

OUR PRACTICE

Health Care Policy

The landscape of American health care is constantly in flux, as new policies are developed, regulations are written and rules are interpreted. And now is an extraordinarily important time for those who work in health care to remain informed of the policy debate and to employ a strategic approach, implementing effective tools at the right time to achieve results. Baker Donelson's Health Care Policy Team helps our clients address concerns regarding federal agency and congressional actions affecting their businesses.

Our team is made up of government affairs professionals with decades of experience representing providers, health care associations, pharmaceutical companies, and medical device manufacturers and suppliers, at every level of government, phase of regulation and stage of enforcement. Our team members have a diverse mix of experience working where it counts – in the White House, Congress, the Department of Health and Human Services, and throughout the federal government.

Baker Donelson is an industry leader in utilizing a variety of tools to achieve favorable policy outcomes for our clients. This includes long term strategic counsel; day-to-day representation, including advocating on behalf of our health care clients' interests by engaging congressional committees on regulation, tax and appropriations issues; assisting in the establishment of Political Action Committees; and developing, managing and growing partnerships, coalitions and trade associations.

Our Health Care Policy team addresses regulatory and policy issues in a wide variety of forums, including but not limited to:

- The White House
- U.S. Senate
- U.S. House of Representatives
- U.S. Department of Health and Human Services
- Centers for Medicare and Medicaid Services
- Food and Drug Administration
- National Institutes of Health
- Centers for Disease Control and Prevention
- Health Resources and Services Administration
- Agency for Healthcare Research and Quality
- Other branches of the Department of Health and Human Services
- U.S. Department of Veterans Affairs

For example, our advisors are highly skilled at advocating for clients before the Centers for Medicare and Medicaid Services (CMS), in many cases working closely with our audit and reimbursement attorneys to challenge Medicare audit activity and determinations conducted by CMS and its Recovery Audit and Zone Program Integrity contactors. Our breadth of experience includes both Medicare and Medicaid reimbursement and coverage policies in addition to evolving areas such as health information technology, transparency and cybersecurity, as well as pandemic and bioterrorism preparedness.



Representative Matters

- Assisted a coalition of university based schools of nursing in securing meetings with the leadership of the Health Resources and Services Administration to provide critical information in the design of an education demonstration program.
- Organized briefings of members of the House and Senate on issues related to university based nurse education.
- Led federal advocacy efforts in meetings with the Centers for Medicare and Medicaid Services (CMS) and the Office of Management and Budget (OMB) addressing power mobility documentation standards. Worked to retract a restrictive mobility coverage policy, ultimately resulting in the development of a new National Coverage Determination.
- Represented clients before the Centers for Medicare & Medicaid Services in connection with regulatory and policy interpretation issues and billing revocation determinations; the Office for Civil Rights for HIPAA Privacy Rule investigations and data breach notifications; and the Health Resources and Services Administration, Office of Pharmacy Affairs, for 340B Drug Pricing Program compliance.
- Served as lead regulatory attorney advising hospitals in the implementation of electronic health records systems (meaningful use) and the donation of technology to physician groups.
- Represented the largest U.S. comprehensive home health care provider and one of the largest providers of outpatient hospice services in numerous matters concerning dramatic new changes in legislation affecting the industry. Drafted amendments to proposed regulatory changes from the industry leaders to reach a consensus with government regulators.
- Provided Health Care Reform Act (HCRA) counsel to various industries.
- Advised medical device manufacturers and other clients regarding the Physician Payments Sunshine Act.
- Assisted hospital client in obtaining regulatory approval for the creation of the largest health care system in southeast Michigan.
- Represented a nationally recognized academic medical center in a range of regulatory compliance issues.
- Represented a concierge medicine company in maneuvering through regulatory compliance issues.