Healthcare

The healthcare industry is changing rapidly. Success in the face of evolving regulations, reimbursement mechanisms, consumer demands, innovations and technologies requires adaptability and an awareness of legal parameters. Katten's Healthcare team leverages the skills of top attorneys from a variety of disciplines to provide timely, practical and strategic counsel to address your needs in the face of the evolving healthcare landscape.

Staying 10 steps ahead

No matter what pressures you face, the health of your organization and its long-term business objectives are our priority. We have a deep bench that includes transactional, regulatory, compliance and finance attorneys and litigators armed with the experience to anticipate challenges and business acumen to navigate opportunities.

Our team counsels a variety of clients in the healthcare space, including hospitals and health systems, academic medical centers, post-acute care providers, imaging centers, physical therapists, ambulatory surgical centers, physician groups, managed care entities, life science companies, private equity groups and private equity-backed healthcare portfolio companies.

Transactions

- Develops strategic transaction structures to address client objectives within regulatory parameters
- Handles mergers and acquisitions; joint ventures; affiliations; corporate reorganizations; and the sales and acquisitions of stock, assets, and partnership or membership interests
- Advises on numerous ownership, affiliation, governance, reimbursement, managed care, financial, tax, management, operational, regulatory, marketing practices, compensation arrangements and medical staff issues
- Forms clinically integrated networks
- Handles HSR filings and antitrust investigations
- Addresses anti-kickback, Stark Law, HIPAA, licensure, tax exemption and charitable trust concerns
- Consults on investment target feasibility and structures all aspects of private equity transactions, including LBOs, minority investments,

Key Contacts



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public and private exit transactions, recapitalizations, restructurings and carve-out deals

Regulatory and compliance

- Advises on fraud and abuse, federal and state anti-kickback, physician self-referral, fee splitting, corporate practice of medicine, licensure, confidentiality, antitrust and False Claims Act
- Counsels on Medicare/Medicaid requirements, tax exemption, licensure, accreditation and medical staff bylaws issues
- Assists on medical record related matters, ADA and OSHA requirements, and federal and state privacy and security matters, including HIPAA and the HITECH Act
- Reviews and restructures contractual arrangements to ensure regulatory compliance
- Conducts compliance plan effectiveness reviews and develops compliance programs and policies
- Handles monitorships and counsels on corporate integrity and deferred prosecution agreements

Finance

- Assists in accessing capital through public markets and institutional lenders
- Navigates taxable and tax-exempt financings; derivatives; securitization of accounts receivable; Rule 144 offerings; NMTCs; direct placements; and FHA, credit-enhanced and pooled financings
- Adapts quickly to capital-related issues and tailors finance structures for changing capital markets
- Advises on the underwriting of tax-exempt and taxable debt obligations

Litigation

- Defends against and counsels on antitrust, RICO claims, consumer protection and intellectual property
- Handles litigation resulting from the purchase and sale of hospitals and other assets
- Litigates physician compensation/employment, Anti-Kickback Statute, Stark Law, False Claims Act and ERISA matters
- Negotiates and litigates reimbursement matters before Medicare and Medicaid agencies and tribunals, as well as state and federal courts
- Represents clients in all types of commercial disputes

> ***"Katten's knowledge of current trends and latest developments in the healthcare space is impressive."***
>
> ***Chambers USA* 2023 (USA Nationwide, Healthcare) survey response**

White-collar investigations and fraud and abuse

- Advises on and defends against claims related to Medicare/Medicaid, Stark Law, Anti-Kickback Statute, False Claims Act and other federal and state statutes
- Conducts fraud/billing audits; represents targets of inspector general and grand jury investigations
- Leads investigations related to internal compliance concerns, hotline complaints, qui tam actions and whistleblower allegations, and government inquiries
- Provides transactional risk management, including obtaining advisory opinions
- Advises clients on self-disclosure options and facilitates reporting

Hospital-physician relations and medico-legal

- Counsels hospitals, medical staffs, trade associations, physician groups, ACOs, CINs and PSOs
- Advises on physician compensation plans and arrangements
- Provides comprehensive in-house training on key regulatory developments and competitive trends

Recognitions

Recognized or listed in the following:

- *Best Law Firms*
  - Health Care Law
    - National, 2013–2026
      Chicago, 2011–2027
      Dallas/Ft. Worth, 2020–2027
      New York, 2011–2024
      Washington, DC, 2027
  -
- *Chambers USA*
  - Healthcare: The Elite
    - Nationwide, 2026
  - Healthcare: Highly Regarded
    - Nationwide, 2021–2025
  - Healthcare
    - Illinois, 2006–2026
    - New York, 2006–2025

- Texas, 2019–2026
- *The Legal 500 United States*
  - Healthcare
    - Service Providers, 2016–2026