



## Bernard Miller

Associate

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Mr. Miller is a member of the Health Law Group and concentrates his practice on a broad range of regulatory, transactional, and provider licensure and disciplinary matters. He is an associate in Baker Donelson's Houston office.

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Mr. Miller assists health care organizations with various regulatory, transactional, and provider licensure matters. He advises hospitals, health systems, physician groups, medical device companies, clinical laboratories, management companies, lenders, emerging companies, and other clients in the health care industry, helping them achieve their business objectives while navigating complex health care laws and regulations.

Mr. Miller's regulatory experience includes counseling clients on issues such as health care fraud and abuse, fee-splitting, physician self-referral prohibitions (including the Stark Law), and anti-kickback compliance (including the federal Anti-Kickback Statute). He also advises on anti-markup issues; the corporate practice of medicine; Medicare, Medicaid, and TRICARE regulations; HIPAA/HITECH; data privacy and security; state telehealth and telemedicine laws; establishing compliance policies and procedures; licensure; and change of ownership matters.

His transactional experience includes advising clients on health care regulatory issues in mergers, acquisitions, financing transactions, and joint ventures, as well as drafting and negotiating a wide array of agreements, including management services agreements, laboratory services agreements, medical director agreements, recruitment agreements, employment agreements, delegation and prescriptive authority agreements, business associate agreements, and professional services agreements.

Mr. Miller's provider licensure and disciplinary experience includes representing physicians, nurses, and physician assistants in proceedings before state licensure boards and helping hospitals navigate peer review investigations against physicians.

Mr. Miller holds a Juris Doctor from Duke University School of Law and a Bachelor of Arts in Mathematical Economic Analysis from Rice University. He is a member of the American Health Lawyers Association and the Houston Bar Association.



### Professional Honors & Activities

- Listed in Best Lawyers: Ones to Watch® in America for Corporate Governance and Compliance Law and Health Care Law (2026)



### Publications

- "Recent Judicial Interpretation of EKRA: Key Implications for Laboratories and Other Health Care Providers," Wolters Kluwer's *Journal of Health Care Compliance* (January-February 2026)
- "OIG Issues Guidance on Flexible Bundled Discount Arrangements" (January 2026)
- "EKRA's Application to Marketing Arrangements: Laboratories and Other Providers" (August 2025)
- "OIG Advisory Opinion 25-08: Unfavorable DME – Vendor Payment Arrangement" (July 2025)
- "Relocation of Physician-Owned Hospitals: CMS Advisory Insights" (April 2025)

- "Looking Back at 2024: Key Health Care Regulatory Legal Developments in Fraud and Abuse, Compliance, and Enforcement" (March 2025)



## Education

- Duke University School of Law, J.D., 2018
- Rice University, B.A. in Mathematical Economic Analysis, 2014



## Admissions

- Texas, 2018