Healthcare Regulatory & Compliance

The healthcare sector is highly regulated and it's imperative that providers keep in step with its always evolving and often complex landscape of regulatory and compliance challenges. Greenbaum's healthcare law practice is at the forefront of advising healthcare entities and professionals across the full spectrum of regulatory and compliance issues, providing strategic counsel and practical solutions to a diverse range of clients including hospitals and health systems, physician practices and individual practitioners, ambulatory surgery centers, long-term care and nursing facilities, pharmacies, medical device and pharmaceutical firms, private equity funds, and healthcare technology companies.

Our team provides comprehensive regulatory counseling services, including compliance guidance related to issues arising under federal Stark Law, federal and state anti-kickback laws, and self-referral laws. We assist clients with federal and state regulatory approvals, provide counsel on the impact of regulatory requirements on healthcare transactions, and represent clients in fraud and abuse defense matters, including government investigations, audits, and enforcement actions related to alleged regulatory compliance violations. Our work also encompasses state licensure and certificate of need issues, state Attorney General, *cy pres* and Community Health Care Assets Protection Act (CHAPA) approvals, IRS exempt organization applications, antitrust counseling and Hart-Scott-Rodino pre-merger filings with the Federal Trade Commissions (FTC), Health Insurance Portability and Accountability Act (HIPAA), and Health Information Technology for Economic and Clinical Health (HITECH) Act compliance matters, and fraud and abuse counseling.

In addition, we navigate clients through New Jersey's strict corporate practice of medicine (CPOM) doctrine, which governs how physician practices can be owned, operated, and/or managed in the state.

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Experience

Representative Matters

- Advising a New Jersey-based ABA therapy organization in responding to a New Jersey Medicaid Fraud Division (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.
- 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.
- 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.
- Serving as outside general counsel to a large orthopedic surgical practice, advising on healthcare compliance, employment, corporate, and payor disputes, and securing regulatory relief that corrected systemic claims-processing errors and restored practice cash flow.
- Advised a healthcare company and its principals on regulatory and criminal compliance issues, including anti-kickback statute considerations, in connection with the launch of a competing healthcare business following the departure of an executive from a prior employer.
- Represented a global pharmaceutical company in successfully petitioning the New Jersey Supreme Court for special in-house licensure, enabling out-of-state counsel to practice in New Jersey on a permanent basis.
- Represented a real estate company as healthcare and regulatory counsel in developing assisted living facilities in Scotch Plains, East Brunswick, and Old Tappan in transactions exceeding $10 million.
- Represented a private investment fund in a CPA firm's acquisition of a medical coding company, navigating complex cross-border regulatory requirements involving India-based ownership.
- 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.

Insights & More

Client Alerts

From Supervision to Independence: New Jersey Rewrites the APN Rulebook
3.31.26

45 More Days: What NJ's Latest Emergency Extension Means for APN and PA Practices
2.23.26

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

Winter Freeze on Rulemaking but Compliance Heat Remains: What EO 7 Means for Healthcare Providers
2.06.26

NJ Healthcare Providers Are Impacted by Termination of Longstanding Pandemic-Era Emergency Declarations by January 16th Executive Order
1.22.26

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

The New Vaccine Patchwork: State Alliances and Regulatory Shifts
9.11.25

One Big Beautiful Bill Act: An Overview of Key Healthcare Provisions & Impacts
9.04.25

Navigating New Jersey's Medical Spa Regulatory Landscape: Key Compliance and Risk Management Considerations
7.24.25

CMS Issues Explanatory Guidance on Blanket Stark Law Waivers
4.30.20

HHS OIG Issues Policy Statement Regarding Temporary Federal Anti-Kickback Statute Waivers in Wake of COVID-19
4.23.20

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

An Overview of Several Recent Executive Orders from Governor Murphy
3.25.20

Healthcare Perspectives Blog

New Compliance Requirements for Off-Campus Hospital Outpatient Departments – Next Steps for Hospitals and Health Systems
3.30.26

Trump Administration Announces Deal with Pfizer on Most-Favored-Nation Drug Pricing and Launch of TrumpRx
10.20.25

From Capital to Clinics: California Reins in Private Equity Power to Address Corporate Practice of Medicine (CPOM) Concerns
10.16.25

New York Legislature Passes Medical Aid in Dying Bill Without a Residency Requirement
7.17.25

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

Criminalizing Reproductive Care and Abortion Services through Telehealth
2.13.25

Hospital Policy for Universal Urine Drug Testing of Pregnant Women Comes Under Scrutiny for Alleged Violations of State Law Against Discrimination
10.09.24

Constitutional Challenge to New Jersey Residency Requirement in Medical Aid in Dying Act Rejected
9.24.24

Medical Aid in Dying and Medical Tourism in New Jersey
8.26.24

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

HIPAA Privacy Rule to Support Reproductive Healthcare Privacy is Now Effective
7.09.24

SCOTUS Overrules Landmark Chevron Decision Providing Regulated Public with Broad Opportunities to Challenge Agency Interpretation and Implementation of Statutes
7.07.24

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

CMS Issues Minimum Staffing Standards for Long-Term Care Facilities
5.21.24

How Hospitals Can Meet Obligations Under EMTALA With Help from HHS and CMS
5.16.24

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

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

Publications

New Jersey Supreme Court Finds the Take All Comers Statute is Not an Unconstitutional Taking of Hospital Private Property: Next Stop...SCOTUS
Fall 2025

One Big Beautiful Bill Act: Key Healthcare Provisions & Effects
Fall 2025

Insurers, Providers Face Newly Fragmented Vaccine Landscape
9.24.25

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

Pros and cons: Can an alternative health plan cut your costs?
12.01.24

The Life and Death of Chevron Deference and the Future of Administrative Law
Fall 2024

Insurer Use of AI in Healthcare Draws Expansive Scrutiny
Summer 2024

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