



Health Care

The health care industry has experienced dramatic growth, disruption, innovation, and volatility over the last several years. With this change, sector clients need a law firm with the skills and insight to provide sophisticated advice and the foresight to anticipate the next challenge. Our multi-disciplined Health Care Practice has a breadth rarely seen in today's market. Our experience encompasses virtually all aspects of health care law, including disputes and transactions. Our attorneys, in both the U.S. and beyond, are seasoned practitioners with experience serving as general, litigation, and special counsel to a wide variety of health care enterprises, including health care providers, senior housing and services, insurance, managed care organizations, health care services, and health care technology solutions.

We understand the sector's inherent complexities, which enables our team to provide comprehensive counsel on the legal and business challenges enterprises face in this highly regulated industry. For instance, our attorneys are well-versed in the various ways important industry participants intersect, including the mutually beneficial relationships between health insurance companies and health care providers.

Key Contacts

[T. Reed Stephens](#)

Areas of Focus

Litigation & Investigations

With more than 450 attorneys, our Litigation Department has conducted major jury trials in virtually every federal district in the United States and has represented clients in appeals before the U.S. Supreme Court and the U.S. Courts of Appeals. Our Health Care team works in tandem with the firm's top-ranked litigators to defend clients in administrative actions brought by the Office of the Inspector General (OIG), Medicare, Medicaid, the Federal Trade Commission (FTC), the Department of Justice (DOJ), federal and state fraud control units, and other federal and state agencies.

Our experience in the health care sector has included federal investigations and allegations of regulatory violations, consumer class actions alleging product liability violations, the defense of corporate acquisitions, and insurance claim disputes, among other claims and proceedings.

Regulatory & Compliance

Our Health Care lawyers play a pivotal role in advising clients on the regulatory and compliance aspects of health care law. We are immersed in the health care landscape and understand the emerging policies, business trends, rules, and regulations that can impact our clients' interests. In fact, many of our attorneys have experience working in critical roles for health care-related government agencies, including the DOJ, Centers for Medicare and Medicaid Services, and the U.S. Department of Health and Human Services (HHS). We also have strong relationships with industry influencers and experts—including advisory and accounting firms specializing in health care policy, operations, and licensure, as well as reimbursement consultants.

We represent clients as local, regional, national, and preferred counsel, and provide advice, counsel, and advocacy in all aspects of health care regulation and compliance. We also have extensive experience conducting internal investigations and managing self-reporting disclosures to government regulators.

Our experience includes:

- state and local provider licensure and Certificate of Need;
 - federal Medicare and Medicaid conditions and requirements for participation;
 - federal and state Medicare, Medicaid, and private health plan reimbursement;
 - government contracts, compliance, and counseling;
 - the Foreign Corrupt Practices Act;
 - employment law, including diversity/equity/inclusion initiatives, whistleblower/anti-retaliation laws, and senior executive misconduct policies and procedures;
 - federal and state civil and criminal fraud and abuse matters;
 - corporate practice of medicine and fee-splitting;
 - state professional licensure;
 - data privacy, data security, and HIPAA;
 - antitrust counseling; and
 - compliance programs that reflect the latest guidance from government regulators, including pre- and post-transaction diligence and integration issues.
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Fraud & Abuse

A principal focus of our Health Care Practice is fraud and abuse regulation, including federal- and state-related anti-kickback statutes, physician self-referral law (Stark Law), fee-splitting law, and the False Claims Act (FCA). Our lawyers have represented health care clients in fraud and abuse matters for more than 25 years. Companies and organizations facing these issues regularly choose our attorneys to handle major health care defense and litigation, including criminal and civil investigations, as well as indictments. We also have extensive experience related to false claims investigations and litigation, including qui tam proceedings. We are well versed in advising clients on the fraud and abuse implications of high-profile health care transactions as well.

European Health Law

Our European health law team is working at the forefront of the modernization of the economy and the health care law. The team covers the various aspects of the health sector in a cross-disciplinary manner and handles all issues related to counseling and litigation in the health sector, including regulatory, contractual, labor, tax and corporate, and public and private law issues, within the framework of French and European regulations. The team also works seamlessly with our U.S.-officed attorneys.

In a high-risk but high-potential sector, which is constantly changing and highly regulated, our Health Care team is present at all levels of the 'health' economic sector and assists the market leaders in France and Europe in their relationships with the supervisory authorities and before judicial and administrative courts, as well as the courts of professional associations.

Health Care Technology Solutions

Innovation in health care technology continues to transform the industry and dramatically alter business models. As organizations race to harness patient data, personalize care, implement new technologies, communicate with patients, and revolutionize business partnerships, they must contend with a range of legal challenges. Our Health Care Technology Solutions group— an interdisciplinary team that includes deeply experienced practitioners in health care regulation, data privacy, cybersecurity, technology, and class action defense, as well as a former federal privacy regulator and a federal cybersecurity prosecutor, provides strategic advice to help clients navigate this dynamic and rapidly changing legal landscape.

We advise clients in areas such as big data, data privacy and cybersecurity, blockchain, artificial intelligence, mobile health and wearables, technology infrastructure, and telehealth. Enlisting capabilities from across practices, we are uniquely positioned to help clients in this sector develop innovative business models within the constraints of shifting regulations, stay aligned with the latest regulations, anticipate challenges, and defend significant litigation actions as new health care technologies evolve.

Privacy, Data Security & HIPAA

Our Global Privacy & Data Security Practice regularly advises the world's largest companies on their most complex and highly sensitive data issues. In the health care sector, our attorneys guide clients through the shifting landscape of legal requirements that affect the collection, use, sharing, and security of patient, employee, and consumer information. Few teams have more substantial, sophisticated, and integrated experience in this area.

We have extensive experience advising clients on issues related to the Health Insurance Portability and Accountability Act (HIPAA), the Health Information Technology for Economic and Clinical Health Act (HITECH), state and federal data protection requirements, employee privacy, website and mobile application development, online privacy disclosures, behavioral advertising, software licensing issues, consumer marketing, and new technologies. We also have a deep bench of attorneys who regularly handle data breach investigations and litigation matters for health care clients.

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Mergers & Acquisitions

Our transactional team has significant experience advising clients on health care mergers and acquisition strategies and a broad range of related transactional needs. We provide counsel before, during, and after transactions—from idea to completion and beyond—to help ensure a positive outcome for our clients. Our team regularly assists buyers, sellers, and funding sources with public takeovers, private acquisitions, leveraged buyouts and recapitalizations, divestitures, joint ventures, carve-outs to distressed acquisitions, and precedent-setting restructurings. We also help prepare public and private companies in all aspects of the auction and sale process.

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Private Equity

We offer one of the broadest and most active middle-market private equity practices among our peer firms. Our practitioners regularly guide private equity clients and their portfolio companies through the health care investment landscape. Not only do we help navigate the business and regulatory aspects of these dynamic deals, but we also guide clients—including both buy- and sell-side parties—throughout each phase of the investment life cycle, including:

- deal sourcing;
- drafting and negotiation;
- platform transactions;
- tax and regulatory structuring;
- acquisition financing;
- regulatory diligence;
- execution, closing, integration, and transfer;
- add-on acquisitions;
- portfolio company management and compliance counseling; and
- exits.

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Antitrust Litigation & Transactional Counseling

Our antitrust team has become one of the U.S.'s most sought-after advisors to health care clients looking to overcome the increasingly high hurdles presented by both federal and state courts and regulatory agencies. We are highly experienced in not only antitrust litigation, but also merger reviews and challenges brought by the DOJ and FTC, as well as commercial litigation involving complex elements of unfair competition, labor and employment, and contract law.

We are also actively engaged in preventative antitrust counseling and the administration of antitrust compliance programs. On the transactional side, we regularly advise our health care clients on the antitrust implications inherent in creating and structuring joint ventures, networks, and other collaborative relationships and alliances.

Employee Benefits & Executive Compensation

Our Employee Benefits & Executive Compensation Practice includes a group of top-ranked attorneys with significant experience in the health care industry. We advise health systems, corporations, boards of directors, private equity firms, and executives on all legal, design, drafting, negotiation, and compliance aspects of health and welfare plans, retirement plans, and executive compensation matters. Our comprehensive knowledge of health systems, their not-for-profit taxation rules, and their unique issues and offerings provide us with in-depth insight for producing tax-effective ways for clients to offer benefits to their employees and executive pay strategies.

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Government Contracts

Our nationally recognized, full-service Government Contracts team counsels health care clients through all stages of the procurement cycle, including solicitation review, proposals/bids, negotiation of subcontracts and joint ventures, contract formation, contract administration, and teaming agreements. We are known for successfully litigating bid protests, requests for equitable adjustment, claims, terminations, and other contract disputes, as well as handling government and internal investigations.

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Labor & Employment

We have broad experience representing hospitals, health systems, and other businesses operating in the health care sector in connection with labor and employment matters, including litigation in state and federal courts across the U.S., as well as before federal, state, and local administrative agencies (e.g., EEOC, NLRB). On the traditional labor front, we have worked across the table from CNA, ANA, SEIU, and other health care unions.

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Related Capabilities

Antitrust/Competition	Antitrust Transactions	Compliance Programs
Government Program Fraud, False Claims Act & Qui Tam Litigation		

Government Investigations, Enforcement & Compliance	Intellectual Property		
International Trade	IP Licensing & Due Diligence	Privacy & Data Security	
Product Liability & Mass Torts	Transactions	Life Sciences	Medical Devices
Insurance	Government Contracts	Europe	

Recent Experience

Veradigm Acquisition of Koha Health

Winston is representing Muzinich & Co in the context of Banook's LBO

Aileron Therapeutics Announces Acquisition of Lung Therapeutics

Xavier Gaillard and the Management Team, LBO

Meilleure Health International Industry Group Limited Connected Transaction in relation to the Acquisition of Properties

Docter Inc. and Aimfinity Investment Corp. I Announce Definitive Merger Agreement

Court Square Capital Partners's Strategic Capital Investment in Team Select Home Care

Chartis's Acquisition of Revenue Cycle Consultancy Chi-Matic

Secured Full Dismissal on Brink of Trial of Criminal Charges Against Dentist in Alleged US\$158M Health Care Fraud and Money-Laundering Scheme

Allscripts Healthcare Solutions's Sale of its Hospital and Large Physician Practice Business

Resources

[Benefits Blast](#)

[Privacy & Data Security](#)

Related Insights & News

RECOGNITIONS

Winston & Strawn Partners Recognized in *Chambers Europe* 2024

MARCH 14, 2024

BLOG

U.S. Antitrust Agencies Continue to Target Private Equity Involvement in Healthcare

MARCH 6, 2024

IN THE MEDIA

Reed Stephens Discussed Challenges in Deal Making for Health Insurers with *AIS Health*

FEBRUARY 15, 2024

IN THE MEDIA

Reed Stephens Discusses Artificial Intelligence in the Health Care Sector with *AIS Health*

FEBRUARY 15, 2024

IN THE MEDIA

Reed Stephens Discusses Health Insurance Trends in 2024 with *Healthcare Dive*

JANUARY 16, 2024

IN THE MEDIA

Gilles Bigot and Julie Vern Cesano-Gouffrant Discuss Recent Legal Framework Alterations in France Concerning Fund Investments in Healthcare Groups with *CFNews*

JANUARY 8, 2024

RECOGNITIONS

Kimball Anderson and Tom Melsheimer Inducted Into *The Lawdragon's* Hall of Fame

JANUARY 5, 2024

IN THE MEDIA

Amy Kearbey Discusses HHS-OIG Advisory Opinion on Physician Retirement Offer with *Law360*

JANUARY 4, 2024

BLOG

New Jersey Appellate Court Reverses Plaintiff Jury Verdict in Talc Litigation Based on Improperly Admitted Plaintiff Expert Opinions

DECEMBER 5, 2023

SPEAKING ENGAGEMENT

Amandeep Sidhu Speaks at AHLA's Fundamentals of Health Law Conference

NOVEMBER 5, 2023

BLOG

Searching for Safe Harbor: Navigating Information Exchanges Moving Forward

OCTOBER 27, 2023

IN THE MEDIA

Amy Kearbey Discussed HHS-OIG Advisory Opinion on Physician-Employee Bonuses with Law360

OCTOBER 16, 2023