



Heather R. Alleva*

Associate

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Heather Alleva represents health systems, hospitals, physician groups, behavioral health facilities, and other health care providers in various types of transactions and strategic affiliations, as well as in regulatory and compliance matters, including fraud and abuse and corporate practice of medicine issues.

Heather represents health care providers in various transactions, including mergers, acquisitions, affiliations, provider integrations, joint ventures, management services organization (MSO) models, and other strategic affiliations. She also counsels clients on regulatory and compliance matters, including state and federal regulations governing health care providers, state and federal fraud and abuse matters, professional licensing issues, changes of ownership (CHOW), payor enrollment, and Health Insurance Portability and Accountability Act (HIPAA) compliance.

Heather advises clients with respect to disclosure of compliance issues to state, federal and commercial payors. She assists with internal investigations related to potential compliance concerns, including billing investigations, and has experience preparing, submitting, and resolving matters under various self-disclosure protocols. She also represents clients in settling reimbursement disputes with state, federal, and commercial payors.

Heather assists clients in establishing telehealth and telemedicine programs, consulting on the licensing, data security, and reimbursement issues that arise in the context of virtual care. She also advises providers on corporate issues, including corporate practice of medicine matters, and assists with contractual relationships, including drafting and negotiating clinician employment agreements and other services arrangements.

While in law school, Heather served as a law clerk for the University of Pennsylvania Office of the General Counsel and the Children's Hospital of Philadelphia.

Representative Matters

- Served as lead associate in the sale of five clinical trial sites owned by a clinical research organization.
- Served as lead associate in the sale of a large GI specialty physician practice to private equity.
- Counseled academic medical center client in allocating CARES Act funding to appropriate COVID-19-related expenditures.
- Served as lead associate and assisted in the integration of a specialty hospital with a Pennsylvania multi-hospital health system.
- Represented out-of-network health care providers in successfully resolving underpayments and alleged overpayment refund demands by commercial health insurance plans.
- Led a hospital client team in investigating several violations of the Stark Law and prepared corresponding disclosures to CMS.
- Served as lead associate in investigations into data-security incidents, including disclosures of HIPAA breaches to OCR.
- Assisted a client to establish a telehealth program, including the negotiation of service agreements, restructuring of an existing program to avoid the improper practice of medicine across state lines, and mitigating other regulatory and licensure issues around non-physician practitioners.

- Led a client team in negotiating a settlement agreement resolving both corporate and compliance issues related to laboratory services.
- Assisted multiple residential facilities in reviewing their compliance with and ability to receive Psychiatric Residential Treatment Facilities (PRTF) status to provide inpatient psychiatric services to Medicaid-eligible individuals under the age of 21.
- Assisted in white collar defense matters, including conducting internal investigations to respond to civil and criminal investigative demands and to prepare for subpoenas and/or testimony.
- Drafted expert reports on structuring guidelines to protect entities from piercing the corporate veil and alter ego claims.
- Lead associate in representing large, multi-state physician practice in a restructuring plan to comply with both Pennsylvania and New Jersey regulations, as well as tax code.
- Reviewed and updated substance abuse facility's billing policies and procedures.
- Represented behavioral health provider in conducting internal investigations of potential overpayments, non-compliance with fraud and abuse statutes and making appropriate self-disclosures to payers.



Professional Honors & Activities

- Member – Philadelphia Bar Association, Health Law Committee
- Member – American Health Law Association (AHLA)
- Vice-Chair – AHLA Women's Leadership Council, Membership Engagement
- Member – Union League of Philadelphia
- Committee Member – Youth Work Foundation of the Legacy Foundation at the Union League of Philadelphia
- Pro Bono Attorney – Homeless Advocacy Project
- Volunteer – Communicare



Publications

- "CY 2022 Changes to Split (or Shared) Visit, Critical Care and Teaching Physician Billing," *Payment Matters* (December 2021)
- "What You Need to Know About the Updated Health Care Fraud Self-Disclosure Protocol," republished December 16, 2021 in *Westlaw* (November 2021)
- "Key Telehealth Provisions in the Calendar Year 2022 Physician Fee Schedule Final Rule" (November 2021)
- "New Year, New Career: Five Self-Investment Strategies for Enhancing Your Happiness at Work," *AHLA* (March 2020)
- "Future Data Privacy Penalties May Include Prison Time," *Law360* (March 1, 2019)
- "Which Views Will Win In Debate Over National Privacy Regs?," *Law360* (January 24, 2019)
- "Recent CMS Expansion of Reimbursement Opportunities for Providers of Telehealth Services," *AHLA* (November 2018)



Speaking Engagements

- "Telehealth Across Borders," HIMSSCast, MobiHealthNews (October 8, 2021)
- "Moving the Goalpost on Nurse Staffing Requirements," Health Care Compliance Association (September 23, 2021)
- "Healthcare M&A and Stark Law, Anti-Kickback Statute Changes: Due Diligence and Regulatory Considerations," Stafford (April 14, 2021)
- "The Hidden Risks of Boilerplate Clauses in Healthcare Contracts: Avoiding Unintended Consequences and Implementing Practical Solutions," Stafford (May 28, 2020)

- "Piercing the Corporate Veil and Alter Ego Claims in Healthcare: Structuring Corporate Entities and Joint Ventures to Protect Against Piercing and Alter Ego Claims," Stafford (October 29, 2019)
- "Overcoming Regulatory Hurdles and Compliance Recommendations for Hospice and Home Care Providers," 2019 Home Care & Hospice Association of New Jersey Annual Conference (June 6, 2019)
- "The Future of Clinically Integrated Networks – Complying with Fraud and Abuse Laws and Upcoming Regulatory Updates," Tandigm Health Presentation (April 25, 2019)
- "Recent Trends and Challenges in Introducing Telehealth Models and the Future of Reimbursement for Virtual Care," American Associate of Healthcare Administrative Management (March 7, 2019)
- "State of the States in PA and NJ Right to Try Laws," Philadelphia Bar Association Health Care Law Committee (December 13, 2018)
- "Fundamentals in Implementing Telehealth Arrangements," Philadelphia Bar Association Business Law Section's Health Care Law Committee (November 8, 2018)
- "Antitrust Issues in Physician Acquisitions," AHLA Webinar (March 14, 2018)



Education

- University of Pennsylvania Law School, J.D., 2016
- University of Pennsylvania Perelman School of Medicine, M.B.E., 2016
- Pennsylvania State University Schreyer Honors College, B.A., 2013, summa cum laude



Admissions

- New Jersey, 2016
- Pennsylvania, 2016

* Baker Donelson professional admitted to the practice of law in Pennsylvania and New Jersey; not admitted in Maryland.