

Joseph V. Willey

Partner and Chair, Health Care Litigation, Reimbursement and Regulation Department

New York Office

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Practices

Health Care Litigation, Reimbursement and Regulation
Litigation

Industries

FOCUS: Health Care
Clinical Integration and Managed Care
Health Care Regulatory and Compliance
Health Care Tax Exempt
Hospital-Physician Relations and Medico-Legal
Medicare/Medicaid Reimbursement

Education

JD, The University of Kansas School of Law
BA, The University of Kansas

Bar Admissions

New York

Community Involvements

American Health Law Association (AHLA)
New York State Bar Association

Tracking the multitude of laws that govern the health care field can overwhelm any hospital system or other provider. As a former attorney with the US Department of Health and Human Services, Joseph Willey helps health care providers identify issues of concern and find workable solutions. When problems arise, he's skilled at litigating a range of claims, including reimbursement disputes. In recent years, he has recouped more than \$320 million in additional Medicare reimbursement for hospitals.

Protecting hospitals' life blood

Reimbursements are the life blood of most hospital systems and health care providers. Joe's thorough understanding of the intricacies of the Medicare and Medicaid systems allows him to take aggressive yet grounded positions in disputes. He has convinced courts to dismiss enormous government claims against his clients and has settled other matters for a small fraction of the amount the government sought. His clients rely on him for guidance related to fraud and abuse matters, saying, "Joseph Willey is commended for his 'truly encyclopedic knowledge of Medicaid and Medicare law'" (*Chambers USA*).

Joe's decades of experience allows him to provide clients with clear roadmaps through the complex regulatory landscape. He advises on federal anti-kickback and physician self-referral laws and represents providers in investigations and litigation under the False Claims Act. He also represents providers in federal and state government audits and before administrative tribunals, including the Provider Reimbursement Review Board.

Clients also turn to him to help devise business strategies for their health care operations.

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"Led by Joseph Willey, the team at Katten providing representation is deep. Their subject matter knowledge is unmatched and they are very efficient litigators."

- U.S. News – Best Lawyers® 2020 "Best Law Firms" (Health Care Law) survey response

Representative Experience

- Successful representation in False Claims Act in which dismissal was earned on public disclosure grounds.
- Negotiate favorable settlements of cases involving duplicate billing, billing for services determined to be medically unnecessary, laboratory unbundling, school-based health care services, personal care services and substance abuse services.
- Counsel to large health care system in establishing an Accountable Care Organization and applying for participation in Medicare Shared Savings Program.

Recognitions

Recognized or listed in the following:

- *Best Lawyers in America*
 - Health Care Law, 2013–2022
- *Chambers USA*
 - Healthcare, 2011–2021
- *Super Lawyers*
 - New York, 2008–2011, 2014–2021
- *The Legal 500 United States*
 - Recommended Attorney, 2016–2020

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News

- Katten Attorneys Named 2021 New York Super Lawyers and Rising Stars Honorees (September 30, 2021)
- Katten Attorneys Listed in *The Best Lawyers in America*® (August 19, 2021)
- Katten Boosts Rankings in *Chambers USA 2021* (May 20, 2021)
- Laura Keidan Martin and Joseph Willey Share 2021 Health Care Outlook With *Law360* (January 5, 2021)
- Katten Attorneys Chosen for New York Super Lawyers and Rising Stars Lists (October 28, 2020)
- Katten Attorneys Distinguished as Top Legal Talent in the 2021 *Best Lawyers in America* and *Best Lawyers: Ones to Watch* Lists (August 20, 2020)
- Katten Named Top-Tier Firm in Structured Finance and Securitization by The Legal 500 United States 2020 Guide (June 16, 2020)
- Katten Rated Top Law Firm by *Chambers USA 2020* (April 23, 2020)
- Katten Attorneys Nominated to 2019 New York Super Lawyers, Rising Stars Lists (September 12, 2019)
- Katten Praised in The Legal 500 United States 2019 Guide (June 11, 2019)
- Katten Lauded Top Ranked Law Firm by *Chambers USA 2019* (April 25, 2019)
- Katten Attorneys Named to 2018 New York *Super Lawyers*, Rising Stars Lists (September 13, 2018)
- Katten Distinguished by *The Legal 500 United States* (June 14, 2018)
- Katten Rated as Leading Law Firm by *Chambers USA 2018* (May 3, 2018)

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- Katten Attorneys Acknowledged in 2017 New York Super Lawyers, Rising Stars Lists (September 20, 2017)
- Katten Distinguished by *The Legal 500 United States 2017* (May 31, 2017)
- Katten Recognized as Leading Law Firm by *Chambers USA 2017* (May 30, 2017)
- Eighteen Katten Attorneys Distinguished in 2016 New York Metro *Super Lawyers List* (September 21, 2016)
- 79 Katten Attorneys Selected for *Best Lawyers in America*® 2017 (August 15, 2016)
- Eighteen Katten Practices and 70 Attorneys Recognized by *The Legal 500 United States 2016* (June 17, 2016)
- *Chambers USA 2016* Distinguishes 22 Katten Practices and 50 Attorneys (May 27, 2016)
- Twenty Katten Attorneys Recognized in 2015 New York Metro *Super Lawyers List* (September 16, 2015)
- 91 Katten Attorneys Recognized in *Best Lawyers in America*® 2016 (August 17, 2015)
- Katten Attains 22 Practice and 58 Attorney Rankings by *Chambers USA 2015* (May 20, 2015)
- Eighteen Katten Attorneys Named to 2014 New York Metro *Super Lawyers List* (September 23, 2014)
- 85 Katten Attorneys Named to *Best Lawyers in America*® 2015 (August 18, 2014)
- *Chambers USA 2014* Distinguishes 24 Katten Practices and 54 Attorneys (May 23, 2014)
- 83 Katten Attorneys Lauded in *Best Lawyers in America*® 2014 (August 15, 2013)
- *Chambers USA 2013* Recognizes 24 Katten Practices and 49 Attorneys (May 24, 2013)

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- 80 Katten Attorneys Named to *Best Lawyers in America*® 2013 Guide (August 24, 2012)
- *Chambers USA* 2012 Distinguishes 19 Katten Practices and 45 Attorneys (June 7, 2012)
- Katten Earns Recognition for 17 Practices and 44 Attorneys in 2011 *Chambers USA* Guide (June 10, 2011)

Publications

- *Health Care Law Perspectives* (August 2020) | Author
- SAMHSA Finalizes Interim Changes to Substance Use Disorder Confidentiality Rule Pending Implementation of Deeper CARES Act Reforms (July 23, 2020)
- COVID-19-Related Criminal and Civil Enforcement Activity Ramps Up (May 22, 2020)
- Coronavirus (COVID-19) Federal and New York Health Care Primary Legal Sources (May 14, 2020)
- The CARES Act From a Health CARE Perspective (March 30, 2020)
- Hospital Outpatient Physician "Supervision": CMS's Latest Rule Offers Greater Operational Flexibility But Still Exemplifies the Issue's Complexity (November 12, 2019)
- OIG Proposes to Add and Expand AKS Safe Harbors (October 21, 2019)
- CMS Proposes Sweeping Revisions to the Stark Law (October 17, 2019)
- Court Invalidates Latest CMS Effort to Reduce Reimbursement at Off-Campus Hospital Outpatient Departments (October 4, 2019)
- CMS Issues Draft Guidance for Hospital Co-Location (May 6, 2019)
- *Health Care Perspectives* (May 2015)

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- SDNY Dismisses False Claims Act Complaint, Finding Relators Misconstrued Medicaid Program Legal Framework (April 11, 2014)
- CMS Issues Proposed 60-Day Rule for Reporting and Returning of Overpayments (February 21, 2012)
- *Health Care Credentialing Update* (November 2011)
- *Health Care Update* (November 2011)
- CMS Issues Final ACO Regulations (November 10, 2011)
- *Health Care Litigator* (September 2011)
- Government Issues Eagerly Awaited Proposed ACO Regulations (April 12, 2011)
- *Health Care Update* (October 2010)
- *Health Care Credentialing Update* (October 2010)
- *Health Care Update* (October 2009)
- *Health Care Credentialing Update* (October 2009)

Presentations and Events

- False Claims Act: Strategies for Obtaining an Early Resolution (April 21, 2021) | *Panelist*
- False Claims Act: Strategies for Obtaining an Early Resolution (May 30, 2019) | *Panelist*
- New York State Bar Association (January 14–18, 2019) | *Panelist* | *Health Care Fraud Enforcement and Compliance, Trends and Developments*
- Greater New York Hospital Association (September 12, 2018) | *Speaker* | *Webinar on Medicaid Program Integrity*

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- Institute on Medicare and Medicaid Payment Issues (April 13–15, 2016) | *Panelist* | *Hot Topics in Fraud and Abuse* | *American Health Lawyers Association*
- Critical Success Factors for Clinically Integrated Networks (December 4, 2013) | *Panelist*
- American Health Lawyers Association (March 21, 2013) | *Panelist* | *Institute on Medicare and Medicaid Payment Issues*