



## **Andrew W. Breck**

Senior Associate

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Andrew Breck concentrates his practice in health care law. He has extensive experience with Federal and State laws and regulations related to fraud and abuse compliance, including the Anti-Kickback Statute and Stark Law. He also regularly assist clients with other health care matters involving HIPAA and state laws on privacy and security compliance, health technology, ambulatory surgery centers (“ASCs”), pharmacies, on-site health clinics, corporate compliance programs, and animal law.

Mr. Breck also focuses his practice in representing parties in various health care corporate matters such as restructuring, mergers and acquisitions, and start-up companies. This includes developing and negotiating corporate governance documents on behalf of a variety of healthcare clients including individual providers, physician group practices, ASCs, and hospital and health systems.

Within the health care industry, Mr. Breck also works with healthcare providers on physician employment-related matters including negotiating employment and severance agreements, non-competition issues, and workers’ compensation.

### **Education**

- J.D., *magna cum laude*, Indiana University Robert H. McKinney School of Law, Indianapolis, Indiana, 2012
  - Executive Articles Editor for the *Indiana Health Law Review*
- B.A. in Economics, *cum laude*, DePauw University, Greencastle, Indiana, 2006
  - Graduate of Management Fellows Honor Program

### **Bar & Court Admissions**

- Indiana (2012)
- U.S. District Court for the Northern District of Indiana (2012)
- U.S. District Court for the Southern District of Indiana (2012)

### **Practices**

- Pharmacy and Pharmaceutical Law

- Hospitals and Health Systems
- Health Care Reimbursement
- Stark Act Compliance
- Health Care Finance

## Industries

- Health Care

## Representative Experience

- Provided legal services in all aspects of the healthcare industry including hospital systems, ASCs, physician group practices, and individual medical providers
- Represented individual providers on employment matters such as employment agreements and severance agreements
- Negotiated supply chain agreements for group purchasing organizations and managed care contracts on behalf of hospital systems and physician groups Negotiated clinical trial agreements for clients with research capabilities
- Advised healthcare clients on regulatory matters including analysis of subregulatory guidance on issues involving fraud and abuse, reimbursement, telemedicine, pharmacy, HIPAA and state privacy and security, and animal law.
- Lead a variety of other healthcare matters including provider peer review, labor and employment, and corporate transactions and restructuring issues

## Professional Associations

- Member, American Health Lawyers Association
- Member, Indiana Bar Association
- Member, Indianapolis Bar Association

## Civic Involvement

- Volunteer, Indiana Sports Corp Volunteer Program

## Seminars & Presentations

- Panelist, "2020 Vision Going Forward: How to See Yourself Through This," Indiana State Bar Association Webinar, May 2020

## Publications

- Co-Author, "Come One, Come All: New Reciprocity Laws for Health Care Professionals in Indiana," June 30, 2022
- Co-Author, "Transparency is the Name of the Game," June 13, 2022
- Co-Author, "What is a "Referral" Under the Anti-Kickback Statute?," August 31, 2021
- Co-Author, "Hurry Up and Wait: HHS Delays Reporting Requirements on Coronavirus Provider Relief Funds," February 10, 2021
- Co-Author, "COVID-19, Faith, and 'Technical Assistance' from OCR," November 3, 2020
- Co-Author, "Helping Hoosiers: Indiana Extends Flexibility on Temporary Licensing of Health Care Workers," October 7, 2020

- Co-Author, "Recruiting Success Tips for Progressive Practices," September 14, 2020
- Co-Author, "Nursing Homes: Immediate Enforcement Action and New COVID-19 Testing and Reporting Requirements," September 2, 2020
- Co-Author, "How Does My Compliance Program Measure Up?" June 9, 2020
- Co-Author, "Don't Be Complacent, Be Compliant - CMS and OIG Online Sources Continue to Provide Important Compliance and COVID-19 Updates," June 4, 2020
- Co-Author, "When It Rains, It Pours - Nursing Facilities to Face Imminent Survey Activity, Enhanced Enforcement Actions, and Staff Testing Requirements as a Result of COVID-19," June 3, 2020
- Co-Author, "CMS Releases Telehealth Toolkits," March 23, 2020
- Co-Author, "How "Effective" Is Your Compliance Program?" May 21, 2019
- Co-Author, "Updated INSPECT Requirements Will Streamline Practitioner Obligations," May 1, 2019
- Co-Author, "OIG Issues Favorable Advisory Opinion on Waiver of Cost-Sharing Amounts for Charitable Pediatric Care," February 17, 2019
- Co-Author, "HHS Seeks Comments on Changes to HIPAA to Promote Improved Care Coordination," January 7, 2019
- *Keeping Your Head on Straight: Protecting Indiana Youth Athletes from Traumatic Brain Injuries Through "Return-to-Play" Legislation*, 9 Ind. Health L. Rev. 215, 2012

## Certifications

- Legal Lean Sigma® White Belt