

## **ATTORNEY REFERRAL INFORMATION**

The ACR Legal Department provides referrals to attorneys for those radiologists and radiation oncologists who do not have representation, or who have an attorney but would like to consult with a specialist in a particular area of the law, such as medical staff bylaws. We also may provide general information on specific issues, such as contracts, with this referral sheet. Some of the information may be in sample format. Please be advised that any materials we provide are for informational purposes only and not meant to substitute for legal counsel.

While it is not essential that you have local counsel to represent you, your attorney should be familiar with your state law and administrative regulations pertaining to medical practice. Of course, it is important that you and the attorneys discuss fee arrangements, as well as the time they expect to spend on the matter, before retaining any of them to represent you.

Thank you for contacting the ACR Legal Department. If you need further assistance or have questions about the *Business Practice Issues* section of the web site, please call 1-800-227-5463 and ask for Dee Salem or you may email her at [dsalem@acr.org](mailto:dsalem@acr.org) or [legal@acr.org](mailto:legal@acr.org).

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Ericka concentrates her practice in regulatory and transactional health care law. She represents individual providers, physician groups and other health care entities (i.e. home health care agencies, DME companies, hospices, MRI facilities and surgery centers) in satisfying their day-to-day legal health care needs. Ericka has extensive experience in compliance counselling, structuring and implementing complex joint ventures to comply with state and federal laws and regulations, including Stark, Anti-Kickback Statute, fee-splitting concerns, the corporate practice of medicine and other restrictions on health care professionals. Ericka devotes a large part of her practice to advising professionals and practices on their contracts and compensation arrangements, and in assisting her clients in the acquisition and sale of health care entities. She works with providers in matters relating to HIPAA, fraud and abuse, billing audits, government investigations, licensure matters and contract disputes.

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Our attorneys assist hospitals and other institutional entities with federal and state regulatory compliance matters including Fraud and Abuse, Stark, False Claims Act, HIPAA, corporate compliance programs, corporate practice of medicine, fee-splitting, non-profit tax issues, and anti-trust. We also advise health care entities with regard to general corporate matters including drafting and negotiating management services agreements, physician employment agreements and other contracts and assist with the procurement and structuring of financing for various types of medical business ventures.

**Steven F. Banghart**

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Steve Banghart represents health care providers in various corporate transactions, regulatory compliance and the structuring of clinical integration programs. He also represents clients on the design and development of Medicare and commercial accountable care organization programs, processes and infrastructure. He lectures frequently on topics concerning managed care relationships and health care regulatory matters including clinical integration initiatives, accountable care organizations, anti-trust issues, HIPAA, fraud and abuse and the Stark law.

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Mr. Conley is a Partner in the law firm of Arnstein & Lehr LLP where he practices in the Firm's Business Group and chairs the Firm's Health Law Group. Mr. Conley concentrates his practice in health care, government agencies, and regulatory compliance matters. Mr. Conley is a past president of the Illinois Association of Healthcare Attorneys and served on its Board for six years. He has chaired the Illinois State Bar Association's Health Care Section Council and the Chicago Bar Association's Health Care and Hospital Law Committee. He remains active in bar association activities, currently serving on the Illinois State Bar Association's Standing Committee on Legislation and its Health Care Section Council as well as the Illinois Association of Healthcare Attorney's Diversity and Mentoring Committees. He is also an invited member of the American Society of Medical Association Counsel. A former appointee to the Illinois Secretary of State's Business Acts Advisory Committee, he is a founding member of the successor Institute of Illinois Business Law, a nonprofit organization whose mission is to study the operation of laws relating to business activities, to develop proposals for the improvement of such laws and to provide research and advice to members of the Illinois General Assembly on such laws

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W. Kenneth Davis, Jr. helps his health care industry clients design, structure and grow their businesses. Ken represents physicians, hospitals, ancillary service companies and other health care and e-health providers and businesses in transactional and regulatory matters. Ken counsels clients as they form new businesses, joint ventures, management and other service relationships, networks and other relationships aimed at integrating and improving the efficacy of the health care process. His work involves a myriad of matters including initial structuring and business model development, analysis of regulatory and reimbursement issues, private equity, debt-based and lease-hold financing, and mergers and acquisitions. He also regularly provides health care compliance counsel for clients. He is “highly regarded for his physician and managed care work” according to *Chambers USA*. Ken advises clients on many changing health care regulations, including the Affordable Care Act, the Stark Act, Health Insurance Portability and Accountability Act (HIPAA), the Federal Anti-Kickback Statute and several state laws and tax regulations. He counsels clients on financial matters such as reimbursement issues and private equity, debt-based and lease-hold financing. Prior to joining Katten, Ken served as vice president and general counsel for Princeps Inc., a Nashville, Tennessee-based physician practice management company focused on diagnostic radiology services. The company was the result of a merger between Healthcare Resource Management Inc. and Princeps Medical Practice Management Inc., which Ken co-founded and for which he served in dual capacities as chief operating officer and general counsel.

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Epstein Becker & Green, P.C., is a national law firm with a primary focus on health care and life sciences; employment, labor, and workforce management; and litigation and business disputes. Founded in 1973 as an industry-focused firm, Epstein Becker Green has decades of experience serving clients in health care, financial services, retail, hospitality, and technology, among other industries, representing entities from startups to Fortune 100 companies.

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Phil Frankfort has extensive experience in the field of health care, serving as general counsel to hospitals, physician practices and other health care providers. Phil's health care practice includes complex business transactions, corporate governance, and compliance with state and federal regulatory requirements, including licensure, fraud and abuse, tax-exemption, and managed care. Phil has more than 35 years of experience in representing closely held business entities, and the personal matters of their owners. His business representation includes formation, governance, mergers and acquisitions. Phil has also represented a variety of large and small tax-exempt organizations, including hospitals, social service and religious organizations, and private foundations.

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Lisa Katz uses her passion in law to bring a unique hybrid skill set in both the health care transactional and regulatory compliance space, as well as the financial services industry. On behalf of Lisa's healthcare provider clients, she interprets a broad range of regulatory and corporate compliance issues. These include privacy and security of health information, Medicare and Medicaid reimbursement, licensing and fraud, corporate and contract arrangements involving hospitals, clinics, surgery centers, physician groups and assisted living facilities, and clinical integration and alignment between hospitals, health systems and physician groups. Lisa also serves on the Board of directors for the Illinois Association of Healthcare Attorneys. Lisa diligently reviews and negotiates contract arrangements between hospitals and physician groups and other third party vendors to interpret both corporate and regulatory issues, negotiates clinical trial agreements and generally advises on other compliance matters for large physician and hospital providers, as well as skilled nursing and other rehabilitation facilities.

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Jim Lynch represents physicians in a variety of matters, including staff privileges, employment contracts, medical ethics and disciplinary matters. He has extensive experience with healthcare antitrust matters, and is a registered Dispute Resolver with the American Health Lawyers Association. He is a 1980 graduate of the University of Virginia School of Law and has received the highest rating from Martindale-Hubbell. His clients include the American Board of Radiology, the American Registry of Radiologic Technologists, and the American Society of Nuclear Cardiologists. Jim is licensed in Illinois and Minnesota.

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Thomas J. Reed has a Chicago-based national health law practice representing and advising physicians and medical staffs (primarily radiology groups, individual radiologists and radiation oncologists) on a variety of legal matters including hospital radiology service contracts; hospital/radiology group joint ventures; managed care agreements; internal group practice arrangements; antitrust; fraud and abuse; and staff privilege/credentialing issues. The firm has also represented professional societies including the Illinois Radiological Society, American Medical Association, and the American Academy of Orthopedic Surgeons. Two articles they co-authored, "Key issues in today's hospital radiology contracts" (*ACR Bulletin*, 2002 (5); 58) and Alternative Hospital Radiology Practice Models (*ACR Bulletin*, 2002 (6); 58), are available on the ACR's website.

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