

Health Care

The Health Care Practice Group at Gresham Savage includes experienced attorneys who counsel and represent all aspects of the health care industry, including hospitals, physician groups, HMOs, County Organized Health Systems, public agencies, medical equipment and device companies, and ancillary providers on a wide range of issues. Our attorneys bring significant industry knowledge to their practice and are actively involved in numerous health care professional and industry organizations.

Members of our Health Care Practice Group frequently work together with attorneys in other practice groups to counsel and represent our health care industry clients in a wide variety of complex business and transactional matters, litigation cases, labor and employment issues, intellectual property issues; tax, including nonprofit tax matters; antitrust analysis; and real estate and land use matters.

We assist clients in the structuring and formation of managed care entities and arrangements. We advise on compliance with HMO and state insurance laws. We represent health care providers, insurance carriers, and technology companies in a wide variety of medical technology-related transactions and also assist clients with regulatory and compliance matters that arise in clinical research. Our attorneys help health care clients comply with all medical information privacy and security requirements mandated by state and federal law, security issues that arise in connection with electronic medical records systems, compliance with state and federal laws and regulations, as well as voluntary standards. We also assist health care clients in responding to government audits and investigations including those related to claims under state and federal False Claims Acts.

REPRESENTATIVE COUNSELING ISSUES INCLUDE:

- Regulatory compliance
- Risk assessment and management
- Audits and investigations
- Provider contracting
- Business transactions
- Executive comprehension and benefits
- Provider termination and insolvencies
- Fraud and abuse

- Corporate strategic initiatives
- Corporate restructuring
- Administrative matters

REPRESENTATIVE CONTESTED MATTERS INCLUDE:

- Business Torts, including:
 - Trade secrets litigation
 - Fraud
 - RICO Lawsuits
 - Interference with business contracts & business advantage
 - Breach of fiduciary duty
- Managed care litigation including:
 - Contract interpretation
 - Collections
 - Overpayment disputes
 - Disputes between physicians and IPAs or medical groups
 - Partnership, corporate and joint venture disputes
 - False Claims Act cases
 - Director and officer liability claims
 - Insurance coverage disputes
 - Civil rights issues
 - Provider/Vendor disputes
 - Employment litigation

- Medical staff investigation, peer review hearings, and litigation
- Antitrust and unfair competition claims
- Breach of contract
- Administrative proceedings: Medical Board of California and other licensing boards, California Department of Health Care Services, California Department of Public Health, California Department of Social Services, California Department of Education-Individuals with Disabilities Act (IDEA)
- Appeals and Writs