

Health Law Transactions

In this era of health care reform and increasing financial pressures, keeping your business fiscally fit requires a careful weighing of opportunities and risks. Economies of scale suggest that bigger is better. But while consolidation may hold the key to greater efficiency and cost savings, increasing health care regulations and aggressive enforcement of antitrust laws add to the risks inherent in mergers and acquisitions, joint ventures, and other corporate and financial transactions. Noncompliance can result in significant financial penalties and disrupt operations, leading to lost business and revenue.

For over 20 years, companies and investors in the health care industry have turned to Mintz Levin for help with their most complex and sensitive transactional matters, including:

- Mergers and acquisitions
- Joint ventures and strategic alliances (for-profit, nonprofit, and mixed)
- Divestitures, disaffiliations, and unwinds
- Venture capital and other private and institutional financings
- Conversions of public and nonprofit hospitals
- Management services arrangements
- Contractual affiliations
- Corporate research and marketing partnerships
- Technology and IP licensing

Today our team includes one of the largest, most diverse groups of health care industry lawyers in the country. Our lawyers have the experience and skills to guide you through any complex health care transaction process, from initial risk assessment through closing. Working in every sector of the health care industry, we regularly help clients assess potential targets or strategic partners, manage the regulatory approval process, and structure and implement transactions that safeguard their legal interests while expanding their businesses and the reach of their services.

Representative Health Care Industry Transactional Clients

- Behrman Capital
- CVS Caremark Corporation
- DaVita HealthCare Partners Inc.
- DW Healthcare Partners
- Fidelis Care New York
- Healthfirst
- Healthpoint Capital
- Hudson Health Plan
- Lowell General Hospital
- Miraca Life Sciences, Inc.
- Montefiore Medical Center
- The Wartburg Adult Care Community



Quick Facts

- Cross-disciplinary legal team of seasoned transactional attorneys, former regulators, and health care industry specialists supplemented by attorneys from our Antitrust; Employment, Labor & Benefits; Environmental Law; Real Estate; Tax; and other practice areas
- Team members recognized for excellence by *Chambers USA* and *Best Lawyers in America*, and as Massachusetts, New York, and DC Super Lawyers
- Our Health Law Practice includes attorneys who have spent a significant portion of their careers in an in-house or government agency role

Representative Experience

- Counseled a nationwide dialysis services provider on a variety of transactions involving both acquisitions of dialysis clinics and joint ventures with dialysis providers throughout the United States
- Advised a national operator of skilled nursing facilities on the acquisition and sale of facilities in several states
- Represented a for-profit health care system in the acquisition of a nonprofit system and two regional, for-profit hospitals
- Advised an oncology services provider that operates radiation centers and surgery facilities across the country in forming contractual arrangements with a nonprofit, multispecialty medical group, providing care across eastern Massachusetts, and a large physicians' organization
- Represented a New York medical school and its Archdiocese member in a membership substitution transaction in which the membership was transferred to another educational institution
- Counseled a faith-based organization that provides nursing care, home care, and assisted living facilities in the financing of new facilities and management agreements for another property
- Advised a health care and life sciences private equity firm on the acquisition of a pathology laboratory company
- Worked with a New York nonprofit health plan in its acquisition of another New York nonprofit health plan
- Counseled a university on the acquisition of land and buildings for the establishment of a new medical school and related regulatory and accreditation issues
- Advised a health care-focused private equity firm on its acquisition of a specialty pharmacy in California
- Represented a behavioral health management company in a merger with another behavioral health management company
- Counseled a full-service pharmacy benefit manager and its affiliated companies in a merger with another pharmacy benefit manager, and served as lead counsel on the drafting and negotiation of related transaction documents between the parties, including ancillary services agreements and transition agreements
- Advised a global health care company on a variety of issues in connection with its acquisition of several health plans and provider groups, including health care regulatory due diligence, health care regulatory advice regarding transaction structure and strategy, and preparation of regulatory notices and other filings
- Represented a New York hospital in its affiliation with, and in becoming a member institution of, a large regional health care system
- Counseled a national independent laboratory on state, federal, and accrediting agency notice and approval requirements in connection with its acquisition by an international diagnostics and laboratory services company, and prepared over 100 filings to be submitted to a variety of agencies

Clients We Serve

We represent both for-profit corporations and nonprofit organizations with headquarters nationwide and abroad, including:

- Ambulatory surgical care providers
- Behavioral health companies
- Biotechnology and pharmaceutical companies
- Dialysis providers
- Home health agencies
- Hospitals and health care systems
- Independent laboratories
- Long-term care and post-acute providers (including skilled nursing and hospice)
- Managed care organizations
- Medical device companies
- Pharmacies
- Pharmacy benefit managers
- Physician practice management companies
- Private equity firms and other investors

Connect

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