



## HEALTH CARE

**Whether assisting a client with a strategic joint venture or acquisition, assisting a client with a Medicare or other regulatory investigation, auditing a health care provider for compliance protocols, responding to a patient malpractice claim, or admitting new doctors to a growing medical partnership, Bell Nunnally brings deep experience to health care industry clients. We regularly help clients to establish, operate and grow businesses that thrive in this highly regulated field.**

As one of the largest categories of consumer spending and one of the largest employment sectors in the United States (at approximately 11 percent of American workers), the health care industry is one of the most important aspects of the U.S. economy. And with an aging population, health care will continue to be a critical component of our country's future.

### Who we represent

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- Hospitals and health care systems
- Doctors and medical practices
- Dentists and dental practices
- Durable medical equipment suppliers
- Home health services
- Compounding pharmacies
- Health care practice management companies

- Insurers
- Managed care and long-term nursing facilities

## Services for the Business Life Cycle

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Bringing decades of experience within the health care sector, our attorneys are able to provide smart business advice and counsel that includes strategies for maneuvering within the complex regulatory environment in which our health care clients operate. We frequently assist clients with:

- Entity formation (including professional entities)
- Shareholder and partnership agreements
- Practice purchases, sales and mergers, including due diligence
- Compliance with corporate practice of medicine requirements
- Licensure with regulatory authorities
- Governance and recordkeeping
- Commercial contracts
- Employment and labor relations
- Real estate leases and purchase/sale contracts
- Licensing and intellectual property
- Trade secret and noncompete agreements
- HIPAA and privacy issues
- Health care regulatory compliance
- Health care enforcement and claims defense
- Insurance
- Practice management
- COVID-19 vaccines, mandates and relief
- Litigation and arbitration
- Class action defense

## Representative Experience

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Firm attorneys have represented health care industry clients in wide range of business, regulatory and litigation matters, including:

- Conducted internal investigations for hospitals and medical practices on Stark Law, Anti-Kickback Statute, and False Claims Act allegations raised in qui tam litigation.
- Investigated alleged violations of federal law threatened against Texas hospitals and medical practices.
- Advised a \$3 billion health care insurer in all Texas real estate transactions, including acquisitions, divestitures, development and leaseholds.
- Represented a hospital system in defense of patent infringement claims relating to patents for medical imaging storage methods.
- Represented a hospital chain in a breach of fiduciary duty and trade secrets misappropriation matter
- Won a heavily contested dismissal with prejudice of \$47 million federal court claim against a global medical device/health care products manufacturer on international bribery, corruption, breach of contract and foreign Corrupt Practices Act issues.
- Represented a health care service marketer in trade secret and noncompete suit against a former contractor, resulting in swift and favorable settlement.
- Obtained favorable results on behalf of a national assisted living facility in various labor and employment matters.
- Obtained complete defense award on behalf of a national assisted living facility in a nonsubscriber negligence lawsuit where the plaintiff alleged that she suffered injuries that caused brain damage while at work.
- Represented a health care property owners and asset managers in litigation involving medical office buildings (MOBs) and other medical-related properties.
- Defended a South American pharmacy chain in an employment and trade secret misappropriation case in federal court.
- Defended a medical clinic against a competitor asserting tortious interference, civil theft and misappropriation of trade secrets claims arising from physician noncompetition agreements, achieving settlement and dismissal of claims.
- Obtained an award against a French distributor of surgical lenses manufactured in the U.S. in international commercial arbitration.

- Successfully defended a national health care company in a five-plaintiff, racial discrimination, federal court jury trial.
- Represented an issuer in the registration and public offering of two million shares of common stock for a company that electronically processes medical claims.

## Related Practices

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Appeals  
Corporate and Securities  
Creditors' Rights  
Immigration  
Intellectual Property  
Labor and Employment  
Litigation  
Mergers and Acquisitions  
Real Estate Law  
Tax  
White Collar Criminal and Regulatory Defense

## Related Industries

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Insurance  
Manufacturing  
Nonprofits  
Real Estate  
Software, Technology and Telecommunications  
Wholesale, Retail and Services

## Related Attorneys

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Alana K. Ackels  
Jonathan Farrokhnia