

PRESS RELEASE

Baker Donelson Grows Health Law Practice and Geographic Reach, Adding Team of North Carolina Attorneys

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Baker Donelson has expanded its nationally recognized Health Law Group with the addition of a team of North Carolina attorneys led by prominent health care lawyers Kenneth L. Burgess and Matthew W. Wolfe. The move marks not only an expansion of the Firm's health practice but its geographic reach as well, with these Raleigh-based attorneys establishing Baker Donelson's first North Carolina presence.

Baker Donelson Chair and CEO [Timothy M. Lupinacci](#) said, "Matt, Ken, and their team are an outstanding group of attorneys who meld well with our existing health care practice, which is among the leading practices in the country and one of our Firm's designated Centers of Excellence. Serving Baker Donelson clients with North Carolina operations and following the trajectory of key industries is critically important. These additions further strengthen our presence in North Carolina along with the many lawyers we have admitted to practice in the state. We have every expectation that we will continue to build on that."

Baker Donelson has already established office space in the heart of the Research Triangle. As Baker Donelson continues to build its presence in North Carolina, it will move into larger office space.

"Given the strategic importance of the Research Triangle in the health care industry, having a presence in North Carolina is a tremendous asset to our health law practice," said [Richard G. Cowart](#), chair of Baker Donelson's Health Law/Government Relations & Public Policy Department. "Matt and Ken have stellar reputations, and they and their team bring a tremendous amount of experience in a wide range of regulatory issues that health care providers face. We're exceptionally proud to welcome a group of this caliber to our national health practice."

Mr. Wolfe and Mr. Burgess join the Firm as shareholders. Joining with them are Matt Fisher and Iain Stauffer, who both join as of counsel, and E. Bahati Mutisya, who joins as an associate.

[Mr. Wolfe's](#) practice is focused on helping health care clients navigate the ever-changing aspects of health law and policy. He represents clients in connection with a broad array of legal and regulatory actions, including Medicaid and Medicare program integrity actions, False Claims Act actions, terminations, denials, post-payment reviews, prepayment reviews, payment suspensions, and procurement matters. He also represents providers in matters before licensing boards and other regulatory bodies. Mr. Wolfe's experience includes helping clients resolve disputes with state and federal government entities through administrative, state, and federal litigation, and intervening on behalf of clients with government agencies and elected officials. He also provides legal and legislative counsel to trade associations and routinely speaks at national and state conferences on legal and policy issues.

Mr. Wolfe is a member of the American Health Lawyers Association and currently serves as vice chair of its Behavioral Health Practice Group. He is a member of the North Carolina Society of Health Care Attorneys board of directors and North Carolina Bar Foundation board of directors. He previously chaired the national Health Law Section of the Federal Bar Association. A member of the Health Law and Administrative Law Sections of the North Carolina Bar Association, he co-chairs the Legislative and Ethics Committee of the Health Law Council and has served on the Bar Association's Strategic Planning and Emerging Trends

Committee and the Future of the Law Committee. Mr. Wolfe is recognized in *The Best Lawyers in America*® in Health Care Law.

"Joining a firm of Baker Donelson's reputation will be a substantial benefit to my clients," said Mr. Wolfe. "This move gives them access to a deep bench of talented attorneys who are nationally recognized leaders in health care law and offer significant experience in litigation, regulatory, and transactional issues. I'm excited to be offering my clients an expanded platform with broader services and increased resources and to be building Baker Donelson's presence in North Carolina."

Mr. Burgess has more than 35 years of experience advising health care clients on a wide range of regulatory, litigation, compliance, and operations issues. He advises providers on legal issues arising in hospitals, skilled nursing facilities, assisted living communities, hospice, home health, and other spheres of health care. He also represents ancillary providers, including pharmacy, durable medical equipment (DME), and therapy. His practice also includes advising clients on Certificate of Need, Medicare/Medicaid enrollment and licensure issues, appeals of quality-of-care issues, and transactional matters. Mr. Burgess is a frequent national lecturer and author of industry manuals, national trade journal magazine articles, and similar training. He previously served as the Senior Director of Legal Services and Facility Operations of the American Health Care Association and as the General Counsel of North Carolina Health Care Facilities Association (NCHCFA).

Mr. Burgess has been recognized in *Chambers USA* as a leading practitioner in health care law since 2014. He is listed in *The Best Lawyers in America*® in Health Care Law and was named the *Best Lawyers 2021* Health Law "Lawyer of the Year" in Raleigh. His other numerous recognitions include being named a *National Law Journal* "Health Care Trailblazer" and receiving the North Carolina Bar Association's Health Law Distinguished Service Award. Mr. Burgess is a legal consultant and member of the North Carolina Medical Society, Ethical and Judicial Affairs Committee and serves as chair of the North Carolina Health Care Facilities Association, Associate Advisory Committee board of directors. He currently serves as chairman of the board of directors of FutureCare Foundation of North Carolina, administering a \$2.4 million CMS civil money penalty grant to recruit long term care staff. He is past president of the North Carolina Society of Healthcare Attorneys and of the North Carolina Bar Association Health Law Council. Mr. Burgess is a member of the American Health Law Association, the National Legal Committee of the American Health Care Association, and the North Carolina Bar Association.

Mr. Burgess noted, "Joining Baker Donelson alongside Matt and the broader team is truly exciting. I was drawn to the Firm's offerings specifically in health care and across numerous other practice areas. Baker Donelson brings the benefits of a law firm that can be a full-service partner for all my clients' legal needs. Providing that level of service to my clients is important to me, and Baker Donelson fully shares that commitment to exceptional service."

Mr. Fisher represents health care providers, with an emphasis on HIPAA compliance, privacy, and information security matters, and Certificate of Need law. He advises clients on privacy and HIPAA compliance issues, the litigation of CON awards and denials, and assists with the development of CON applications. He also represents health care providers on licensure and certification issues, including appeals challenging certification and licensure survey decisions and penalties, and issues pertaining to DMA provider payment denial. He regularly appears before the Office of Administrative Hearings, North Carolina Superior Courts, North Carolina Court of Appeals, and North Carolina Supreme Court, as well as various federal courts regarding CON decisions by the North Carolina Department of Health and Human Services. Mr. Fisher also assists clients in various civil litigation matters, including the defense of commercial, business, construction, and medical malpractice claims, and advises health care clients on facility and practice acquisitions. He is a member of the American Health Law Association and the North Carolina Bar Association, and is active in the

North Carolina Society of Health Care Attorneys, where he currently serves as chair of the Governance & Planning Committee.

Mr. Stauffer represents health care providers with complex civil matters regarding health care reimbursement, Medicaid and Medicare compliance and enrollment, licensing, responses to government investigations, and enforcement actions. He also represents individual practitioners regarding licensing board matters. Mr. Stauffer served in the North Carolina Attorney General's Office for more than a decade, most recently with the Public Assistance Section. In that position, he represented the North Carolina Department of Health and Human Services (NCDHHS) and the Division of Medical Assistance in matters involving Medicaid, post-payment audits, overpayments, provider enrollment denials and terminations, provider suspension actions, and claims denials as well as complex litigation involving Medicaid before the Office of Administrative Hearings, Superior Court, North Carolina Business Court, and the North Carolina Court of Appeals. Mr. Stauffer also provided advice and counsel in many areas of the Medicaid program, including compliance, program integrity, and managed care. As a Special Deputy Attorney General, he represented the NCDHHS in multiple federal class action lawsuits. Mr. Stauffer is a North Carolina Bar Association Health Law Section Council Member and a member of the American Health Law Association.

Ms. Mutisya represents health care providers in legal proceedings and helps them navigate complex regulatory requirements. Her clients include hospitals, behavioral health providers, hospice providers, and assisted living facilities. She has experience with Medicaid and Medicare regulations and audits, including defending clients who have received recoupment and termination notices from those programs. Ms. Mutisya has also represented providers before managed care organizations and the Office of Administrative Hearings on issues related to licensure, prepayment review, and post-payment review. In addition, she advises psychiatric hospitals on compliance with state and federal rules related to caring for the mentally ill and guardianship issues. Her experience includes representation of hospitals in involuntary commitment hearings in district court.