

## Health Care Litigation

Lathrop GPM's health care litigation attorneys represent health plans, hospitals, clinics, physician groups, individual health care professionals, and other providers in litigation, before state licensing boards and administrative bodies, and in responding to civil and criminal investigations. Our litigators also counsel health care clients in the development of compliance plans in order to prevent disputes before they arise. The firm's Health Law practice group prides itself on being flexible and responsive to each client's needs.

### **Representative Experience**

- Government and internal investigations
- Grand jury proceedings
- Matters before state licensing boards
- Qui tam and whistleblower defense
- False Claims Act
- Stark and Anti-kickback
- HIPAA
- Medicare enrollment, billing, reimbursement, and participation disputes
- Coverage mandate disputes
- Licensing and credentialing disputes
- Usual and customary rate disputes
- Home health care
- Vulnerable Adults Act
- Prompt payment requirements
- Compliance plans and training
- Medical malpractice
- Medical negligence suits
- Medical staff issues

## **Representative Matters**

- Represented health care provider in responding to investigation by the U.S. Department of Justice in connection with qui tam action concerning Medicare billing issues.
- Represented home health care provider in responding to State Attorney General investigation involving criminal charges under the False Claims Act.
- Investigated compliance with Medicare and Medicaid billing, coding, enrollment, payment, and participation rules.
- Represented pediatric home care provider in prompt payment and coverage disputes with insurers.
- Represented provider of individual and small group health plans in an investigation by State Attorney General regarding provider's payment of usual and customary rates for services provided by out-of-network physicians as well as provider's compliance mandatory coverage and prompt payment requirements.
- Represented health plans in actions related to state regulation, including an audit commenced by State Attorney General regarding compliance with laws regarding charitable and nonprofit entities; an action brought by a health plan against a service cooperative to prevent interference with the health plan's marketing of health insurance to cooperative members; and reimbursement disputes involving both the usual, customary, and reasonable rates in workers' compensation disputes as well as in matters relating to Medicaid coverage denials.
- Representing a Minnesota health plan in challenging assessment of financial contribution to state program providing health care coverage to disadvantaged populations.
- Represented individual physicians and health care professionals in licensing actions before the Minnesota Board of Medical Practice and other professional licensing boards.
- Represented physicians in credentialing disputes.
- Responded to licensing and accreditation challenges on behalf of individual providers before the Minnesota Boards of Medical Practice, Nursing, and Psychology.
- Represented provider of residential services for persons with developmental disabilities in successful appeal under the Minnesota Vulnerable Adults Act.

- Defended clients during search warrant proceedings.
- Conducted internal investigation on behalf of providers related to suspected fraud and abuse, upcoding, and various other billing irregularities.
- Developed and helped implement extensive compliance plan and training program for health care employees at all organizational levels on their duties, rights, and responsibilities in the event of a regulatory investigation.
- Represented clients in patient conservatorship hearings.
- Represented LLC in successfully defending an IRS claim for more than \$3 million in self-employment tax from the LLC members.