

Health Care

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Overview

With a team that understands both the law and the business of health care, O'Melveny's Health Care practice excels at helping companies competing in the complex and ever-changing health care landscape achieve a wide range of goals—from completing mergers and acquisitions to protecting their intellectual property, to prevailing in large, complex trials. Applying in-depth knowledge of business needs and regulatory obstacles, we devise winning strategies for our clients that anticipate and resolve compliance issues or minimize penalties that result from violations.

We have an unmatched track record of advising hospitals, managed care organizations, group-purchasing organizations, and home health care providers. Our team also counsels intermediaries that provide services to health care companies, such as venture capitalists, commercial and investment bankers, accounting firms, and investment/buyout funds.

Accolades

"With its national coverage and depth of expertise, the firm's bet-the-company labor and employment litigation practice is very well known."

Legal 500 US

Our litigators routinely represent health care companies in critical class actions, multi-district litigation, arbitration, mediations, administrative proceedings, trials, and appeals. On the corporate side, we combine industry-specific knowledge of securities, labor and employment, regulatory, real estate, and antitrust law to provide boardroom-level counseling to a variety of health care-oriented organizations and investors, helping to manage issues ranging from large-scale strategic acquisitions to capital-raising transactions, to debt restructurings and reorganizations. Clients benefit from an insider perspective, with access to a number of former governmental appointees, regulators, and prosecutors with the experience to deftly handle regulatory issues and to steer clients through related legislative branch inquiries.

Our strengths include:

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► Litigation

- We help clients successfully navigate complex litigation and regulatory challenges, including defending class actions, challenges by the U.S. Department of Justice, state attorneys general and other federal and state regulatory agencies, and other complex commercial matters. Few, if any, firms can equal the practice depth we bring to defending healthcare companies—and managed care organizations in particular—in government enforcement proceedings and civil qui tam actions.
- We have extensive experience defending managed care companies against allegations brought by various state and federal enforcement authorities, insider complainants, and opportunistic relators concerning violations related to Medicare Advantage, Medicaid managed care, and Medicare Part D.
- We match the needs of our clients' challenges in roles ranging from acting as lead counsel in individual cases to developing and coordinating overall defense strategy in multi-front litigation.
- Our substantive regulatory knowledge and extensive trial experience give our clients an edge in criminal and regulatory agency enforcement proceedings and related civil actions.
- Former high-level federal prosecutors add in-depth insight to our team.
- Complementary strengths in antitrust and government enforcement mean our clients have a distinct advantage.

► Regulatory Compliance

- Clients spanning the full gamut of the health care industry regularly look to us to handle complex regulatory matters.
- We help clients comply with laws regulating managed care organizations, state and federal anti-kickback and self-referral laws, Medicare and Medicaid reimbursement laws, and privacy laws.
- We advise in strategic and crisis management situations, including

regulatory compliance audits and investigations, and regarding corrective actions.

► **Enforcement**

- When it comes to defending enforcement matters, we offer clients a critical edge—insight from former high-level federal prosecutors.
- We help pharmaceutical and biological manufacturers, medical supply and device manufacturers, hospitals, and other healthcare providers develop and execute effective strategies for internal, federal grand jury, and DOJ and SEC investigations into alleged violations of the healthcare fraud and abuse laws.

► **Mergers & Acquisitions**

- In the context of M&A transactions, we offer sophisticated and complementary expertise in dealing with a variety of relevant regulations—including the ACA, Medicare and Medicaid, and HIPAA.
- Our ability to integrate transactional counseling with industry knowledge and fluency in key state and federal regulations has allowed us to help some of the nation’s best known health care companies successfully execute their M&A programs.
- Our internationally recognized M&A and Private Equity practices work with our Health Care team to give clients valuable insight into the legal and regulatory regimes they face.

Clients

- Anthem
- CIGNA
- Healthcare Services Corporation
- Humana
- Molina
- UnitedHealth Group

Related Industries

- Life Sciences
- Managed Care Organizations

Related Practices

- Corporate & Transactional
- Litigation
- Regulatory & Government Affairs
- White Collar Defense & Corporate Investigations

