

Litigation and Alternative Dispute Resolution

Healthcare Litigation

Contacts

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Legal Expertise, Extensive Experience and Knowledge of Your Industry and Business

Our lawyers bring to these matters years of experience and a comprehensive understanding of the healthcare system. We approach these matters with a knowledge base of not only the legal system but also the healthcare system which enables us to act expeditiously and cost-effectively for you.

We handle a full range of healthcare litigation matters including those involving

- ▶ Medicare and Medicaid reimbursement
- ▶ Response to government audits
- ▶ Professional liability defense
- ▶ The full spectrum of federal, state and local tax controversies and appeals
- ▶ Abuse and neglect
- ▶ HIPAA
- ▶ Contractual disputes
- ▶ Defense of *qui tam* and governmental investigative actions
- ▶ Immigration
- ▶ Labor and employment
- ▶ Certificate of Need

Clients Across the Healthcare Industry

Our client base is broad. We represent healthcare entities, provider groups and individual providers, including hospitals, ambulatory surgery facilities, continuing care providers, managed care organizations, health insurers, clinical laboratories, physicians, alternative practitioners, pharmacists, nurses and other healthcare personnel.

Representing Clients Before Both Courts and Agencies

Healthcare litigation may be in the administrative setting as well as the court system, often crossing over between the two. Our extensive experience in both arenas allows us to effectively navigate these often complex waters.

Among these representations have been

- ▶ Recovery of \$6.1 million and forgiveness of \$14 million for 28 hospitals in Washington State against which DSHS had wrongly applied federal audit rules
- ▶ Reversal of a Washington Department of Revenue ruling that payments to hospitals under the federal CHAMPUS program were subject to B&O tax
- ▶ Reversal of findings of neglect against a provider of in-home care to developmentally disabled adults in both Washington and Oregon
- ▶ Recovery of \$8 million from the State of Alaska Medicaid program which had refused to follow change-of-ownership reimbursement rules
- ▶ Successful defense against an Alaska Medicaid audit claim of more than \$5 million
- ▶ Dismissal of an abuse finding against an employer of developmentally disabled adults
- ▶ Obtaining a finding of insufficient evidence and dismissal of an EEOC and state agency claim against a continuing care community in Oregon alleging national origin discrimination

- ▶ Acquittal at trial of a physician charged with Medicaid fraud
- ▶ Obtaining agreement not to prosecute a healthcare provider accused of violating the False Claims Act

Preventive Services

To help clients avoid litigation we provide preventive services. Among other things, we help clients prepare for government audits; train them on HIPAA compliance, fraud and abuse and other regulatory compliance; and advise them on charting, record keeping, human resources and other risk management issues.

When you have a healthcare litigation matter, Garvey Schubert Barer has the experience and expertise to help you resolve it expeditiously and economically.