



## HEALTHCARE

### Better Health

Today's healthcare industry, combining the sciences, technology and healing arts, is subject to intense government scrutiny and fast-changing regulation that affects the delivery of services, drugs and devices. Entities that deliver healthcare services, along with those that create and manufacture the medical devices and drugs they prescribe, look to Barnes & Thornburg for guidance across their business platform.

With more than 100 healthcare practice lawyers who focus on healthcare regulation or lead transactional, litigation and intellectual property teams that guide our healthcare industry clients' wide-ranging needs, we understand the unique business and regulatory environment in which they operate. We bring together the right mix of experienced attorneys to provide practical, creative solutions to the evolving issues our clients face.

### Hospitals and Other Healthcare Providers

Barnes & Thornburg is valued for deep healthcare industry know-how and comprehensive advice to healthcare providers, guiding them through the maze of complex statutes and shifting regulations while seeking to minimize risk and meet their business objectives.

Many of our lawyers have hands-on experience working in healthcare, which allows us to understand the unique concerns and challenges that face the industry. Our team works with local, regional and national hospitals and systems, surgical centers, retail and wholesale pharmacies, physician organizations, federally qualified clinics, provider joint ventures, long-term care and senior housing facilities, healthcare trade associations, and insurers and benefit programs to address their operational, regulatory, legal and governmental investigation concerns — and most importantly, to help resolve their complex disputes.

We are valued for our problem-solving and consensus-building skills when

### 2023 Annual Healthcare Enforcement and Compliance Report

An overview of the latest and most significant FCA developments, enforcement trends, civil and criminal actions, industry guidance, and government policy updates from Barnes & Thornburg's Healthcare Industry Practice.

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### AREAS OF CONCENTRATION

Drug and Medical Device

Hospitals and Other Healthcare Providers

Life Sciences

advising on Medicare and Medicaid rules, state and federal health regulations, and the continuing changes to the Affordable Care Act. We help clients buy, sell and merge; establish and maintain compliance programs; conduct internal investigations; defend and respond to government and payer audits; address antitrust matters; and defend whistleblower qui tam actions. We also advocate for our clients in state and federal false claims investigations.

In an era of consolidation and unique joint ventures, our transactional and litigation skills, informed by sophisticated regulatory and reimbursement insight, is highly valued by our clients.

## **Drug and Medical Device**

Our skilled team of litigators – numbering more than 80 who focus on medical device, drug, toxic tort, and mass tort litigation – are part of a respected and effective trial practice with experience in courts across the U.S.

We manage drug and device product liability cases for Fortune 500 companies regionally and nationally, and serve as national litigation counsel in matters in the U.S. and internationally. We have defended class action and multidistrict litigation, totaling more than 1,000 medical device product liability actions in state and federal courts.

The team is uniquely positioned to manage sophisticated litigation and discovery, and we focus on early case assessment and effective case management strategies.

## **Life Sciences**

Biotech companies, hospitals, universities, and entities tackling the initial stages of research and development rely on our attorneys to assist with transactions, forming partnerships, and commercializing their intellectual property. Our team advises clients on entity formation and regulatory compliance. Our intellectual property attorneys have significant experience in licensing agreements to assist with getting innovations into the marketplace.

We partner with entities working in biotechnology, pharmaceuticals, medical and laboratory devices, healthcare and bioinformatics to advance key discoveries to the marketplace. We work with clients on trademark analysis, pharmaceutical patent prosecution, patent portfolio management, and Hatch-Waxman litigation.

With our deep bench of healthcare and life sciences attorneys and legal professionals, our team regularly counsels pharmaceutical and biological clients on the vital aspects of their business and product development.

## **Healthcare Practice Leaders**



**John E. Kelly**

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