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A Complex and Dynamic Industry

Healthcare is one of the most highly regulated and complex industries in the country today. Now more than ever, healthcare providers and businesses need legal counsel with the knowledge, experience, resources and perspective to effectively navigate the maze of issues confronting healthcare organizations. Carmody Health Law Group is ideally suited to represent and protect your interests.

A Healthy Outlook

Carmody is committed to helping clients manage the many forces changing the healthcare landscape. We represent healthcare industry players across a wide range of transactional and litigation matters including healthcare reform, federal and state regulatory compliance, risk prevention, patient care issues, labor and employment, HIPAA / health information technology, Medicare / Medicaid and third party reimbursement, non-profit law and medical malpractice defense.

Medical Malpractice Defense

When it's all on the line

With over 25 years of medical malpractice defense experience, Carmody is widely respected for its successful representation of hospitals, physicians and other healthcare providers. The firm is known for trying difficult, high-exposure cases, and has an impressive track record of over 90% of cases resulting in verdicts favorable to the defense. We have tried hundreds of cases on a wide range of medical issues involving:

- Cardiothoracic surgery
- Emergency medicine
- Neurosurgery
- Nursing care
- Orthopedic surgery
- Obstetrics
- Psychiatry

In particular, we have successfully defended a wide range of major claims brought against Connecticut hospitals and doctors, spanning:

- Claims of physician misdiagnosis resulting in severe injury and death
- Claims of negligent surgeries resulting in quadriplegia and death
- Mismanagement of labor and delivery, resulting in severe infant brain damage and cerebral palsy
- Psychiatric malpractice claims relating to the failure to prevent suicide



and homicide

- Sexual abuse in the course of the psychiatrist/patient relationship
- Claims of delayed diagnosis of malignant melanoma and cervical cancer arising from laboratory testing errors
- Claims of negligent treatment in the emergency room

Team consistency and cost efficiency

We collaborate closely with the defendant physician and risk management/in-house legal departments in the defense of malpractice cases. You will have the same legal team throughout the case to help ensure cost efficiency and avoid the duplication of effort that is, unfortunately, all too common in medical malpractice defense.

Creative strategies for a positive outcome

Clients appreciate our ability to develop innovative defense strategies. Our goal is to identify, at an early stage, which cases should be tried through verdict and which cases should be targeted for early resolution through settlement or mediation. This strategy has been successful in resolving cases with probable liability in a cost-effective manner, both in terms of litigation costs and indemnity payout. Additionally, we have successfully utilized bifurcation of liability and damages and high/low agreements to reduce exposure and increase predictability of the outcome.

Regulatory & Compliance

Handling Your Compliance Needs

Carmody advises on the full scope of compliance and regulatory matters involving licensure, billing and collections, fraud and abuse, and HIPAA privacy requirements, to name a few. Healthcare clients benefit from the combined perspective and experience of our corporate attorneys and litigators. With this approach, we help you develop compliance strategies, while providing skilled and effective defense if and when an administrative, civil, or criminal investigation begins.

- **Compliance Programs.** We provide sound, experienced and practical advice to help you develop a comprehensive compliance program.
- **Federal and State Government Investigations.** We assist clients through the entire investigation process, including representation before state professional licensing bodies, Medicare / Medicaid, the United States Office of Civil Rights (HIPAA), the Office of Inspector General (Fraud and Abuse), fiscal intermediaries, the Department of Justice and other government agencies.
- **HIPAA.** We handle all aspects of HIPAA compliance including Electronic Health Record (EHR) and Electronic Medical Record (EMR) compliance. We also provide representation against HIPAA-related charges or allegations.

Keeping the Hospital-Physician Relationship Strong

As the healthcare industry continues to evolve, so does the hospital-physician relationship. We handle the complicated issues surrounding



hospital-physician relationships, including credentialing policies and procedures, staff privileges disputes, exclusive service agreements, peer review matters and issues involving competition among providers. We regularly advise clients regarding analysis of and revisions to their bylaws, rules/regulations and other governance documents and procedures.

Hospital M&A and Conversions

Assisting an industry in transition

Carmody is experienced in handling healthcare mergers, acquisitions and similar change-of-control transactions. With a thorough understanding of the legal and regulatory issues affecting providers, we represent nonprofit and for-profit hospital organizations, physician groups, and specialized healthcare centers. Our work spans joint operating agreements, the acquisition of nonprofit hospitals by for-profit systems, and the unique issues associated with the conversion of nonprofit hospitals.

Physicians Groups

Driving the business of medicine

Leveraging our knowledge of the healthcare industry's federal and state regulatory requirements, we represent physicians and physician groups in all aspects of managing their businesses. Our lawyers are experienced in assisting our physician and physician group clients with the following:

- Physician/hospital joint ventures
- Acquisitions, mergers and sales of practices
- False Claims Act and qui tam litigation
- Regulatory and enforcement proceedings
- Antitrust claims
- Structuring physician practices
- Fraud and abuse
- Governance and restructuring
- Medical licensure
- Physician credentialing
- Practice management and compliance