization, whether by an employee, a third party, or an anonymous source.
 - *Compliance Review*: Manage investigations by health care clients into the effectiveness of their compliance programs.

Regulatory Appeals

- *Medicare Appeals*: Represent health care clients in appealing findings of government agencies and their contractors through the Medicare appeals process (e.g., redetermination, reconsideration, ALJ hearing, MAC review, and judicial review).
- *Medicaid Appeals*: Represent health care clients in appealing findings of government agencies and their contractors through the Medicaid appeals process (e.g., the state-defined process that typically includes responding to a draft report and an ALJ hearing).

Private Party Dispute Resolution

- *Contractual Mediation/Arbitration Processes*: Represent health care clients in pursuing remedies and relief against private parties (e.g., private payor sources, vendors, or other contract partners) through a contractual dispute resolution process such as a mediation or arbitration.

Court Representations

- *Court Representations*: Represent health care clients in any manner of court proceedings involving issues specific to the health care industry, including, but not limited to, claims against government or private payors, False Claims Act/qui tam matters, commercial disputes, and claims against competitors.

Our Health Care Litigation group works diligently on behalf of clients to avoid lengthy, protracted litigation proceedings while also effectively protecting their interests. In the event that a case does go to trial, we have substantial experience representing our clients in courts, arbitration, mediation and administrative proceedings. Our attorneys leverage a unique perspective of trial successes to evaluate the strength of cases, and we know how to develop evidence with precision and efficiency. That precise ability to assess cases allows us to efficiently obtain favorable outcomes for our clients.

Simply put, we have the skills to win inside and outside the courtroom. Our attorneys work to find quick and creative solutions with opposing counsel that wish to avoid long, protracted court battles. This approach often allows us to settle cases for greater value without the need for a costly trial, allowing our clients to focus on their business.