By pairing our commitment to innovation with our deep health care experience, we serve as trusted strategic advisors to organizations in these thriving industries.

The health care, life sciences and pharmaceutical industries are some of the most highly regulated and constantly changing sectors globally. Organizations operating in these areas are continuously affected by transformation, while trying to maintain an edge in competitive markets.

HOW WE HELP

At Seyfarth, we are uniquely positioned to partner with clients to develop successful strategies for navigating and responding to industry-specific pressures. We foster a collaborative approach, offering our clients comprehensive, thoughtful and real-world solutions that positively impact their strategies and operations. We collaborate across all areas of practice to guide our health care, life sciences, and pharmaceutical clients through the maze of global laws and regulations affecting their businesses.

With a long history of representing clients across the entire health care, life sciences and pharmaceutical ecosystems, we apply our industry expertise in practical ways to protect our clients’ businesses, assets, and competitive edge. We guide clients through the complex regulations addressing fraud and abuse, provider reimbursement, anti-kickback, licensing, certification, health information privacy and security and HIPAA. Serving as strategic advisors who know our clients’ business deeply, we maintain our firm-wide commitment to providing clients innovation, continuous process improvement, and transparency in these industries.
Relying on multi-disciplinary specialties and cross-border teams, our clients include:

- Hospitals and health systems
- Pharmaceutical companies, including brand name drug and device manufacturers
- Physician practices and medical groups
- Medical clinics
- Academic medical and research institutions
- Managed care companies
- Medical device manufacturers and distributors
- Digital health companies
- Technology and service companies
- Skilled nursing, assisted living and other types of long-term care facilities
- Generic drug makers
- Dialysis provider companies
- Industry trade associations
- Providers of debt and equity capital
- Personalized medicine developers

We are frequent speakers and thought leaders at national trade and industry organizations such as the American Health Lawyers Association, American Hospital Association, American Health Information Management Association, the Center for Healthcare Innovation Conference, Modern Healthcare, Women In Bio, the National Investment Center for Seniors Housing & Care (NIC), and more. We are also premiere sponsors and engaged members of the health care chapter of the Association of Corporate Council - Houston, the Annual Health Law Conference at the University of Texas Austin, the California Society of Hospital & Healthcare Attorneys, the Illinois Health Care Association, the Massachusetts Health & Hospital Association, the New England Council Healthcare Committee, among others.
THE SEYFARTH EXPERIENCE

We are not only known for delivering exceptional client service and outstanding results, but for doing so in true partnership with clients through our acclaimed service delivery platform. This innovative approach, which combines our vast legal acumen with process design and robust technology resources, sets us apart in the market. We continually demonstrate and provide value through a clear understanding of client needs and desired outcomes, transparent communication and collaboration, right-sized staffing approaches, and the use of data to efficiently drive alternative fee arrangements.

Key Contacts

Jesse M. Coleman
Partner

Kristin G. McGurn
Partner
Cynthia J. Mitchell
Partner

Meet the Team

Related Practices

Bankruptcy & Restructuring
Class & Collective Actions
Commercial Finance
Corporate Counseling & Governance
Employee Benefits
ERISA & Employee Benefits Litigation
Executive & Equity Compensation
Institutional Investors
Intellectual Property Counseling & Prosecution
Labor Management Relations
Mergers & Acquisitions
Privacy & Security
Product Liability & Complex Tort
Real Estate
Real Estate Finance
Tax-Exempt Organizations
Trade Secrets, Computer Fraud & Non-Competes
Whistleblower & Corporate Internal Investigations
Related Key Industries

Cannabis

Blogs

BioLoquitur Blog

Additional Resource

Health Care, Life Sciences & Pharmaceuticals overview

EXPERIENCE

- **M&A Due Diligence.** Advise a university hospital system during its acquisition and consolidation of two local hospitals. We provided benefits support, advised on all aspects of the acquired hospitals' benefits programs and executive compensations arrangements, and otherwise continued to maintain the existing hospital benefit programs in compliance with applicable legal requirements. This included handling separation agreements, deferred compensation, severance and related issues for departing executives resulting from the acquisitions.

- **Tax-Exempt Governance.** Represent one of the nation’s largest organ and tissue procurement organization on various governance matters, including the development and adoption of a director compensation program.

- **Wage and Hour Litigation.** Represent one of the largest for profit and several not-for-profit health systems and academic medical centers in high stakes wage and hour litigation filed across Massachusetts, reaching favorable resolutions in all cases. The defense team provides comprehensive compliance guidance to these
clients in areas that include pay practices, employee classification, contractor and contingent staffing models, joint employment and pay equity.

- **ERISA Litigation.** Represent a health plan in obtaining a favorable motion to dismiss following a suit from a surgical center and its affiliated entities under ERISA and California law seeking unpaid or underpaid benefits for orthopedic, podiatry, and gastrointestinal services alleged rendered to Plan members.

- **Mergers and Acquisitions.** Serve as legal counsel to a publically traded cell therapy company in the merger agreement to acquire a privately-held clinical-stage developer of a transformative, non-genetically engineered, multi-antigen T cell therapy platform.

- **ADA and Title III.** Represent one of the nation’s leading health plan hospitals in its Title III and ADA access issues, including website accessibility.

- **Bankruptcy.** Successfully represent a Massachusetts health care insurance company in connection with multiple bankruptcy and receivership cases, especially issues arising in connection with insured and self-insured contracts for health insurance.

- **Patent Prosecution.** Managed the prosecution of all pending US patent applications, in the name of an Indian biotechnology company, before the US Patent and Trademark Office.

- **Telemedicine.** Represent a telePsychiatric company in the sale of its management company to a national telemedicine company operating in multiple states. We had previously served as its general counsel and were responsible for the due diligence and regulatory reviews.

- **Employment Counseling.** Advise a California-based health system's general counsel in managing and reviewing a variety of contracts and fielding a number of legal issues, including corporate and labor & employment counsel related to its anticipated sale to another health system.

- **Trademark Protection.** Successfully represented a global pharmaceutical company in a federal court lawsuit involving an attempt to introduce an over-the-counter product under a mark used by client.

- **Data Privacy.** Advise a health care system in evaluating potential data privacy breaches under state and federal law, and further developing and implementing mitigation response protocol.
• **Hatch-Waxman Litigation.** Represented a generic drug company in Hatch-Waxman litigation for a blood thinner prescribed for stroke, deep vein thrombosis, and other thrombic events. The litigation marks the first time the client has filed for generic entry as a “first-to-file” applicant in the United States.

• **Tax Counsel.** Served as tax counsel to a health and medical insurance provider in connection with its $100 million acquisition of a health plan that serves members in Arizona, California, and Texas.

• **Employment Training.** Conducted Board-level workplace optimization training, clinician remediation one-on-one sessions, risk-mitigating manager training, and staff workplace civility and workforce management trainings for employers across the globe.

• **Non-Compete and Wrongful Termination.** Represent health care advisory, health care management and utilization management review companies in actions involving breach of contract, wrongful denial of benefits, personal injury claims and non-competes.

• **US Department of Housing and Urban Development.** Represent a nursing home portfolio in connection with the refinance of an approximately $60 million mortgage term loan and the refinance and split of its revolving credit line, which resulted in seven separate loans: four separate mortgage loans insured by HUD; a bridge-to-HUD loan with an institutional lender; and two separate revolving credit lines.

• **Joint Venture and Alternative Investment.** Serve as special counsel to a top tier privately owned real estate development company in its joint venture with a senior living operator in connection with the anticipated future development, construction, and operation of skilled nursing, assisted living and/or memory care facilities across the US. Our team led the negotiation of the form of management agreement and certain ancillary agreements to be entered into between the property owner and wholly-owned affiliates of the senior living management company.

• **Medical Staff, Credentialing, and Peer Review.** Successfully advocated in physician due process hearing on behalf of medical staff and hospital system, resulting in upholding physicians' summary suspension, revocation of clinical privileges, denial of reappointment and removal from hospital medical staff.

• **False Claims Act Litigation.** Successfully defended managed health care plan and secured involuntary dismissal of high stakes qui tam action under California False
Claims Act for alleged Medi-Cal fraud.

Related News & Insights

SPEAKING ENGAGEMENT 03/11/2020
Sheryl Dacso to Present at the 2020 ABA Health Law Section’s Emerging Issues Conference

02/12/2020
Healing Health Care Workplace Cultures

LEGAL UPDATE 01/21/2020
New Surprise Billing Legislation and Rules Go Into Effect on January 1

ATTORNEY PUBLICATION 01/15/2020
Jesse Coleman authored an article in Texas Lawyer

Recognition

RECOGNITION 12/10/2019
Financial Times Honors Seyfarth with Innovation Accolades for Ninth Consecutive Year

RECOGNITION 11/01/2019
Seyfarth Earns Top Rankings - US News: Best Lawyers

RECOGNITION 05/30/2019
Seyfarth Earns Top Rankings in Legal 500 U.S. 2019
2019 Chambers USA Names 59 Seyfarth Shaw Lawyers as Leaders in Business Law