

Outpatient / Ambulatory Services

Since the 1980s, Krieg DeVault has provided counsel to single and multi-specialty ambulatory surgery centers (ASCs) on a wide variety of transactional, regulatory and litigation matters. Our clients value our industry knowledge, including on the following:

- Initial development of ASCs, including organization, capitalization, and governance.
- Advice on ASC development, including acquisitions, joint ventures, and syndications with physician groups and hospital systems.
- Interpretation, enforcement, and amendment of buy-sell agreements and operating agreements.
- Corporate finance matters, including private offerings and securities compliance.
- Dispute resolution in connection with forced buy-outs, government investigations, *qui tam* actions, peer review, medical staff issues, and employment matters.
- Real estate and facility leasing matters.
- Non-competition structuring and enforcement.

We provide clients with innovative, business-oriented legal solutions tailored to their competitive and operational challenges. Our experience includes:

- Representing a nonprofit hospital in structuring and consummating a physician joint venture to serve as a freestanding ASC.
- Representing 30 orthopedic surgeons from 4 medical practices in organizing a joint venture that entered into a clinical service line co-management agreement with a health care delivery system.
- Representing an orthopedic group regarding a clinical service line co-management agreement with a health care delivery system and acquisition of ownership interests in a physician-hospital joint venture ASC.
- Representing an ASC in its redemption of physicians who failed to meet ownership eligibility criteria.
- Litigating non-compete dispute with departing physicians attempting to establish a competitive facility.



- Representing multi-specialty physician group in negotiation and enforcement of rights in joint venture with health system.