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Health Care Contracts: A Clause-By-Clause Guide to Drafting and Negotiation provides inexperience contract drafters with the foundational knowledge necessary to draft sound health care contracts. Sample contract language and analysis is provided throughout this title so that a new attorney doesn’t have to start from scratch when drafting an agreement.

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**FRAUD AND ABUSE**  
**NEW EDITION**  
**The Stark Law: Comprehensive Analysis + Practical Guide**  
**SEVENTH EDITION**  
Charles B. Oppenheim, Benjamin A. Dunie, Amy M. Joseph, Authors  

This completely updated, revised, and significantly expanded new edition of *The Stark Law: Comprehensive Analysis + Practical Guide* is not just a summary of the law. It remains an in-depth critical analysis of Stark Law authority, interpretation, and enforcement.  
Sharing a wealth of insight, the authors provide an analytic overview to assessing Stark Law compliance questions, before addressing the legal effect of the regulations and the regulatory process and analyzing the implications of various federal cases and enforcement activity. Throughout the book, the authors include practical resources for advising clients on complying with the current state of the law and regulations, as well as a look at what future direction the law might take. They highlight themes that emerge in the regulations, identify key definitions and interpretive changes, illuminate problem areas, and suggest guidance for navigating each of them.  

New developments on fundamental issues are addressed in this Seventh Edition, including commercial reasonableness, considering the volume or value of referrals or other business generated, and fair market value. The authors expand their analysis on recent areas of focus, including two new chapters on curing temporary noncompliance and new exceptions for value-based arrangements.  
Continuing areas of concern are also considered in detail, with the benefit of updated analysis. The authors address physician recruitment concerns and detail the evolution in CMS’s view of the acceptability of percentage-based compensation, the continuing debate over specialty hospitals, and the viability of gainsharing and clinical co-management arrangements. Other coverage in this concise and comprehensive work includes models for Stark-compliant physician joint ventures, group practices and their applicable exceptions, developments in self-disclosure, and more.
Legal Issues in Health Care Fraud and Abuse
FIFTH EDITION 2022 CUMULATIVE SUPPLEMENT
Laure F. Laemmle-Weidenfeld, Author

This completely updated Fifth Edition offers broad coverage of the full range of U.S. fraud and abuse prohibitions, with practical application for your work in health care today. Addressing the latest trends in investigation, enforcement, and interpretations of the law, Legal Issues in Health Care Fraud and Abuse explains the sweeping changes seen in the health care industry, with over 600 pages of expert analysis and fully referenced real-world examples.

In-depth coverage of the Anti-Kickback Law, Stark Law, False Claims Act, and more, this book is a necessity for anyone who needs to understand the intricacies of how fraud and abuse laws are structured and enforced in the health care context, providing a foundation for your work in health law, covering:

- How health care is regulated in the U.S.
- How fraud and abuse laws are enforced by federal and state entities
- Practical advice on assessing and addressing risk
- Guidance on navigating relationships with the agencies and individuals enforcing the law’s prohibitions

Since the previous edition, the risks relating to fraud and abuse have evolved significantly, for reasons ranging from the proliferation of health care data, to the expansion of the use of technology in health care, to changes in the regulatory scheme resulting from the shift toward value-based payment. Every chapter analyzes the impact of these changes. Cumulative annual supplements keep you current by incorporating new rulemaking, judicial cases, and additional encyclopedia and advisory opinions, waivers, settlements, enforcement trends, and more.

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NEW EDITION

False Claims Act & the Health Care Industry: Counseling & Litigation
FOURTH EDITION
Robert S. Salcido, Author

In this new Fourth Edition of False Claims Act & the Health Care Industry, author Robert S. Salcido shares his deep insight on application of this federal statute to entities in the health care industry. Chapters include robust analysis of, and exhaustive citation to, interpretation by legislators, federal district courts, circuit courts of appeal, the United States Supreme Court, and relevant federal and state law examples.

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- Whether a case should be dismissed if a plaintiff relies on a regulatory guidance to establish falsity
- How courts have applied a “holistic” test to determine whether a false representation is material to the government’s determination to pay
- Whether relators can pursue additional claims against the defendant once the government intervenes
- What the government must show to dismiss qui tam actions over a relator’s objection
- What link must exist where an alleged FCA violation is based on an alleged violation of the Anti-Kickback Statute

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Best Practices Handbook for Advising Clients on Fraud and Abuse Issues

**FIRST EDITION**


This publication is a highly usable guide developed by health lawyers with extensive and diverse experience who lend a practical approach to the complex representation issues that permeate this area. Every health care attorney must consider and address potential fraud and abuse concerns in almost every transaction contemplated by a health care client.

From proactively managing risk, to disclosure and resolving disputes, you will have thorough guidance that spans the most frequently encountered areas and attendant issues. Timesaving sample forms and agreements are included throughout the work, along with guidance for completing the documentation.

Whether you are a general health care attorney or a fraud and abuse specialist, as you provide counsel in this complex and dynamic area, you will benefit from this title.

- Ethical concerns when counseling in the gray areas
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Fraud and Abuse Investigations Handbook for the Health Care Industry

**SECOND EDITION WITH DOWNLOADABLE CONTENT**

Paul W. Shaw, Robert A. Griffin, Authors

This Second Edition of Fraud and Abuse Investigations Handbook for the Health Care Industry provides not only the legal context surrounding health care fraud investigations, but also the insight critical to managing the process—and potentially the outcomes that follow. It is ideal for health care administrators, executives, medical directors, office managers, and physicians who need to arm themselves with a broad understanding of fraud and abuse enrollments.

The authors examine each stage of a fraud and abuse investigation, beginning with an overview of federal and state enforcement agencies, and concluding with a discussion of the potential collateral consequences of an investigation. They have supplemented their analysis extensively with sample documents, including indictments, requests for records, subpoenas, internal response memoranda, and responses to auditors, prosecutors, and more.

Highlights in the Second Edition include:
- Critically important changes in the handling of mandated and voluntary disclosures of overpayments, a result of regulatory activity since the First Edition:
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Health Care and the Business of Cannabis: Legal Questions and Answers

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With contributions from more than a dozen attorney practitioners, The Manual provides invaluable practical guidance covering everything from the transactional basics to deep-discussions for negotiating complicated deals. The book also contains more than 20 exhibits, ranging from a Sample Preliminary Due Diligence Request to a Sample Closing Checklist.

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Robert J. Flink, Editor in Chief
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- Managed care penetration into Medicare and Medicaid
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Print and eBook purchasers have digital access to hundreds of sample contractual provisions included throughout the book, as well as a fully annotated sample provider agreement.
Antitrust

Antitrust and Health Care: A Comprehensive Guide
SECOND EDITION
Christine L. White, Sarah R. Bras, David Marx, Jr., Authors and Editors
Joshua H. Sovern, Shajeeha Speyer, and Kati Wilhelm, Contributing Authors

The Second Edition of this publication squarely meets the practitioner’s need for a clear, concise overview of general antitrust principles, along with analyses of their application to the health care sector. Turn to it for guidance on any of the business activities your clients or organization are likely to be involved with: mergers, acquisitions, and other transactions; joint ventures, provider networks, and other collaborative arrangements.

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- Identifying conduct and language that could create antitrust “red flags”
- The creation, distribution, and use of emails, electronic documents, and other materials
- Antitrust safety zones, defenses, and immunities

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Medical Staff, Credentialing, and Peer Review

Medical Staff, Peer Review, and Hearing Guidebook
FIRST EDITION WITH DOWNLOADABLE FORMS
Christopher A. Adelman, S. Allan Adelman, Maggie Martin, Joshua Hodges, and Dan Mulholland, Authors

The Complete Medical Staff, Peer Review, and Hearing Guidebook reflects an experienced and practical approach that can be honed only through many years of practice. The authors and their predecessors have refined their approach to this critical subject over the course of eleven previous editions of three longstanding AHLA titles: The Medical Staff Guidebook, Peer Review Guidebook, and Peer Review Hearing Guidebook.

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Representing Physicians Handbook
FOURTH EDITION
A Task Force of the AHLA Physician Organizations Practice Group
Michael F. Schaff, Task Force Chair
Lisa Gao, Coordinating Editor
with numerous Contributing Authors

From regulatory compliance and business formation and operation, to tax consequences and reimbursement issues, this informative Handbook has become a go-to source for innumerable health law attorneys. Each chapter is written by a practitioner in his or her area of expertise. In addition to relevant background on the subject matter, the authors include helpful suggestions on how to advise clients on their business matters and in their dealings with health care institutions.

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Life Sciences
NEW PUBLICATION
Vaccine, Vaccination, and Immunization Law
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The ongoing pandemic has highlighted the importance of understanding federal and state law governing vaccines and vaccination. This new edition delves into this highly specialized field to explain key issues, including:

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2. Public mandates
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6. Government regulation of vaccine testing and approval for sale, manufacture, advertising, and distribution
7. Regimes for rationing vaccines in the event of a shortage
8. Protocols for responding to an epidemic, pandemic, or bioterror attack using an infectious disease
9. Patent protection, trademarks, and trade secrets

Additionally, the book offers helpful state-by-state coverage of vaccination requirements for both health care workers and patients.

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**SECOND EDITION**

Co-published with Stetson Hall Law School’s Center for Health & Pharmaceutical Law & Policy

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This edition synthesizes what can be an overwhelming quantity of authority into understandable analysis and practical action. The authors are among the leading experts in life sciences compliance. In these pages, they share their valuable perspectives on creating, managing, and monitoring an effective compliance program in today’s complex enforcement and business environment.

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Health Information

**Telehealth Law Handbook: A Practical Guide to Virtual Care**

**FIRST EDITION**

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Sokol, Tebruegge, Bookout, Ananwa, Fry, Jennifer Hansen, Nathaniell Lackman, Vivek J. Rao,
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Telehealth Law Handbook: A Practical Guide to Virtual Care will help you navigate the highly dynamic and state law-dependent practice of telehealth. Telehealth is changing relationships not only between physicians and patients, but also among providers, and between providers and payers. This Guide contains information on:

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- Telehealth regulatory requirements
- Telehealth practice and communication models
- Payment and reimbursement considerations, including telehealth payment and reimbursement rules under Medicare and Medicaid programs
- Telehealth commercial insurance and payment parity statutes
- Medical staff credentialing
- Ethics and liability issues
- Fraud and abuse compliance
- Corporate practice of medicine prohibitions
- Privacy and security issues
- Mobile health technology

This book is useful in developing your understanding of the complex rules surrounding this method of health care delivery.

**The Law of Digital Health**

**FIRST EDITION**

Bernadette M. Bresnahan, Lisa Schmidt Mazer, Editors in Chief and Authors

Shelley Buttimer, Vanessa K. Burnes, Jiyang Chen, Amanda Elyeart, Ryan S. Higgins, Sarah Hogan, Marshall E. Jasko, Jr., Ryan B. Marcus, Anusa Mohanant, Amy C. Penner, Michael W. Ryan, Dale C. Van Demark, Christine M. Ware, Scott A. Weinreb, Authors

Digital health is a highly dynamic ecosystem of technological innovation with profound effects on all facets of health care. The key components of today’s digital health are:

- Electronic health records and other health information technology
- Mobile personal engagement tools
- Big data and data analytics
- Telemedicine

This book explains how, taken together, these developments transform the provider-patient relationship, change the way research is conducted, trigger privacy and security concerns, alter relationships with health plans, and give rise to a new generation of innovation. Digital health participants face an outdated and ambiguous legal and regulatory framework and enforcement by state and federal regulatory agencies, including:

- State attorneys general
- Department of Health and Human Services Offices of Civil Rights, Human Research Protection, and Inspector General, among others
- State licensure and accreditation agencies
- Food and Drug Administration
- Federal Trade Commission
- Federal Communications Commission

This book provides both the fundamental understanding and tactical foresight you need to develop a comprehensive digital health strategy.

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False Claims Act & the Health Care Industry in whistleblower actions brought under the qui tam provisions of the FCA. handled cases under the FCA's voluntary disclosure provisions, and specialized appeal. Mr. Salcido was a trial attorney with the U.S. Department of Justice in

In the wake of these changes, courts across the country, including the This new edition analyzes legislative changes to:

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