bodman

Health Care

help those who help

Bodman's multi-disciplinary Health Care Group serves health care clients in virtually all aspects of their business operations. Our clients range from the largest medical systems to small regional hospitals to physician and dental practices.

Our attorneys assist health care clients on all fronts, from consolidation of hospitals and systems, to strategic joint venture affiliations, to careful expansion of the number of beds in growing markets, to strategic negotiations with government and medical school partners. We have assisted hospitals and health systems with restructuring, forming strategic alliances, and meeting the challenges of a fast-changing regulatory environment.

We are well-versed in serving the needs of not only health care providers, but of businesses closely associated with the health care industry, including those in the pharmaceutical, life sciences, and medical device sectors. The health care team approaches issues from a broad business perspective, drawing on the talents and strengths from all practice areas within the firm.

SERVICES

Attorneys within this group have experience with:

- **Corporate mergers, acquisitions, and divestitures**
- **Structuring joint ventures and other business relationships**
- **Corporate governance requirements**
- **Matters relating to boards of trustees, audit committees, special investigative committees and litigation committees**
- **Captive insurance developments**
- **International transactions**
- **Acquisition of management information systems**
- **Complex litigation, including employment, class action defense, ERISA, insurance, product and professional liability, shareholder derivative matters, tax, and HIPAA**
- **Real estate transactions, including private development, financing, leasing and construction, real estate litigation, and environmental issues**

- **Labor and employment issues, including employment policies, procedures, and practices; compliance with ADA, FMLA, HIPAA and other health-related laws; tax qualified employee benefit plans; investigating employee misconduct (including sexual harassment); discipline and discharge; reductions-in-force; and reorganizations**
- **Health care regulatory compliance matters, including Stark law, anti-kickback statute, HIPAA and HITECH**
- **Health care compliance and policies and procedures, including compliance plans, government investigations, mid-level provider issues, billing, medical records, and medical staff issues**
- **Vendor management and negotiations**

REPRESENTATIVE MATTERS

Representative matters in various areas include:

MERGERS, ACQUISITIONS AND DIVESTITURES

- **Hospital Converts from a Municipal Health Care Corporation to a Non-Profit Corporation**

  We represented a hospital in the successful conversion of its operating entity from a municipal health care corporation to a non-profit corporation. This change gave the client greater flexibility and increased its affiliation options.

- **National Health Care Organization Acquires Physician Practice Groups**

  We represent a health care client with national operations in its ongoing acquisition of physician practices.

- **Health System Creates First Physician-Owned Hospital in the State**

  We represented a health system in the partial sale of one of its hospitals to a group of physicians, creating the first physician-owned hospital in Michigan.

JOINT VENTURES

- **State and Local Governments Collaborate to Provide $50 Million in Government Aid for Health System**

  We negotiated a collaboration among the State of Michigan, County of Wayne, City of Detroit, and a health system that provided an infusion of $50 million in government aid.

- **National Health System Forms Joint Venture with a Public Company**

  We advised a national health system in negotiations for a joint venture with a New York Stock Exchange company.

- **Regional Medical Center Forms Joint Venture with a Cancer Hospital**

  We helped a regional medical center establish a joint venture with a specialty cancer hospital, expanding the resources of both entities to improve the health status of cancer patients in the hospital service area.

ACQUISITION OF MANAGEMENT INFORMATION SYSTEMS, VENDOR MANAGEMENT AND NEGOTIATIONS

- **Health Care Providers Encounter Issues with Information Systems Vendors**

  We have helped health care providers resolve a range of issues with information systems vendors, including fraud, breach of contract, negligent misrepresentation, civil RICO, and violations of consumer protection statutes.

- **Health Care Provider Selects and Acquires New Information System**

  We represented a health care provider through the complex phases of needs assessment, negotiation, acquisition, integration, installation, testing, and deployment of mission-critical information systems.

LITIGATION

- **Health System Wins Hospital Licensure Bed Litigation at Trial and Appellate Courts**

  We successfully represented a health care system in certificate-of-need litigation (at both the trial and appellate levels) that upheld the licensure of beds for strategic expansion in Oakland County, Michigan.

LABOR AND EMPLOYMENT ISSUES

- **Health System Obtains Dismissal of Employment Lawsuit Alleging Age, Gender and Weight Discrimination**

  We represented a health system in an employment lawsuit filed by a senior official claiming age, gender and weight discrimination in the denial of a promotion and retaliation over his filing of an EEOC charge, achieving a favorable settlement and dismissal of the lawsuit.

HEALTH CARE REGULATORY COMPLIANCE MATTERS

- **Health Care Provider Adopts Regulatory Compliance Plan and Resumes Medicare, Medicaid Payments after Government Charges**

  We represented a health care provider practice that was indicted for health care fraud and were able to terminate quickly the suspension of Medicare and Medicaid payment that had been placed on it. We also helped the same client adopt and initiate a regulatory compliance plan.

HEALTH CARE COMPLIANCE, POLICIES AND PROCEDURES

- **Illinois Hospital Implements Managed Care and Alternative Service Delivery System**

  We represented an Illinois-based hospital in the analysis and implementation of managed care and alternative service delivery systems, including the establishment of its own managed care employee health plan, which has since been expanded and made available to other employer groups in the hospital service area.