



## Jolie N. Havens

PARTNER

Jolie is a partner in the Vorys Columbus and Houston offices and the immediate past chair of the firm's health care group. She also serves as the firm's chief diversity & inclusion officer where she leads the firm's strategy, policies and practices related to diversity, equity, and inclusion.

Jolie maintains a national practice focused on health care transactions, contracting, compliance, and provider/practitioner reimbursement, with significant experience involving hospitals and physicians. Jolie has counseled providers, practitioners, and other stakeholders across the industry, including adult and children's hospitals and health systems, physicians and physician groups, pharmacies and pharmacy benefit managers, home health agencies, ambulatory surgery centers, diagnostic centers and faculty practice plans, as well as manufacturers, distributors and sellers of medical devices, pharmaceuticals, dietary supplements, and other products regulated by the Food and Drug Administration (FDA), on legal issues involving:

- Mergers, acquisitions, and other industry consolidation, integration, and service expansion models, including seller and buyer representation;
- Third-party payor enrollment and contracting (including managed care);
- Provider/practitioner licensure, certification, registration, and accreditation, as well as scope of practice issues;
- Medicare, Medicaid, and private payor billing, coding, documentation, coverage, and reimbursement, including related appeals, audits, and disclosures of overpayments, as well as government and internal investigations;
- Compliance with federal and state fraud and abuse laws, including the federal Anti-Kickback Statute, the federal Stark Physician Self-Referral Law, the federal False Claims Act, and related government investigations and audits before the Centers for Medicare and Medicaid Services, the Ohio Department of Medicaid, and their contractors, as well as the Department of Justice, the Office of the Inspector General, and the Ohio Attorney General;

### Columbus

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Columbus, Ohio 43215

### Houston

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### Practice Areas

Corporate and Business  
Organizations

Corporate Governance

Employee Benefits and Executive  
Compensation

Labor and Employment

Litigation

Professional Liability and  
Discipline

### Education

The Ohio State University Moritz  
College of Law, J.D., 2000, with  
Honors

*Ohio State Law Journal*,  
Associate Editor, 1999-2000

Ohio Wesleyan University, B.A.,  
*magna cum laude*, 1997

**Bar & Court Admissions**

Ohio

Tennessee

Texas

U.S. District Court for the Southern District of Ohio

*Admitted to practice law only in the states listed above.*

**Industries**

Cannabis, Hemp and CBD

Health Care

Health Care Litigation

- Issues unique to concierge medical practices, medical spas, and other aesthetic providers, including supervision and scope of practice issues associated with injectables (including botulinum toxins and dermal fillers), lasers, hydration therapy, and other cosmetic treatments and procedures;
- Compliance with the federal Food, Drug and Cosmetic Act, other FDA guidance, and related federal and state laws (including FTC advertising authorities), as related to drugs, medical devices (including personal protective equipment), dietary supplements, vaccines, biologics, cosmetics, medical foods, and nutraceuticals, including pre-market strategies and applications (510(k)s, emergency use authorizations (EUAs), and testing), as well as post-market compliance, such as labeling, advertising and promotion, adverse event reporting, recalls, good manufacturing practices, and responding to enforcement actions;
- Compliance with the Health Insurance Portability and Accountability Act (HIPAA) and its implementing regulations, both as to health care providers and group health plans as covered entities and various business associate relationships, including banks as business associates;
- Compliance with the Emergency Medical Treatment and Active Labor Act (EMTALA) and various other health care laws;
- Professional disciplinary actions, including representation of physicians, nurses, pharmacists, nursing home administrators, counselors, and other licensed practitioners before the State Medical Board of Ohio, Ohio Board of Nursing, Ohio Board of Pharmacy, Board of Executives of Long-Term Services and Supports, and Counselor, Social Worker and Marriage and Family Therapist Board; and
- Legal and business implications of medical marijuana, cannabis products, and hemp products.

**Career highlights include:**

- Advising Worthington Industries, Inc., in its spin-off of Worthington Steel, Inc., as an independent, publicly traded company;
- Serving as lead outside counsel to a world-renowned children’s hospital (ranked nationally in all 10 pediatric specialties by U.S. News & World Report) relative to all hospital legal matters;
- Representing hospitals, physician groups, and other provider types relative to mergers, acquisitions, consolidation, alignment, affiliation, and various integration strategies, including preparation and negotiation of definitive transaction documents for asset deals and

member substitutions, physician employment arrangements, and space and equipment leasing, as well as conducting full legal due diligence and overall transaction management;

- Assisting clients across the health care industry with formation of compliance and reimbursement strategies, including considerable experience relative to provider-based sites, start-up sites, and other operational expansion;
- Assisting clients across the health care industry and in various other industries (including the retail industry) with business and compliance issues related to the manufacturing, distribution, and sale of medical devices, including personal protective equipment, in conjunction with the COVID-19 pandemic;
- Serving as lead substantive health care and employee benefits expert behind June 2022 U.S. Supreme Court victory in *Marietta Memorial Hospital Employee Health Benefit Plan v. DaVita Inc.*
- Representing a multi-state hospital in a multi-million dollar False Claims Act investigation, including formulation and implementation of medical records and claims review protocols, negotiations with the Department of Justice, and analysis of overpayment liability;

Jolie regularly speaks both nationally and locally on health care reimbursement and compliance, as well as health care reform policy and compliance, and publishes often on the subjects.

Jolie is a member of the American Health Lawyers Association and the Society of Ohio Healthcare Attorneys.

## Events

Event, 2.22.2023

The Ohio State University Moritz College of Law Webinar

11.9.2021

Surprise Billing: Federal and Ohio Law Overview For Health Care Providers

11.3.2021

Current Developments: Addressing Racism in Corporate Environment Including Approaches to Beneficial Discussions About Race with Employees and Leadership Teams

10.28.2021

Acknowledging Privilege and Becoming an Ally for The Inclusion & Equity Summit: Texas

10.28.2021

Ohio AAP Virtual Resident Conference: Contracting & Legal Issues

10.13.2021

A Fireside Chat with Judge Marilyn Zayas Presented by Vorys and the HNBA

8.2.2021

Understanding the Role of Allies in Your Organization for the ACEDS IDEAA Committee

4.22.2021

DEI: Where Do We Start at the 17th Annual National Diversity & Leadership Conference

10.8.2020

Vorys On Call: Coronavirus - Return to Work Preparedness (October 8, 2020)

9.29.2020

Crash Course Compliance: Preparing for FDA's "Return to Normalcy"

7.9.2020

Vorys On Call: Coronavirus - Return to Work Preparedness (July 9, 2020)

6.11.2020

Vorys On Call: Coronavirus - Return to Work Preparedness (June 11, 2020)

5.14.2020

Vorys On Call: Coronavirus - Return to Work Preparedness (May 14, 2020)

5.13.2020

Reopening Your Business: Practical Considerations

5.7.2020

Vorys on Call: Coronavirus - Return to Work Preparedness (May 7, 2020)

4.30.2020

Vorys on Call: Coronavirus - Return to Work Preparedness (April 30, 2020)

4.23.2020

Vorys on Call: Coronavirus - Return to Work Preparedness (April 23, 2020)

4.16.2020

Vorys on Call: Coronavirus (April 16, 2020)

4.1.2020

Webinar: Health Care Regulatory Issues Related to COVID-19

3.26.2020

Vorys on Call: Coronavirus (March 26, 2020)

3.19.2020

Vorys on Call: Coronavirus (March 19, 2020)

9.27.2019

Ohio AAO Annual Meeting

7.24.2019

Dazed and Confused Webinar, Part II: What Ohio Employers Need To Know About Cannabis Employment Laws

6.19.2019

Dazed and Confused: Regulatory Uncertainty Around Cannabis in Ohio and What You Need to Know to Evaluate Your Risk

6.5.2019

CBUS 19 Retail Re-Thought Conference

10.25.2018

2018 Ohio Provider Resource Association Fall Conference

6.5.2018

Ohio Hospital Association Annual Conference

5.11.2018

LCLD Leadership Luncheon

10.20.2016

2016 Ohio Council of Behavioral Health & Family Service Providers' Annual Conference

10.13.2016

In-House Essential Conference 2016

6.28.2016

AHLA Annual Meeting

12.9.2015

Big Payment Change Coming For New Provider-Based Sites Webinar

6.8.2015

2015 Ohio Hospital Association Annual Meeting

5.15.2015

Health Care Fraud and Abuse Symposium

4.24.2015

The Rise of Employer-Based Wellness Initiatives and Medical Clinics

4.8.2014

Figuring Out 'Full-Time' Under the Affordable Care Act Webinar

11.6.2013

Vorys Labor and Employment Law Conference

6.11.2013

The 2013 Ohio Hospital Association Annual Meeting

11.9.2012

Akron Labor and Employment Law Conference

9.9.2012

Health Reform is Constitutional - What Should Employers Do Now?

7.24.2012

The ACA is Constitutional: What It Means for Employers

7.2.2012

The U.S. Supreme Court Decides on the Affordable Care Act, What Happens Now?

4.12.2012

2012 Cincinnati Labor and Employment Law Update

3.22.2012

New CMS Proposed Rule Implements 60-Day Deadline for Reporting and Return of Overpayments - But What Does it Really Mean?

4.7.2011

2011 Cincinnati Labor and Employment Law Update

3.31.2011

Health Care Reform Update: False Claims Act Compliance & Health Plan Mandates

9.17.2010

HITECH Compliance for Health Providers and Health Plans

6.11.2010

Health Care Reform: Moving from Theory to Implementation - an overview of new guidance, strategies and case studies

5.11.2010

Health Care Reform: Data, Deadlines and Disclosures

4.13.2010

Health Care Reform: What do I have to do and when do I have to do it?

3.23.2010

OPRA Annual Spring Conference