

**Solving legal and business problems
of health care providers for over 40 years**



The Health Care Group®

Sister Company of The Health Care Group

Health Care Law Associates, P.C.

Achieving success often requires assistance from advisors with a demonstrated mastery of a broad range of health care skills. For over 40 years, The Health Care Group and Health Care Law Associates, P.C. have been at the forefront of medical and dental practice legal advisory and consulting.



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HEALTH CARE LAW ASSOCIATES, P.C.

BUSINESS LAW

- Buy-ins and Pay-outs
- Contract Negotiation / Review / Drafting
- Corporate Split-ups and Liquidation
- Corporate / Entity Documents
- Employment Contracts and Employment Law
- Group Practice Arrangements
- Income Division and Compensation Planning
- Inter-doctor Arrangements
- Mergers, Acquisitions and Joint Ventures
- New Associate Contracts
- Partnering Arrangements
- Practice Sales
- Practice Valuations

CORPORATE LAW

- Choice of Entity Considerations (PC, LLC, etc.)
- Corporate Representation
- Hospital / Departmental Practice Plans
- New Practice / Venture Start-ups
- Personnel Law
- Tax Planning

HEALTH LAW

- Compliance / Fraud and Abuse / OSHA / HIPAA / Stark
- Group Practice Without Walls
- Hospital / Medical School Practice Plan Arrangements
- Hospital Affiliations
- Medical Staff / Departmental Arrangements
- Medicare / Medicaid Regulations
- Regulatory and Compliance Issues Related to the Practice of Medicine

RETIREMENT AND ESTATE PLANNING

- Fringe Benefit Package Design
- Income, Gift and Estate Planning
- Partial Retirement Options
- Personal Retirement Planning
- Retirement Plan Development and Administration

HEALTH CARE CONSULTING SERVICES

COMPENSATION PLANNING

- Equitable Partner Compensation Formulas

INTER-DOCTOR ARRANGEMENTS

- Buy-in and Pay-out Arrangements
- Group Governance Structure
- Merger and Group Formation Facilitation
- New Associate Planning
- Partnering Arrangements
- Physician Compensation Strategies

PRACTICE EVALUATIONS

- Compensation and Staffing Issues
- Financial Health of Practice Review
- Practice Checkup / Survey

PRACTICE VALUATION SERVICES

- Negotiation and Contracting Support
- Practice Brokerage
- Practice Sale / Purchase
- Practice Valuation

RETIREMENT BENEFIT PLANNING

- Personal Retirement Planning
- Retirement Plan Design and Administration

STRATEGIC PLANNING

- Affiliation
- Expansion and Acquisition
- Merger
- Network Development Options

HEALTH CARE PUBLICATIONS AND EDUCATION PROGRAMS

ANNUAL SURVEYS AND PUBLICATIONS

Annual Surveys

- Goodwill Registry
- Physician Starting Salary Survey
- Staff Salary Survey

Books / Manuals

- Compliance Series: Medicare Fraud and Abuse, OSHA, Red Flags, HIPAA Patient Security and Privacy Training Module, HIPAA Breach Notification and Instructional Module, HIPAA Security and Privacy Business Associates Compliance and Instructional Module, and HIPAA Bundle
- Dermatology Practice Buy-Ins and Pay-Outs
- Medical Practice Buy-Ins and Pay-Outs
- Ophthalmology Practice Buy-Ins and Pay-Outs
- Ophthalmology Practice Transitions: Starting, Stopping and In Between
- Personnel Policy Manual
- Playing Fair: Planning Group Practice Compensation
- Professional Courtesy Manual
- Retirement Planning for the Physician
- Selling Your Medical Practice
- Selling Your Ophthalmology Practice

Newsletter

- Health Care Issues and Updates

EDUCATION PROGRAMS AND SEMINARS

We have presented educational programs on:

- Acquiring Practices: Buying Strangers, Friends and Enemies
- Adding Profitable Services
- Anti-Kickback, Stark and Other Violations

- Breach Notification Rule and HITECH
- Buy / Sell and Other Practice Contracts: Terms Meaning and Standards
- Dividing the Income Pie
- Fraud and Abuse
- It's Now Time to Get A Job
- Negotiations: Getting What You Want
- New Associate Economics
- New Doctor Contract and Compensation
- News You can Use: Top 10 Issues You Need to Know
- Physician Employment Agreements: The Basics
- Professional Courtesy Services
- Red Flags and Other Patient Data Privacy and Security
- Transitions to Practice (for Residents & Fellows)
- Valuations: Practice ACSs and Ancillary Entities
- What You Should Know About Contracts
- Young Ophthalmology Contracts

We have taught seminars for leading companies such as:

- 3M
- Abbott Labs
- American Health Lawyer Association
- Boston Scientific
- Ethicon
- Medical Group Management
- Medical Group Management Association
- Pfizer

We are proud to count the following medical societies and organizations among those who have relied upon our advice:

- American Academy of Dermatology
- American Academy of Family Physicians
- American Academy of Ophthalmology
- American Association of Oral & Maxillofacial Surgeons
- American College of Cardiology
- American College of Physicians
- American College of Rheumatology
- American Society of Cataract and Refractive Surgery
- American Society of Internal Medicine
- American Society of Ophthalmic Administrators
- Inga Ellzey Practice Group

PHYSICIAN FOCUS

As the size, structure and relationship of medical and dental practices evolve, physician and practice legal advisors must be fully prepared to meet the unique legal challenges presented.

By exclusively serving doctors, practices and other health care entities, Health Care Law Associates' attorneys regularly face all of today's complex corporate, business and health law issues, consistently helping doctors meet those challenges with skill and acumen.

PRACTICAL PERSPECTIVE

Health Care Law Associates, P.C. (HCLA) employs a business perspective in handling medical and dental practice legal matters. HCLA attorneys are planners who understand the business implications of the legal actions they recommend, and take a proactive approach in their advice. They anticipate and avoid problems, rather than untangling problems after the fact.

The Health Care Group®

The Health Care Group® was the first consulting firm to:

- take and apply a multidisciplinary approach to medical practice challenges and problems, including management, financial and personnel components;
- recognize the value of goodwill in medical practice and publish a nationwide guide to those values.

As medical practices have changed over the last 40 years, The Health Care Group® has adapted and grown to anticipate its clients' evolving needs. Today, The Health Care Group® is a full-service legal and consulting firm, serving health care professionals, medical practices, hospitals, ambulatory care centers, diagnostic centers and other entities.

The Health Care Group® is a team of business consultants and health care attorneys working together to provide clients with the services they need to achieve their goals.

Health Care Consulting

We create equitable income division plans, assist with merger, expansion, and acquisition planning, develop inter-doctor arrangements, perform practice appraisals, and provide retirement plan design and administration.

We also both value and evaluate practices for litigation to determine their "worth" and to improve their performance. We also broker practices for sale.

Health Care Law Associates

Health Care Law Associates, P.C., a sister company of The Health Care Group®, offers comprehensive business, tax and health law services for physicians, medical practices, health care facilities and other entities.

BUSINESS LAW

HCLA provides a full range of business, limited liability corporation, partnership and corporate law services, including: development and maintenance of practice legal arrangements for both for-profit and tax-exempt organizations; tax planning; contract evaluation; personnel law matters; group practice; practice sale; acquisition and merger agreements; corporate split-ups and liquidations; and retirement and benefit plan design.

During 40 years of practice, HCLA has negotiated and drafted all types of contracts and legal documents needed for successful, prudent practice operations. HCLA developed the approaches for buy-ins and pay-outs most commonly used by medical and dental practices nationwide. HCLA was an early proponent of alternate practice structures, such as tax-exempt professional corporations, teaching/research not-for-profit foundations, and the MSO-model corporate structure.

CORPORATE LAW

HCLA attorneys represent many medical, surgical and dental practices. We are well aware of the changes and subtle differences among them. Through this experience, we are able to develop comprehensive corporate documents that address your practice needs at that time. As new members come and go, we are here to handle the transactional

impact(s) and draft agreements to protect the practice. As a corporate client of HCLA, all interactions are covered by attorney-client privilege. Thus, we tend to form very close relationships with our clients to facilitate this free flow of information.

HEALTH LAW

HCLA was among the first law firms practicing in the field of health law. Among countless other health law services, HCLA attorneys assist clients with Medicare billing problems, reimbursement, and other compliance issues, evaluate merger and acquisition terms, offer advice about fraud and abuse implications of proposed ventures, and design hospital medical staff practice plans.

HCLA closely monitors developments in the health care industry. As providers adjust and respond to market developments, the firm provides counsel on the broadest range of issues, and keeps its clients up to date with (new) regulatory events which impact their practice(s). HCLA attorneys bring practical and real-life knowledge to their client engagements.

RETIREMENT AND ESTATE PLANNING

HCLA attorneys often represent the whole client, not just the practice. We engage in helping you to plan for what you expect to earn, and design tax strategies to maximize your wealth. From wills to retirement planning, HCLA lawyers are here to assist you at reasonable rates.

COMPENSATION PLANNING

Finding a method to fairly compensate physicians for various roles that they often play at the practice can be difficult for anyone. Involving your Administrator often makes matters worse. We are familiar with all of the different roles, including their incentives and disincentives. We can implement policies to incentivize members to perform in a reasonably and efficient manner.

INTER-DOCTOR ARRANGEMENTS

Strong and equitable inter-doctor arrangements are the backbone of a successful group practice. And, as the nature of a medical practice changes, so must the physician relationships that underlie its operational framework.

HCG consultants are experienced in the full range of inter-doctor transactions from starting compensation through appropriate buy-out arrangements and are nationally respected for our work with physician-employee contracts, buy-in and pay-out arrangements, and medical group compensation planning.

MANAGED CARE STRATEGIC DEVELOPMENT

The managed care environment changes the way medical practices deliver services. HCG experts routinely help clients assess their managed care strategic options, including traditional horizontal merger, network formation, expansion through new associate addition or practice acquisition, virtual integration, and equity partnership.

HCG emphasizes the need to incorporate many elements of a managed care strategic plan into a sound business plan, so that any move the practice makes involves business sense, first and foremost.

No matter what structure is the most logical for a client's practice – IPA, MSO, GPWW, IDS, PPMC, solo practice, or mega-group, HCG professionals help clients examine all their options and plan the most effective strategy.

PRACTICE VALUATION SERVICES

Medical and dental practice values are unique; therefore, specific experience in medical and dental practice sales is critical to gauging practice value. HCG consultants work with medical and dental practices every day.

HCG has more than 40 years' experience in practice valuations. Its annual Goodwill Registry is published nationally and relied upon by many professional firms. The Goodwill Registry assists advisors in assessing practice values and is the only publication of its kind. HCG has been and remains a leader in practice valuation.

RETIREMENT BENEFIT

A complete benefit package is a competitive advantage in recruiting both doctors and staff. HCG consultants provide a series of services, including design and administration of benefit packages and tax qualified retirement plans.

The Health Care Group[®] offers a battery of practice management aids, publications and education programs designed to meet physician's specific needs.

ANNUAL SURVEYS AND PUBLICATIONS

Physicians who read medical society journals or practice management publications know that HCG professionals have published hundreds of articles on health care legal, financial and management issues. Those articles have appeared in publications such as *Medical Economics*, *Group Practice Journal*, *Journal of Medical Practice Management* and various state and specialty society publications

Health Care Issues and Updates: A publication for physicians interested in current and emerging practice management and legal issues, *Health Care Issues and Updates* offers an overview of key trends in areas such as physician recruiting and contracting, health law, federal and regulatory changes, and personnel management.

Goodwill Registry: The *Goodwill Registry* compiles data on the intangible values of medical, dental and other specialty practices. By gathering and presenting information on "goodwill," the *Goodwill Registry* assists physicians and practice advisors in determining practice values. Reporting

transactions nationwide, it provides ranges and detailed data used to consider specific practice circumstances.

Physician Starting Salary Survey: Recruiting and hiring a new doctor is often a practice's most significant strategic step. The *Physician Starting Salary Survey* collects nationwide data on new-doctor compensation and is a valuable guide in that process. It reports the initial three years of salary and incentive information for newly-hired physicians, and includes information on co-ownership provisions, benefits and restrictive covenants.

Staff Salary Survey: As personnel costs escalate and competition of quality medical office staff increases, an accurate guide to salary and benefit levels is essential. The *Staff Salary Survey* provides nationwide salary statistics for more than 38 key office positions. Organized by position, years of service, and locale, the *Staff Salary Survey* also provides data on benefits, salary increases, reviews, paid days off and turnover rates. It is a valuable resource for solo and group practices alike.

SAMPLE HEALTH CARE PUBLICATIONS AND EDUCATION PROGRAMS

New Physician, Buy-In and Pay-Out focuses on legal and financial arrangements for growing practices. Issues: recruiting and hiring new physician; offering practice co-ownership; co-owner retirement, death or withdrawal; and more.

Ophthalmology Practice Transitions: Starting, Stopping and In Between is a comprehensive and in-depth review of the issues that all ophthalmologists should read. In today's ever-changing practice environment, the ophthalmologist must have an understanding of the professional, legal and business challenges that arise in the course of starting, growing and exiting from, a successful ophthalmic practice. It addresses the uncertainties along the way as they buy-in or buy-out physicians and if there are alternative approaches. From hiring through firing and then planning on how to retire, this is a "must have" publication.

Playing Fair: Planning Group Practice Compensation looks at effective and equitable division of group practice revenue. Topics include current trends in income division, strategic goals, group philosophy, and compensation for management tasks and during partial retirement.

Medical Practice Personnel Policy Manual is designed for managers and for physicians with personnel management responsibilities; it offers both legal and management perspectives.

Retirement Planning for the Physician addresses all issues from retirement, estate, and pension plans to buy-ins and pay-outs, including all ethical issues of practice closure. Sample letters are included for announcing a partnership, to announce a physician's retirement, for notification of a physician's death, and for physicians who are discontinuing their practice.

Compliance Planning encompasses all the steps necessary for a practice to create and implement a workable compliance plan for Medicare Fraud and Abuse, OSHA requirement, Red Flags or HIPAA regulations. The relevance of compliance planning is explored, along with the necessary details that an effective compliance plan should include. Participants are guided through the process of customizing a plan, staff training modules, covering all legal, technical and governmental issues.

For more information on our publications, please see our Products section by clicking here
<https://www.thehealthcaregroup.com/products.aspx>

EDUCATION PROGRAMS

The Health Care Group[®] is often commissioned to develop and present ongoing physician and medical staff education programs. In addition, HCG attorneys and consultants are frequent speakers at national and regional meetings. We can develop a 45-minute speech or a two-day event, made to the client's order. We provide not only speakers, but also a full range of material, including workbooks, supplemental materials and comprehensive slide shows available for attendees.

Please contact HCG for our most recent list of publication or for further information on seminars and programs.