

Health Care Litigation and Compliance

Health care professionals and health care institutions are devoted to administering highly skilled attention to the treatment and cure of serious medical conditions. Their avowed goal is to relieve suffering and prolong life, to provide answers to physical and mental concerns and to resolve medical problems. However, we all know that human life and human nature are unpredictable. Should a complicated malpractice claim arise, a licensing board investigation commence or a compliance issue become problematic, these professional care givers themselves require highly skilled legal assistance to answer their concerns, represent them in disputes and resolve complex professional problems. Andrews Kurth lawyers provide practical counsel and represent health care providers and provider organizations at trial, on appeal and in administrative and regulatory disputes.

Clients

Our clients include:

- Physicians
- Physician groups
- Hospital organizations
- Nurses
- Medical assistants
- Pharmacists
- Psychiatrists
- Psychologists, their independent practice associations and insurers
- Local and regional hospitals
- National hospital systems
- Medical schools

Health Care Representation

Regulatory Agency and Licensing Board Hearings. For more than 30 years, we have counseled professional, licensed health care providers in private practice and academic settings, including representation in proceedings before licensing boards and regulatory agencies. We have represented physicians in approximately 200 medical board investigations. Our experience gives us the capability to manage these challenges for our clients. From the first notification of a licensing board or regulatory agency investigation, we provide straight talk and counsel through the entire investigation and disciplinary process, to resolution.

Compliance Issues. Individual practitioners, physician organizations and health care institutions are fully represented with respect to compliance issues. By maintaining current knowledge of industry rules and regulations, such as the most recent rules on electronic transmission of health information, we provide practical advice on compliance with HIPAA and other laws regulating the confidentiality of health care information, insurance issues, maintenance and protection of peer review privileges, the Natural Death Act, the Health Care Quality Improvement Act, the Emergency Medical Treatment and Labor Act, among other state and federal laws regulating health care providers and institutions.

Medical Malpractice Claims and Qui Tam Litigation. Our lawyers counsel providers and institutions in all aspects of risk management and limiting professional liability, but there are circumstances where litigation is unavoidable. Our health care trial lawyers regularly defend clients in court and on appeal in cases involving:

- Medical malpractice claims against primary care doctors and physicians in high risk specialties such as anesthesia, surgery, obstetrics, neonatology, cardiology, emergency medicine and oncology
- Malicious credentialing claims and claims brought under the Emergency Medical Treatment and Labor Act against hospitals

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- Billing fraud allegations brought under the False Claims Act
- Product liability lawsuits involving pharmaceuticals and medical devices
- Claims of nursing malpractice

Qualified Counsel

Health care professionals and institutions want legal counsel that understand what they do and the environment in which they work. Andrews Kurth lawyers have deep experience in the health care industry and are committed to representing the best interests of our health care clients.