

→ Healthcare Enforcement

The healthcare industry is one of the most highly regulated and scrutinized industries in the country. Virtually every major contractual and business relationship entered into by physicians and hospitals has the potential for scrutiny by the government. Sheppard Mullin has been working with these laws and regulations on a daily basis for many years. We routinely assist clients in evaluating and structuring transactions or relationships to comply with the Stark Law, fraud and abuse laws, anti-kickback and fee splitting laws, Medicare billing compliance and the pertinent tax exemptions.

Our Healthcare Enforcement Team specializes in all manner of healthcare enforcement matters, including fraud, kickbacks, false billing, upcoding, unbundling, false certifications, medical identity theft, forgery, diversion, money laundering, and criminal enterprises, among other things. We assist clients with healthcare regulatory oversight, audits, investigations and enforcement matters. Our team has extensive experience handling numerous healthcare-related False Claims Act (including qui tam whistleblower laws), Civil Money Penalties, and commercial litigation cases in both federal and state courts.

Our team works with clients to help them respond to government inquiries, such as criminal and civil subpoenas and civil investigative demands, issued by federal and state regulatory and enforcement entities. Given our historical and ongoing relationships with DOJ, FBI, HHS, CMS, OIG, FDA, DEA, as well as state Medicaid fraud and control units (including Medi-Cal in California) we are well positioned to be effective advocates for our clients. We also assist clients with compliance counseling to detect and prevent fraud and abuse, and investigations to ensure compliance with applicable federal, state and local healthcare laws and regulations.

We work closely with clients to develop compliance programs, structure transactions and other financial relationships, establish pricing and guide business operations consistent with these laws. Using a cross-disciplinary approach, Sheppard Mullin not only offers clients proactive advice on optimal compliance strategies, but also is adept at defending clients when, despite the provider's compliance efforts, a federal, civil, criminal or administrative investigation begins.