

OUR PRACTICE

Urgent Care

The delivery of non-emergent health care services has undergone substantial change in the past several decades. Not only has consumer patience with extended emergency room wait times and high copays been exhausted, but loyalty to long-term, primary care practitioners has also waned. Frustrated with existing options, patients have flocked to a new, non-appointment-based delivery platform focused on cost, convenience and customer experience. This platform is now known as "Urgent Care."

Urgent care centers generally offer a range of low-acuity, episodic health care services on a walk-in basis. Successful operators have embraced the retail aspects of the business, focusing significant portions of their budgets on marketing and advertising. Prescriptions are frequently dispensed on-site, and many offer a number of convenient ancillary services such as physical therapy, weight loss and general wellness treatment.

In health care especially, business innovations such as these frequently present new legal challenges, in addition to the long list of state and federal health care regulations that already affect the entire industry. Chief among them are state laws governing the corporate practice of medicine, which generally prohibit corporations and non-licensed individuals from owning an interest in medical clinics. Some states even impose criminal penalties for violating such rules.

Baker Donelson's health care attorneys are experienced in navigating the issues unique to this delivery model, and few law firms can match our skills in this space. We have been active in the Urgent Care Association of America (UCAOA), and have assisted in every aspect of the businesses, whether it is advising an urgent care start-up, assisting with regulatory compliance, negotiating a purchase or sale transaction or even purchasing an urgent care franchise.

The national roll-out of the urgent care concept has been accelerated by new participants such as private equity investors, hospital affiliates and payors. Both through de novo openings and acquisition, these participants have flooded the market with investment capital to capture market share. And the industry is poised for continued growth, given the 30 million newly-insured patients who began shopping for health care in 2013, thanks to the Affordable Care Act (ACA). Baker Donelson is well-positioned to help clients assess and take advantage of these opportunities, while staying compliant with the many rules and regulations governing the health care industry.