The Health Care Group at Murtha Cullina LLP is dedicated to quality, value and client-centered service. We represent a wide range of provider groups, including hospitals, physician practices, nursing homes, assisted living communities, ambulatory surgery and other outpatient centers, community providers, and individual health care professionals. Our interdisciplinary team approach allows our clients to access the firm’s extensive experience in all areas of law.

**TAX ISSUES AND CHARITABLE GIVING**
Murtha Cullina’s Health Care Group includes a number of attorneys with significant 501(c)(3) tax experience, including organization of tax-exempt entities, qualification under IRS requirements, private inurement issues, organizational issues, intermediate sanctions, audits and related matters. We have assisted clients with several corporate reorganizations, and dealt with issues such as the redeployment of charitable assets consistent with applicable charter and endowment restrictions.

**MERGERS AND ACQUISITIONS**
The Group leverages the experience of its mergers and acquisitions and private equity practice groups in investment transactions involving health care businesses. Our experience also includes hospital and joint ventures, hospital affiliation agreements and other hospital collaborative arrangements. The Firm’s experience with legal issues that arise across the broad spectrum of health care operations, development and investments enables us to complete extensive due diligence investigations that are required in these complex transactions.

**PHYSICIAN CONTRACTING/JOINT VENTURES**
Murtha Cullina represents both hospitals and physicians in physician/hospital joint ventures. Because of our strong credibility in both the physician and hospital communities, we have frequently been selected to represent the joint venture or joint venture in formation. We approach these transactions in ways that take into account the concerns of all parties. Rather than take a narrow mechanical view of legal issues, we seek to create wherever possible win/win scenarios. We have published several advisories discussing the various legal issues involved in setting up these arrangements, including tax exemption and other considerations. Similarly, we frequently represent both hospitals and doctors in other contractual matters.

**MEDICARE/MEDICAID REIMBURSEMENT**
Our attorneys have dealt with a wide variety of Medicare/Medicaid reimbursement issues. We assist our provider clients with strategies to comply with Medicare/Medicaid requirements in ways that maximize reimbursement consistent with legal requirements. Members of the Group represent providers in audits, appeals and criminal investigations and proceedings by federal and state authorities.

**SERVICES**
- Tax issues and charitable giving
- Mergers and acquisitions
- Physician contracting/joint ventures
- Medicare/Medicaid reimbursement
- Financing
- Regulatory compliance
- Determination of/obtaining certificates of need
- Medical staff

**Paul E. Knag**, Co-Chair
203.653.5407
pknag@murthalaw.com

**Stephanie S. Sobkowiak**, Co-Chair
203.772.7782
ssobkowiak@murthalaw.com
FINANCING
Murtha Cullina’s Health Care Group has assisted in the negotiation and completion of over a billion dollars worth of financing. We represent hospitals, banks, underwriters and others in tax-exempt financings throughout New England. We assist our clients in developing innovative ways of minimizing interest costs, including utilization of credit enhancement strategies such as letters of credit, bond insurance, bond guarantees and the FHA Section 232 coinsurance program. We also advise clients as to issues relating to the IRS “private use” regulations.

REGULATORY COMPLIANCE
Our attorneys are intensely aware of the regulatory and economic challenges currently faced by all health care providers. We advise our clients on the full array of regulatory and compliance issues with a view towards facilitating goals, including Stark, anti-kickback rules, HIPAA, EMTALA and Medicare and Medicaid issues. We structure transactions and prepare documentation, and draft policies and procedures with these rules in mind. We have extensive experience representing various types of providers in matters relating to fraud and abuse, Stark law and anti-kickback rules under Medicare/Medicaid. This includes careful attention to these rules in their application to contracts to which providers are parties, with a view toward finding ways to achieve clients’ goals consistent with the law. We have structured compliance plans and implemented compliance reviews. We also represent our health care clients in enforcement and sanction proceedings before federal and state agencies. We bring a “hands on” approach to proceedings in which our clients are under regulatory scrutiny for alleged violations of applicable federal and state requirements. Our clients look to us to advise them on health care antitrust issues, including managed care contracting, exclusive dealing contracts, wages, joint ventures, referrals and other issues affected by the antitrust, trade regulation or related laws.

DETERMINATION OF / OBTAINING CERTIFICATES OF NEED
An important part of our practice is obtaining regulatory authorizations for institutional health care providers. We have represented hospitals and other providers before the Office of Health Care Access in Connecticut, formerly known as the Commission on Hospitals and Health Care, since its formation in the 1970’s. We have a strong record of success in representing clients before this agency.

MEDICAL STAFF
Our attorneys have assisted numerous hospitals with issues involving credentialing of physicians, establishing valid rules and procedures relating to access to the medical staff, medical staff by-laws, medical staff privilege disputes (including hearings under the applicable medical staff by-laws), and trade regulation and antitrust questions. We have also advised clients on issues relating to the Health Care Quality Improvement Act of 1986, the availability of information on medical personnel from the National Practitioner Data Bank, as well as applicable JCAHO requirements and federal and state laws applicable to medical staff issues.