Hospitals and Health Systems

In a rapidly changing and complex environment, Krieg DeVault gives hospitals and health systems nation-wide the help they need with transactional, litigation, compliance and financing concerns. As industry consolidation accelerates, we structure business combinations and hospital/physician financial arrangements that comply with state and federal licensing and certification requirements, fraud and abuse concerns, the Anti-Kickback Statute and Stark Act and other regulations unique to health care. We understand the regulatory issues created by the Affordable Care Act and intensified Medicare and Medicaid reimbursement fraud investigations, can respond to False Claims Act allegations, implement Corporate Integrity Agreements and test for effectiveness, and advise on patient privacy and security issues involving all forms of protected health information, including electronic health records.

From licensing and credentialing, to physician practice integration, to compliance with federal and state employment laws, we offer comprehensive guidance on personnel and staff concerns. With team members who have served as general counsel to major hospital systems and leaders of Indiana's healthcare bar, Krieg DeVault's practical yet sophisticated experience gives hospital boards and administrators focused and seamless counsel. Krieg DeVault's attorneys not only know and understand applicable health care legal and regulatory requirements and how to explain such requirements in an understandable manner, but they also know how to implement such requirements in the hospital and health system setting with an operationally-sensitive approach.

Focus Areas

Stark Act Compliance

Anti-Kickback Statute

False Claims Act

Fair Market Value Defensibility Analysis

Compliance Guidance

Corporate and Transactional Matters

Crisis Management

Health Information Technology

Legal/Compliance Investigations

Records Management and Privacy

Recovery Audit Contractor (RAC) Program

Tax-exemption counseling

Facilities financing, sales, and leasing

General corporate counseling

Physician-hospital integration strategies

Hospital general corporate and management counsel

Hospital acquisition, formation, licensing, and state and federal compliance issues

Accreditation compliance

Mergers and acquisitions

Joint ventures

Intellectual property protection, copyright, patent prosecution

Management of health care records (HIPAA)

Managed care contracting

Disaster planning and recovery

Federal and state government relations

Antitrust

Electronic Medical Record (EMR) development, Health IT management, and liability

Telemedicine and technology issues

Payor relations, audits, and appeals

Billing, coding and coverage issues

Litigation, arbitration, and mediation

***Qui tam* cases**

Peer review hearings and staff privilege issues

Licensure and certification survey representation

Professional licensing and disciplinary proceedings

Internal investigations and Sentinel event investigations