

Former Deputy Commissioner of New York State Department of Health Joins Sheppard Mullin

Nationally Recognized Healthcare Policy Leader Adam Herbst Strengthens the Firm's Regulatory Capabilities for Clients Across the Post-Acute, Aging and Long-Term Care Sectors

10.30.2024

Sheppard, Mullin, Richter & Hampton LLP is pleased to announce that Adam S. Herbst has joined the firm as a healthcare partner in New York. Most recently, Herbst served as the New York State Department of Health's Deputy Commissioner for Aging and Long Term Care. He is the ninth healthcare partner to join the firm in 2024.

In joining Sheppard Mullin's industry-leading Healthcare team, Herbst specializes in healthcare policy, Medicaid reform and corporate governance, with a strong focus on transforming healthcare systems to ensure equitable access and improved quality for diverse populations, including children, seniors and individuals with disabilities.

As Deputy Commissioner for Aging and Long Term Care at the Department of Health, Herbst oversaw regulation for the state of New York's acute care, post-acute care, disability and long-term care industries. As an advisor to the Governor of New York, he led state and federal policy and fiscal initiatives, including the Governor's Master Plan for Aging commission, the Medicaid 1115 research and demonstration waiver, federal value-based care initiatives, managed care reform and social care integration strategies.

He served as the Commissioner's Special Advisor where he developed and implemented comprehensive policies and programs aimed at strengthening New York's health systems and payors. His efforts addressed the diverse needs of communities statewide, particularly in the wake of COVID-19, ensuring that all New Yorkers had equitable access to quality healthcare services. Adam's initiatives spanned various demographics, focusing on improving health outcomes and enhancing service delivery for vulnerable populations, including aging individuals, those with disabilities and other underserved communities. He has also implemented initiatives that incentivize healthcare providers to deliver high-value services, particularly for dual-eligible individuals who often face complex healthcare challenges.

In addition to his regulatory and policy work, Herbst has a strong transactional background, having been involved in numerous mergers and acquisitions within the healthcare sector. He has a proven track record of facilitating partnerships and collaborations that enhance service delivery and operational efficiency. His advocacy for integrated care models fosters collaboration among providers to improve care coordination and patient outcomes. With decades of healthcare regulatory expertise, Herbst is adept at creating alignment strategies for Medicare, Medicaid and other government payer programs.

"Adam is a nationally recognized leader in the healthcare industry, and we are delighted to welcome him to the firm," said Luca Salvi, chair of Sheppard Mullin. "His multi-dimensional understanding of the marketplace and deep knowledge advising healthcare companies through strategic investments will be invaluable to our clients."

Eric Klein, leader of the firm's Healthcare industry team added, "The aging population is fueling significant opportunities in the post-acute care sector, including the expansion of existing and creation of new providers, funding and regulation. Adam's reputation and exceptional experience further cements Sheppard Mullin's as the destination for top-tier regulatory and compliance counsel across the aging, hospital care and long-term care sectors."

"The regulatory landscape for post-acute care providers is complex and ripe for change," added Herbst. "I was drawn to the size and reputation of Sheppard Mullin's nationally known, comprehensive healthcare practice. The attorneys and resources at the firm will allow me to continue providing innovative advice to clients as we navigate the evolving healthcare environment."

Sheppard Mullin has one of the country's most active long-term care and post-acute care practices, representing all segments of this industry. Recent examples include:

- Represented private equity firm **Clayton, Dubilier & Rice** in forming a multibillion-dollar strategic partnership with Elevance Health, Inc. (NYSE: ELV). One of the two largest healthcare services transactions in 2024, the deal launched a new advanced primary care solution that streamlines the patient experience, improves health outcomes and lowers healthcare costs, particularly for the senior population.
- In one of the largest home health and hospice transactions of the year, Sheppard Mullin is representing leading home-based care service provider, **Compassus**, in its joint venture with nonprofit health system Providence that will offer home health, hospice and palliative care to patients across Alaska, California, Oregon, Washington and Texas.
- Advised **AccentCare**, nationwide post-acute healthcare services leader, in several transactional, regulatory and financing matters, including its acquisition of and joint venture with Memorial Hermann's home health and hospice operations; joint venture with and acquisition of Fairview health system's home health and hospice line of business; home health and hospice joint venture with Baylor Scott & White Health, the largest not-for-profit health system in Texas; and joint ventures with University of California, San Diego and the University of California, Los Angeles.
- Advised post-acute and specialty home health provider **Collage Rehabilitation Partners** in its acquisition of Omicron Care, a home health provider to patients with catastrophic injuries including, stroke and neurologic disorders. The acquisition expanded Collage's national continuum of care in new and existing markets.

Herbst received his B.A., *summa cum laude*, from American University, his J.D. from Albany Law School, and his M.B.A. from Union College. He is a frequent speaker on healthcare access and technology and currently serves as an adjunct professor at Columbia University's Mailman School of Public Health and at New York Law School, teaching health policy and bioethics.

Attorneys

Adam Herbst

Practice Areas

Governmental

Healthcare

Industries

Healthcare