



## → Phil Kim

**Partner**  
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Phil Kim is a partner in the Corporate and Securities Practice Group in the firm's Dallas office. He is the host of the Health-e Law podcast, produced by Sheppard Mullin's Digital Health Team.

### Areas of Practice

Phil advises various types of healthcare providers in connection with transactional and regulatory matters. He counsels healthcare systems, hospitals, ambulatory surgery centers, physician groups (including non-profit health organizations, or NPHOs), home health providers, and other healthcare companies on the buy- and sell-side of mergers and acquisitions, joint ventures, and operational matters, which include regulatory, licensure, contractual, and administrative issues.

Phil has a particular interest in digital health. He has assisted a number of multinational technology companies entering the digital health space with various service and collaboration agreements for their wearable technology. He also assists public medical device, biotechnology, and pharmaceutical companies, as well as the investment banks that serve as underwriters involved in the public securities offerings for such healthcare companies.

Phil's client relationships are characterized by an authenticity – he communicates honestly and directly so that clients can understand issues from all perspectives and make decisions that will serve their best interests. He maintains a positive rapport with all parties to his transactions, which include:

- Healthcare arrangements and provider agreements of all types, including the transition of hundreds of physicians from a prior physician group to a new NPHO with a restructured employment model
- Professional services agreements, clinical and educational affiliation agreements, lease agreements, business associate agreements, and other services agreements between healthcare companies and various other entities in both the private and public sectors.
- Securities filings on behalf of public healthcare companies.

On the regulatory side, clients value Phil's ability to attend to details while also staying focused on the big picture. He regularly advises on healthcare compliance issues including:

- Liability exposure, the Stark law, anti-kickback statutes, and HIPAA/HITECH privacy issues
- State and federal healthcare laws
- Complex business structuring and formation issues

- Employment issues
- Matters involving various government agencies, including different state Medicaid agencies, the Texas Medical Board, and Medicare Administrative Contractors.

## Honors

Best Lawyers in Dallas, *D Magazine*, 2022-2023

"Ones to Watch," *Best Lawyers in America*, 2021-2024

Rising Star, *Texas Super Lawyers*, 2020-2024

*Chambers USA*, Healthcare – Texas, 2020-2023

Recommended Lawyer - Healthcare, *Legal 500*, 2022-2023

## Experience

- Represented Clayton, Dubilier & Rice (CD&R), a private investment firm, in connection with its strategic partnership with Elevance Health, Inc. (NYSE: ELV)

## Articles

- Growing Pains and Growth Spurts: AI in Healthcare  
*Headnotes, Dallas Bar Association*, 04.2024
- Sheppard Mullin's Top 10 Takeaways from HLTH 2023  
10.18.2023
- AI in Healthcare: Key Considerations Checklist  
*LexisNexis Practical Guidance*, 08.25.2023
- Cautions and Legal Considerations of Using Generative AI in Healthcare  
*Lexis Nexis Practical Guidance*, 2023
- Addressing Legal Issues Raised By AI Use In Health Care  
*Law360*, 07.13.2023
- AI in Healthcare: Cautions and Considerations of a Healthcare Revolution  
*Practical Guidance*, 06.19.2023
- Private Equity Faces Heightened FCA and Antitrust Scrutiny  
*PE Hub*, 03.24.2023

## Healthcare Law Blog

- "FemTech Meets DiagnosTech: A Discussion with Deirdre O'Neill," April 29, 2024
- "Gamification – Playing for Health: A Discussion with Craig Lund," April 23, 2024
- "Digital Health to the Rescue – Improving Access to Specialized Care: A Discussion with Viveka Rydell-Anderson," January 16, 2024

- "AI as an Aid – Emerging Uses in Healthcare: A Discussion with Jim Gatto," January 8, 2024
- "In Tech We Trust? The Case for Transparency: A Discussion with Dr. Laura Tully," December 21, 2023
- "Health-e Law Launches: New Podcast Covers Health-Tech and Law," December 8, 2023
- "Connecticut Follows in the Footsteps of Other Jurisdictions Requiring Registration of Pharmaceutical Representatives," October 25, 2023
- "Sheppard Mullin's Top 10 Takeaways from HLTH 2023," October 18, 2023
- "At HLTH 2023: The Digital Health Symphony, A Care Coordination Orchestra with No Maestro," October 10, 2023
- "At HLTH 2023: General Catalyst's HATCo Introduces a Radically Ambitious and Transformative Model for Healthcare," October 9, 2023
- "Texas is Making Moves on a Comprehensive Consumer Privacy Law," May 25, 2023
- "Private Equity and Digital Health in 2023: Policy Updates and Trends to Watch," February 1, 2023
- "HHS Proposes Health Insurance Market Reforms for 2024," January 4, 2023
- "Recap of AHLA's Annual Meeting," July 5, 2022
- "Digital Health in the Metaverse: Three Legal Considerations," May 31, 2022
- "Tax Break for Certain Medical Billing Services in Texas," March 1, 2022

## Speaking Engagements

- "Private Equity Firms Facing Heightened False Claims Act and Antitrust Risks," ABA's Health Law Roundtable, January 25, 2024
- Moderator, "Legal & Valuation Developments in Healthcare: 2022 and Beyond," May 18, 2022

## Events

Beware: Private Equity Firms Facing Heightened False Claims Act and Antitrust Risks  
Webinar, 04.26.2023

WHLC Dobbs Series Part 1

Where are we now? Join us for a primer on state law post-Dobbs and recent developments.  
Webinar, 07.12.2022

The Women in Healthcare Leadership Collaborative (WHLC) Presents: Stark Alert – Be Prepared for Fast Approaching Changes to Group Practice Requirements  
09.30.2021

## Podcasts & Webinars

Health-e Law Episode 9: Remote Patient Monitoring Innovating Health Tech with Dr. Vipul Kella of Physio AI  
05.02.2024

Health-e Law Episode 8: What We Heard at HIMSS 2024 with Michael Orlando & Carolyn Metnick  
04.17.2024

Health-e Law Episode 7: Health Vibes at ViVE with Sara Shanti and Carolyn Metnick  
03.21.2024

Health-E Law Episode 6: FemTech Meets DiagnosTech with Dierdre O'Neill of Hertility Health  
03.07.2024

Health-e Law Episode 5: Gamification: Playing for Health with Craig Lund  
02.14.2024

Health-e Law Episode 4: What to Watch for in '24: Costs, Consolidation and Tech with Eric Klein of Sheppard Mullin  
01.17.2024

Health-e Law Episode 3: Digital Health to the Rescue: Improving Access to Specialized Care with Viveka Rydell-Anderson of Pacific Vision Foundation  
12.07.2023

Health-e Law Episode 2: AI as an Aid: Emerging Uses in Healthcare with Jim Gatto of Sheppard Mullin  
12.07.2023

Health-e Law Episode 1: In Tech We Trust? The Case for Transparency with Dr. Laura Tully of ChatOwl  
12.07.2023

Health-e Law Episode 0: Trailer  
11.30.2023

Beware: Private Equity Firms Facing Heightened False Claims Act and Antitrust Risks  
04.26.2023

WHLC Dobbs Series Part 1 Where are we now? Join us for a primer on state law post-Dobbs and recent developments.  
07.12.2022

Stark Alert – Be Prepared for Fast Approaching Changes to Group Practice Requirements  
09.30.2021

## Practices

Corporate

Mergers and Acquisitions

Joint Ventures and Strategic Alliances

Private Equity

Capital Markets

Healthcare

Digital Health

## Industries

Artificial Intelligence

Healthcare

## Education

J.D., Southern Methodist University Dedman School of Law, *cum laude*; Executive Editor, *SMU Science and Technology Law Review*

B.A., University of Texas at Austin, *with honors*

## Admissions

Texas

## Languages

Korean