



Randy Peak

Partner

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PRACTICES Healthcare and Life Sciences, Pharmaceuticals, Precision Medicine and Digital Health, Health Privacy (HIPAA) and Healthcare IT, Healthcare Transactions and Regulatory, Telehealth, Procurement and Supply Chain Management, Technology Transactions, Medical Device and Technology, AI and Deep Learning, Corporate, Mergers and Acquisitions

Randy Peak is a partner in Haynes and Boone's Dallas office, supporting the firm's Healthcare, Life Sciences and Pharmaceuticals Practice Groups and Precision Medicine and Digital Health group.

Randy has served as a practical and strategic legal advisor in the healthcare, life sciences and technology sectors for decades, leveraging his extensive industry background and multidisciplinary experience as he counsels and represents clients ranging from multinational Fortune 100 enterprises to start-ups on a broad range of healthcare regulatory compliance and transactional matters. He routinely counsels clients on matters relating to fraud and abuse prohibitions, healthcare privacy, telemedicine, revenue cycle management, healthcare related licensing, outsourcing, strategic affiliations, and compliance with state corporate practice of medicine laws. Randy's healthcare industry experience also includes serving as general counsel for a nationally recognized independent academic health system and deputy general counsel for one of the country's largest healthcare supply chain, clinical consulting, and technology services organizations. In the technology sector, Randy's in-house experience includes representing a global provider of software and technology where he negotiated numerous multi-million dollar commercial technology transactions worldwide.

Randy's clients include hospitals and health systems, physician groups, urgent care clinics, medical spas, health and wellness providers, clinical labs, AI and emerging healthcare technology companies, digital health vendors, healthcare data and analytics companies, healthcare supply chain distributors, medical device manufacturers, group purchasing organizations, health benefit management vendors, retailers, senior and assisted living real estate developers, clinical research organizations, financial institutions, revenue cycle management service providers, private equity investors and portfolio companies, and joint ventures.

QUALIFICATIONS

EDUCATION

- J.D., Pepperdine University School of Law, 1994
- B.A., Economics and Finance, University of Texas at Dallas, 1990
- B.A., Government, University of Texas at Austin, 1989

ADMISSIONS

- Texas
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PUBLICATIONS AND SPEAKING ENGAGEMENTS

- "CMS, OIG finalize STARK and AKS overhaul – paving the way for value-based care," November 2020
- "Opening Up America Again Guidelines signal relaxation in elective surgery restrictions," April 2020
- "Immediate COVID-19 relief to Medicare providers arrives... with conditions," April 2020
- "CARES Act may offer relief for medical practices, but raises questions for private equity-backed practice management companies," April 2020
- "CMS Emergency Preparedness Rule: Planning during COVID-19 (United States)," March 2020
- "HIPAA and the coronavirus (United States)," March 2020
- "CMS and OIG release most expansive changes to the fraud and abuse laws in over a decade," October 2019
- Panelist, Texas-Israel Alliance Healthcare & Life Sciences Innovation Conference: "Impactful Big Data in Healthcare" Discussion, October 2019
- Panelist, Healthcare Disruptors (Austin, Tx), October 2018

**Some of these publications and presentations were handled by Randy prior to joining Haynes and Boone.*

PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- American Health Lawyers Association
 - Dallas Hispanic Bar
 - Texas and Dallas Bar Associations, Health Law Section
 - Texas Health Lawyers Association
 - Youth Guidance, 2018 – present
 - Dallas Volunteer Attorney Program, 2018
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SELECTED CLIENT REPRESENTATIONS

- Counsel to a National Clinical Laboratory and Pathology Practice: advise a national clinical laboratory and pathology practice on regulatory compliance issues under federal and state fraud and abuse laws, managed care payor matters, federal and state healthcare programs, HIPAA, and federal legislative lobbying matters.
- Represent Revenue Cycle Management Service Provider: represent leading provider of population health analytics, revenue cycle management services and cloud-based technologies in connection with the negotiation of complex, strategic commercial transactions.
- National Urgent Care Chain Regulatory Counsel: provide healthcare regulatory counsel to national urgent care chain connection with its strategic joint ventures and acquisition transactions. Representation includes providing counsel on licensing and compliance with corporate practice of medicine laws across multiple states.
- Licensing of cloud-based MPI and clinical data exchange solutions: represent a national Software-as-a-Service provider of cloud-based MPI and clinical data exchange solutions in its licensing and commercial negotiations with national providers and state designated entities supporting various

state initiatives to facilitate patient identity management and interoperable data exchanges across care settings.

- Represented Digital Health and Technology Provider: licensing and commercial representation to technology provider utilizing applied data science, artificial intelligence, and machine learning to support clinical research through healthcare analytics systems, products and services.
- Regulatory counsel to Neurological Injury Rehabilitation Service Provider: represented private equity portfolio company on healthcare regulatory matters related to the acquisition and integration of a multi-state provider of neuro-behavioral specialty programs.
- Healthcare M&A Representation and Warranty Insurance Policy Underwritings: advised carriers on healthcare and privacy regulatory matters and perform related due diligence in connection with healthcare sector M&A representations and warranties insurance policy underwritings.
- Strategic healthcare privacy counsel to a global vendor of software solutions: counseled a global Fortune 500 NASDAQ-listed software technology company on matters pertaining to compliance with HIPAA, PIPEDA and related privacy laws in connection with the client's healthcare channel sales, marketing and product development strategies.
- Healthcare supply chain counsel to medical device manufacturers and distributors: represented medical device manufacturers and distributors in connection with the development of supply chain agreements, commercial negotiations, and counseling on healthcare regulatory issues.
- Represented national healthcare Group Purchasing Organization (GPO): advised a national GPO in connection with development of GPO member participation agreements and related negotiations with hundreds of the country's leading hospitals and health systems; counseled on regulatory issues impacting supply chain operations, durable medical equipment, supplier transactions, and formation of healthcare purchasing coalitions.
- Sale of a healthcare pharmaceutical supply chain company: represented a healthcare supplier and national distributor of pharmaceuticals on healthcare regulatory matters in the sale of its pharmaceutical wholesale distribution operations.
- Formation of a receivables securitization facility: advised the US technology and supply chain services subsidiary of a Global Fortune 500 technology and computer manufacturing company listed on the Tokyo Stock Exchange in connection with the formation of a receivables securitization facility with initial investments of over \$480 million.

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