



## Neil Issar

Associate | Dallas

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**PRACTICES** Litigation, Government Enforcement and Litigation, False Claims Act, Qui Tam and Litigation, Internal Investigations, Privacy and Data Security, Healthcare and Life Sciences, Fraud, Abuse, and Compliance, Antitrust and Competition, Telehealth, Precision Medicine and Digital Health

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Neil Issar is an associate in the Litigation Practice Group in the Dallas office of Haynes Boone.

His practice focuses on healthcare litigation, government investigations, and white collar defense, with particular expertise in fraud and abuse laws (including the False Claims Act, the Anti-Kickback Statute, and the Stark Law), navigation of regulatory and compliance issues involving the healthcare industry, and defending and pursuing antitrust claims.

Neil has represented clients under criminal or civil investigation by various government agencies, including the U.S. Department of Justice, the Office of Inspector General, and the Texas Attorney General's Office. He has also advised clients and written extensively on issues related to state and federal legislation enacted in the wake of the COVID-19 pandemic, including the Paycheck Protection Program (PPP) and Provider Relief Fund. Overall, Neil's experience spans both federal and state courts as well as all aspects of complex litigation proceedings, including fact and expert discovery, depositions, motion practice, hearings, trials, and appeals.

Neil is actively involved in the firm and in the community. He is a member of the Dallas Bar Association's Health Law Section and several Dallas Bar Association committees. He was also previously an associate of the Patrick E. Higginbotham American Inn of Court and a member of the Leadership Council on Legal Diversity (LCLD) Pathfinder program.

In law school, Neil worked as a research assistant and conducted independent studies on the detection and prosecution of healthcare fraud and the admissibility of statistical proof in medical reimbursement coding cases. Before law school, Neil gained experience in medical research, designing and directing various patient-centered clinical trials and health policy studies as well as publishing several papers in peer-reviewed journals.

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## QUALIFICATIONS

## EDUCATION

- J.D., Vanderbilt University Law School, 2016, Articles Editor, *Vanderbilt Journal of Entertainment & Technology Law*
- B.S., McGill University, 2010

## CLERKSHIPS

- Judicial Intern to the Honorable Judge Mark Fishburn, Davidson County Criminal Court, 2014

## LANGUAGES

- Hindi

## ADMISSIONS

- Texas

## COURT ADMISSIONS

- U.S. Court of Appeals for the Fifth Circuit
  - U.S. Court of Appeals for the Ninth Circuit
  - U.S. District Court for the Eastern District of Texas
  - U.S. District Court for the Northern District of Texas
  - U.S. District Court for the Western District of Texas
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## PUBLICATIONS AND SPEAKING ENGAGEMENTS

- “FTC’s Updates to Health Breach Notification Rule Both Shed Light and Raise Questions,” co-author, American Health Law Association (AHLA) Health Information and Technology Practice Group Bulletin, May 21, 2024.
- “More Money, More Problems: Legal Risks Faced by Private Equity Investors in the Healthcare Industry,” co-author, *The Health Lawyer*, Volume 36, No. 4, April 2024.
- “False Claims Act Year in Review,” speaker, Dallas Bar Association Health Law Section, February 21, 2024.
- “False Claims Act Year in Review,” speaker, Dallas Bar Association Health Law Section, January 18, 2023.
- “Lessons Learned from the Paycheck Protection Program: What Businesses Need to Know About Federal Grants and Loans,” speaker, State Bar of Texas 20th Annual Course on Advanced Business Law, November 4, 2022.
- “Government Using Big Data and Agency Coordination in Reinvigorated Focus on Prosecuting Widespread Pandemic Fraud,” co-author, *Pratt’s Government Contracting Law Report*, August 2022.
- “FDA Guidance in Response to COVID-19 and a Plan for Transition Back to Normal,” co-author, *Food and Drug Law Institute’s Update Magazine*, Spring 2022.
- “False Claims Act Year in Review,” speaker, Dallas Bar Association Health Law Section, January 19, 2022.
- Ethics Symposium, moderator, Dallas Bar Association Minority Participation Committee, October 21, 2021.
- “Navigating Transition: Practice and Professionalism During Reopening,” speaker, Dallas Bar Association Minority Clerkship Luncheon, June 25, 2021.
- “COVID-19 Legislation Risks & Liabilities for Healthcare Providers,” author, *Dallas Bar Association Headnotes*, Volume 46, No. 4, April 2021.

- “Mitigating False Claims Act Liability Risks for Healthcare Recipients of COVID-19 Funding,” speaker, Strafford CLE webinar, March 24, 2021.
- “Trends in Telehealth Fraud Enforcement During the COVID-19 Pandemic,” co-author, *PLI Chronicle: Insights and Perspectives for the Legal Community*, February 2021.
- “False Claims Act Year in Review,” speaker, Dallas Bar Association Health Law Section, January 20, 2021.
- “Government Enforcement Efforts Surrounding the Pandemic,” speaker, Coastal Bend Women Lawyers Association, December 8, 2020.
- White Collar Crimes in Health Law Panel, presenter, Texas A&M University School of Law, October 22, 2020.
- “Update Regarding Courts’ Views on Granston Motions to Dismiss in FCA Cases,” co-author, *The Health Lawyer*, Volume 33, No. 1, October 2020.
- “*Qui Tam* Cases: The Impact of the Granston Memo in Practice,” webinar presentation, ABA Health Law Section Fraud & Compliance Interest Group, May 19, 2020.
- “Best Practices for Compliance with the Stark Law and the Anti-Kickback Statute,” webinar presentation, Health Care Compliance Association, February 19, 2020.
- “Recent Developments Provide Guidance to Evaluate FCA Lawsuits,” co-author, American Health Lawyers Association (AHLA) Fraud and Abuse Practice Group Bulletin, April 3, 2018.
- “A Balancing Act: Alternative Payment Models and Physician Compensation,” co-author, *The Health Lawyer*, Volume 30, No. 1, October 2017.
- “Achieving the Promise of Value-Based Purchasing,” co-author, *The RAP Sheet*, December 2016.
- “More Data Mining for Medical Misrepresentation? Admissibility of Statistical Proof Derived from Predictive Methods of Detecting Medical Reimbursement Fraud,” author, *Northern Kentucky Law Review*, August 2015.
- “Going Toe-to-Toe with Hydro—Conflicts Between Hydropower and Other Sources of Renewable Power,” author, *ABA Renewable, Alternative, and Distributed Energy Resources Committee Newsletter*, August 2015.
- “Preemption of State Law Claims Involving Medical Devices: Why Increasing Liability for Manufacturers is a Perilous but Pivotal Proposition,” author, *Vanderbilt Journal of Entertainment & Technology Law*, July 2015.
- “The Affordable Care Act and Orthopaedic Trauma,” co-author, *Journal of Orthopaedic Trauma*, October 2014.
- “Do Practice Settings Influence Defensive Medicine in Orthopedic Surgery?,” co-author, *American Journal of Orthopedics*, August 2014.
- “Health Literacy in an Orthopaedic Trauma Patient Population: Improving Patient Comprehension with Informational Intervention,” co-author, *Journal of Orthopaedic Trauma*, April 2014.
- “Treating Post-Traumatic Tremor with Deep Brain Stimulation: Report of Five Cases,” co-author, *Parkinsonism and Related Disorders*, December 2013.
- “Health Literacy in an Orthopaedic Trauma Patient Population: A Cross-Sectional Survey of Patient Comprehension,” co-author, *Journal of Orthopaedic Trauma*, August 2013.
- “The Link between Texting and Motor Vehicle Collision Frequency in the Orthopaedic Trauma Population,” co-author, *Journal of Injury and Violence Research*, July 2013.
- “Health Disparities,” co-author, book chapter in *An Introduction to Health Policy*, June 2013
- “The Role of the CXCR4 Cell Surface Chemokine Receptor in Glioma Biology,” co-author, *Journal of Neuro-Oncology*, June 2013.
- “Appendiceal Duplication in Children Presenting as an Appendiceal Tumor and as Recurrent Intussusception,” co-author, *Journal of Pediatric Surgery*, April 2013.
- “Investigational Surgical Therapies,” co-author, book chapter in *Handbook of Parkinson’s Disease*, Fifth Edition, February 2013.

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## PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- Associate, Patrick E. Higginbotham American Inn of Court 2021–2022
  - American Bar Association, Section of Health Law
  - Dallas Association of Young Lawyers
  - Dallas Bar Association
  - Health Care Compliance Association
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## SELECTED CLIENT REPRESENTATIONS

- Represented local realtor association and multiple listing service in federal court action alleging violations of the Sherman Antitrust Act involving buyer broker commissions.
  - Represented national healthcare provider in federal court action alleging violations of the Sherman Antitrust Act involving anesthesiology providers and exclusive coverage agreements.
  - Represented national healthcare provider in False Claims Act whistleblower action alleging violations of the Stark Law and Anti-Kickback Statute related to employed physician compensation arrangements and improper coding of evaluation and management procedures.
  - Represented pathology laboratories in False Claims Act whistleblower action alleging improper billing and violations of the Anti-Kickback Statute.
  - Represented national healthcare provider in state court action alleging breach of contracts concerning industry-specific price benchmarking data and comparative analytics.
  - Represented national healthcare provider in federal court action alleging healthcare liability claims and violations of the Racketeer Influenced and Corrupt Organizations Act and the Rehabilitation Act.
  - Represented national nursing home operator and its executives in state and federal court actions alleging personal injury claims and violations of the Racketeer Influenced and Corrupt Organizations Act.
  - Represented rural healthcare providers in arbitrations and litigation against national health insurance providers.
  - Conducted analyses regarding the Anti-Kickback Statute, the Stark Law, and other fraud and abuse laws for group purchasing organizations, healthcare technology companies, hospital operators, healthcare providers, and suppliers involving discounts, referral arrangements, marketing/advertising programs, and other arrangements.
  - Counseled publicly traded companies regarding disclosure obligations surrounding government investigations and litigation.
  - Counseled hospital management companies, healthcare providers, and mobile app/telemedicine platforms on compliance with telemedicine laws, HIPAA/HITECH, data privacy and security matters, and permitted uses and disclosures of health information.
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## AWARDS AND RECOGNITIONS

- Included in the "Ones to Watch" category of *Best Lawyers in America*, Woodward/White, Inc., 2021-2025