John W. Kaveney

Partner

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- Represent healthcare providers and ancillary service providers across a wide range of legal issues
- Medicare and Medicaid reimbursement, healthcare corporate compliance, regulatory guidance, healthcare provider licensure and medical staffing concerns
- Information privacy and cybersecurity issues at the intersection of healthcare law, including issues under HIPAA and HITECH related to the protection of PHI

John provides legal guidance to healthcare sector clients on a broad variety of topics, including Medicare/Medicaid reimbursement issues, corporate compliance, data privacy and cybersecurity concerns, healthcare provider licensure and medical staffing concerns, involuntary commitment laws, and general healthcare regulatory support. He represents a diverse roster of healthcare entities, including for-profit and nonprofit hospitals and health systems, academic medical centers, individual physicians and physician groups, ambulatory surgery centers, ancillary service providers, medical billing companies, skilled nursing and rehabilitation facilities, behavioral health centers and pharmacies.

John advises on Medicaid reimbursement matters before the New Jersey Division of Medical Assistance and Health Services (DMAHS), which administers the state's Medicaid programs, and handles Medicare reimbursement disputes, both in New Jersey and in numerous other states, before the federal Provider Reimbursement Review Board (PRRB).

In the area of corporate compliance, John supports clients on matters including the implementation of new, and the assessment and improvement of existing, compliance programs. He assists healthcare clients in navigating compliance audits, internal investigations, and governmental investigations related to compliance issues, including potential violations of the federal Stark Law, Anti-Kickback Statute (AKS), and Civil Monetary Penalties law (CMP). He further provides general guidance concerning compliance and regulatory matters under state and federal healthcare laws.

On issues related to information privacy and cybersecurity at the intersection of healthcare law, John assists providers with issues arising under the Health Insurance Portability and Accountability Act (HIPAA) and the Health Information Technology for Economic and Clinical Health Act (HITECH). This includes the implementation and assessment of privacy and security policies and procedures to ensure the proper protection and utilization of protected health information (PHI) both by healthcare providers and the business associates with which they contract. In addition, he represents healthcare clients in investigating, reporting, and remediating information breaches and the liability such breaches create under various information privacy and security laws.

John also counsels healthcare providers with professional licensure issues and advises hospitals and health systems regarding their medical staff bylaws and corresponding policies and procedures, as well as assisting with internal investigations of medical staff members and the corresponding disciplinary process. He further provides legal guidance related to New Jersey's involuntary commitment laws, and provides representation in civil litigation.

John serves as Editor-In-Chief of Healthcare Perspectives, Greenbaum's blog covering issues of interest to the healthcare industry.

Areas of Focus

Practice Areas

- Healthcare
- Healthcare Regulatory & Compliance
- Healthcare Transactions
- Managed Care Contracting & Dispute Resolution
- Healthcare Litigation
- Federal False Claims Act & Insurance Fraud
- Hospital & Physician Reimbursement
- Regulatory Appeals
- Healthcare Private Equity
- Litigation
- Criminal Defense & Regulatory Compliance

Industries

- Healthcare
- Regulated Products

Credentials

Bar Admissions

- New Jersey, 2008
- New York, 2009
- U.S. District Court, District of New Jersey, 2008

Education

- Seton Hall University School of Law, J.D., 2008
- University of Notre Dame, B.B.A., 2005

Recognition

- Listed in *The Best Lawyers in America* (a trademark of Woodward/White, Inc.) in the Health Care Law practice area (2024 - present)
- Listed in *Chambers USA* (a publication of Chambers and Partners) in the Healthcare practice area (2026, 2021 - 2023)
- Listed in *Super Lawyers - New Jersey Rising Stars* (a Thomson Reuters business) in the Health Care and Professional Liability: Defense practice areas (2013 - 2018)
- Selected for inclusion by the *New Jersey Law Journal* on its 2016 "New Leaders of the Bar" list, the publication's annual listing of outstanding attorneys under the age of 40 and practicing in New Jersey

Other Experience

- Former judicial intern to The Hon. Thomas P. Olivieri, P.J.Ch. and The Hon. Harriet Farber Klein, J.S.C.

Experience

Representative Matters

- Representing 170 hospitals nationwide before the Medicare PRRB in challenges to CMS' historical calculation of IPPS rates dating to federal fiscal year 1986. The matter, valued in the hundreds of millions of dollars, seeks correction of longstanding reimbursement underpayments and remains pending before the PRRB.
- Representing over 300 hospitals nationwide in Medicare PRRB and federal court litigation challenging CMS' application of the rural floor budget neutrality factor affecting federal fiscal year 2024 wage indices. The firm secured expedited judicial review and filed suit in the U.S. District Court for the District of Columbia seeking declaratory relief and damages.

- Representing 173 hospitals nationwide in Medicare PRRB proceedings challenging CMS' exclusion of Section 401 hospital wage data from rural floor reimbursement calculations. This Medicare reimbursement matter, valued in the hundreds of millions of dollars, remains pending before the PRRB.
- Representing an emergency medicine physician practice in a dispute exceeding $11 million against UnitedHealthcare and affiliated entities arising from post-breach recoupment efforts following the Change Healthcare cyber incident, advising on recovery of lost revenue and structuring a resolution to preserve the practice's financial viability.
- Defending a major New Jersey health system against physician privilege-termination claims, including allegations of discrimination and improper peer review, where reinstatement would raise patient safety concerns; discovery completed and summary judgment pending.
- Representing two New Jersey health systems in high-stakes litigation against multiple Medicare Advantage plans seeking recovery of approximately $5 million in underpaid 340B drug reimbursements, following a U.S. Supreme Court decision invalidating the Center for Medicare and Medicaid Services' reimbursement reductions; matters are proceeding toward mediation and arbitration.
- Advising a local government agency on the formation of a compliant "friendly P.C." structure for the operation of New Jersey's largest psychiatric hospital, including drafting and negotiating all transactional and governance documents under New Jersey healthcare law.
- Served as lead counsel to a healthcare system in a high-profile legislative and appellate initiative to renew New Jersey's involuntary commitment law, coordinating testimony before multiple legislative committees, negotiations with state agencies, and appellate advocacy, culminating in passage and gubernatorial signing of legislation with statewide impact on hospital emergency care and public safety.
- Serving as outside regulatory counsel to a multispecialty provider of healthcare services, leading internal investigations and compliance reviews in response to federal scrutiny of physician billing practices, including platelet-rich plasma therapy and "incident-to" billing, and guiding corrective action to mitigate fraud-and-abuse exposure and protect Medicare participation.
- Advising a New Jersey-based applied behavioral analysis therapy organization in responding to a New Jersey MFD audit. This matter includes counseling the client on the MFD interview process, assisting in providing relevant documentation responsive to the audit, and advising the client on compliance with follow-up requests from the MFD in anticipation of an eventual resolution of the audit, including any repayment demands.
- Advising a global pharmaceutical company on its corporate compliance programs, internal policies and procedures, employee handbooks, codes of conduct, and general investigation methodologies
- Represented a global brand name pharmaceutical manufacturer in drafting and implementing a full-blown corporate compliance program following a settlement with the U.S. DOJ and execution of a corporate integrity agreement.
- Representing a pharmacy in restoring Medicare certification, resolving conditions-of-participation violations and securing CMS approval for re-enrollment, allowing the business to resume serving Medicare beneficiaries.
- Guiding an outpatient psychiatry practice through Medicare and Medicaid compliance remediation, addressing opted-out Medicare billing issues and regulatory inquiries to preserve continued operations and avoid

enforcement action.

Affiliations

Memberships

- Healthcare Financial Management Association New Jersey Chapter: CARE (Compliance, Audit, Risk & Ethics) Forum
- New Jersey State Bar Association
- American Health Law Association

Insights & More

Announcements

2027 Edition of Best Lawyers Recognizes 50 Attorneys in 38 Practice Areas
8.20.26

Chambers USA 2026 Recognizes Greenbaum, Rowe, Smith & Davis Across 10 Practice Areas and 18 Individuals
6.04.26

2026 Edition of Best Lawyers Recognizes 54 Attorneys in 41 Practice Areas: Eight Greenbaum Lawyers Recognized on “Ones to Watch” List
8.21.25

2025 Edition of Best Lawyers Recognizes 56 Attorneys in 39 Practice Areas: Ten Greenbaum Lawyers Recognized on "Ones to Watch" List; Three Selected for "Lawyer of the Year" Recognition
8.14.24

2024 Edition of Best Lawyers Recognizes 59 Attorneys in 38 Practice Areas: Twelve Greenbaum Lawyers Recognized on "Ones to Watch" List; Five Selected for "Lawyer of the Year" Recognition
8.16.23

Greenbaum Partner John W. Kaveney Featured in New Jersey Law Journal Litigator Q&A on Trending Issues for the Healthcare Industry
2.23.22

Client Alerts

Medicare Telehealth Flexibilities Extended Through 2027: Telehealth Gets a Two-Year Lifeline in Fiscal Year 2026 Spending Package
2.12.26

Telehealth Survives Again: Understanding the Latest Federal Flexibility Extension
12.08.25

Providers Beware: The Government Shutdown Has Reset Medicare Telehealth Flexibilities
10.08.25

New Jersey Legislature Revises Involuntary Commitment Law
9.27.23

Many Hospitals Remain in Noncompliance with Price Transparency Rule: House Committee Urges More Oversight
12.01.22

A Primer on Medicare Graduate Medical Education Payments
11.29.22

U.S. District Court Judge Vacates Unlawful Drug Reimbursement Rate For 340B Hospitals for Remainder of 2022
9.30.22

An Overview of The American Rescue Plan
3.24.21

On Eve of November 2 Deadline, ONC Extends Compliance Dates for Implementation of Cures Act Final Rule Requirements
10.30.20

Elective Surgeries and Invasive Procedures Set to Resume in New Jersey: Department of Health and Division of Consumer Affairs Issue Guidance
5.20.20

Second Emergency Stimulus Bill Provides $100 Billion in Additional Funding to Further Support COVID-19 Treatment and Testing
4.27.20

COVID-19 Emergency Legislation in New Jersey Impacts Healthcare Providers
4.17.20

Title III of the CARES Act: Supporting America's Health Care System in the Fight Against the Coronavirus
3.31.20

Department of Health and Human Services Expands Telehealth Benefits During COVID-19 Emergency; Waives Penalties for Potential Resulting HIPAA Violations
3.20.20

Healthcare Perspectives Blog

Out-Of-State Doctors Argue Free Speech Case Before the Third Circuit Challenging New Jersey's Telehealth Licensure Restrictions
4.10.26

Federal Court Dismisses Constitutional Challenge to New Jersey's Telehealth Law
5.22.25

Medicare Telehealth Flexibilities Are Once Again Extended
3.19.25

HHS Finalizes Rule Establishing Significant Financial Penalties for Information Blocking by Healthcare Providers
7.10.24

Medical Organizations Seek Clarifications from OCR Regarding HIPAA Obligations Surrounding Change Healthcare Cyberattack
5.27.24

House Committee Advances Bill Extending Pandemic-Era Telehealth Rules
5.13.24

IBM Security Report Underscores Significant Cost of Healthcare Industry Data Breach
8.01.23

Mandated Report from the MedPAC Offers Insights on the Utilization of Telehealth During the Public Health Emergency
6.22.23

HHS OCR Announces Expiration of COVID-19 Public Health Emergency HIPAA Notifications of Enforcement Discretions
4.13.23

Publications

Insurer Use of AI in Medicine and Health Care Draws Expansive Scrutiny
8.25

Insurer Use of AI in Healthcare Draws Expansive Scrutiny
Summer 2024

AHLA Corporate Practice of Medicine: A 50 State Survey, Third Edition
5.24

HHS OIG Seeks To Re-Focus And Re-Educate The Healthcare Industry on The Importance of Effective Voluntary Compliance Programs
Spring 2024

What the Expiration of the Public Health Emergency Means for Telehealth
Summer 2023

Health Care Providers Should Note Court's Clarification on Jury Waiver
3.12.23

'2 Troubling Litigation Trends': Medical Professionals Suffering Burnout Are Driving Health Care Lawsuits
2.17.22

A Primer on Medicare Graduate Medical Education Payments: What Hospitals Should Know About How the Government Calculates GME Reimbursement
Winter 2022

Seminars & Events

Involuntary Commitments: Much Has Changed in a Year
9.30.24

2024 Health Law Symposium
9.11.24

The Conclusion of the Public Health Emergencies: What This Means for Healthcare Providers and the Accommodations Put in Place by the Federal and State Governments
9.27.23

Regulatory Developments in the Healthcare Industry: What's New and What Lies Ahead
9.12.22

Medical Audits...Are you Ready?
6.14.21

The Business of Healthcare in the Pandemic Age: Six Months Into the New World of COVID-19
9.28.20

Delivering Healthcare in a COVID-19 World: What Providers Should Know to Adjust and Adapt to the Pandemic
6.16.20

Videos

Healthcare Regulatory Compliance: Turning Tech-Driven Risks into Strategic Opportunities
7.17.26