

## **Healthcare Fraud and Abuse**

### **Practices and Industries**

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#### **PRIMARY CONTACTS**

**Stacy L. Brainin**

+1 214.651.5584

**Taryn McDonald**

+1 214.651.5646

**Bill Morrison**

+1 214.651.5018

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The healthcare industry faces an ever-changing regulatory environment. Healthcare clients need experienced counsel skilled in navigating the complex laws and regulations to advise them on the legal issues facing healthcare providers every day. Haynes Boone lawyers regularly advise healthcare clients on fraud and abuse implications in existing and proposed arrangements under federal and state kickback and self-referral laws. Our aim is always to avoid preventable issues on the front end. But if a compliance issue does arise, Haynes Boone has a team of lawyers with decades of experience assisting healthcare providers with internal and government investigations in the healthcare industry, as well as advice related to self-disclosure and potential overpayment issues, administrative proceedings, and civil and criminal enforcement actions related to healthcare fraud and abuse issues.

#### **Regulatory Matters**

Haynes Boone excels in advising clients on compliance with federal and state healthcare regulations, including the Anti-Kickback Statute, the Stark Law, and the False Claims Act, among others. We provide front-end regulatory guidance and also assist healthcare providers, pharmaceutical companies, medical device manufacturers, and other healthcare entities in developing and implementing robust compliance programs to mitigate the risk of potential violations.

#### **Investigations**

Haynes Boone has extensive experience conducting internal investigations for healthcare clients. Our team works diligently to uncover the facts, assess potential legal and regulatory issues, and develop remediation strategies. We also represent clients in government investigations conducted by agencies such as the Department of Justice (DOJ), the Office of Inspector General (OIG), and the Centers for Medicare & Medicaid Services (CMS) and State Attorneys General.

#### **Self-Disclosure**

Our attorneys also guide clients through the self-disclosure process in the event potential issues are identified, advising on whether and when to voluntarily report potential issues to the appropriate regulatory authority. We assist in preparing self-disclosure submissions, negotiating settlements, and ensuring that clients take the necessary corrective actions to prevent future violations.

## **Pre-Litigation Representation**

Haynes Boone is adept at representing clients in pre-litigation matters, including responding to subpoenas, civil investigative demands, and other inquiries. We work to resolve issues before they escalate to litigation, protecting our clients' interests and minimizing potential disruptions to their operations.

## **Other Related Matters**

Haynes Boone's Healthcare Fraud and Abuse team also provides counsel to healthcare providers on a variety of other matters that uniquely affect healthcare clients. These include advising on corporate transactions, conducting due diligence, and providing training on fraud and abuse prevention. Our team-driven approach ensures that clients receive comprehensive support tailored to their specific needs from our bench of former in-house lawyers, former government lawyers, and specialized healthcare defense counsel.