

Healthcare

- Advise hospitals, health systems, physician groups, and healthcare investors on day-to-day operations, litigation, regulatory compliance, and complex transactions
- False Claims Act and insurance fraud investigations, Medicare and Medicaid reimbursement appeals, licensing and disciplinary proceedings before professional boards, medical staff privilege disputes, malpractice claims, and managed care reimbursement disputes
- Mergers and acquisitions, private equity investments, managed care contracting, and the formation and structuring of healthcare entities

Greenbaum's robust and comprehensive healthcare law practice provides strategic legal counsel and practical solutions to healthcare providers and organizations throughout New Jersey and beyond. From regulatory issues and complex transactional and litigation matters to day-to-day business counseling, today's healthcare industry faces a myriad of legal challenges that require the depth and breadth of a well-rounded and experienced team of professionals. With a deep understanding of the unique challenges and evolving regulatory landscape of the healthcare industry, our healthcare team assists clients in achieving their business objectives by helping them navigate complex legal issues, mitigate risks, and achieve sustainable success in New Jersey's dynamic healthcare market.

Our attorneys counsel a roster of clients that includes many of New Jersey's foremost healthcare systems, hospitals and medical facilities, medical staffs, organized delivery systems (ODSs), clinically integrated networks (CINs), independent practice associations (IPAs), physicians and physician group practices, dentists and dental practices, physician and hospital-physician joint ventures, pharmaceutical companies, managed care organizations, home health agencies, nursing homes, behavioral health organizations, healthcare industry vendors, medical device manufacturers, management service organizations (MSOs), private equity funds, and industry-associated financial and corporate entities. This inclusive representation has propelled the team to statewide and national prominence within the healthcare field. In addition, the firm publishes [Healthcare](#)

Perspectives, a legal blog covering issues of interest to the healthcare industry.

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Experience

Representative Matters

Healthcare Systems

- 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.
- Representing the largest healthcare system in New Jersey in drafting and negotiating design and construction agreements for capital projects across its hospital network, including interior renovations, specialty medical upgrades, equipment relocations, and large-scale parking garage construction.
- Representing a healthcare system in drafting and negotiating a uniform exclusive radiology services agreement implemented across multiple hospitals, standardizing contractual terms and negotiating arrangements with regional radiology groups.
- Representing a major healthcare system in litigation brought by a former physician alleging wrongful termination of privileges and antitrust and Lanham Act violations, resolving the matter through a favorable settlement.
- 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 a New Jersey healthcare system and its leadership in litigation arising from termination of a surgeon's staff privileges, defending claims for alleged wrongful suspension and lost income.

- 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.
- Served as lead counsel to a leading 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.
- Represented a New Jersey healthcare system in defense of antitrust and tort claims brought by a pediatric surgeon following revocation of privileges, securing a negotiated resolution.
- Represented a New Jersey healthcare system in defense of fraud, breach of contract, age discrimination, and CEPA retaliation claims brought by three physicians and their surgical group seeking more than \$9 million.
- Represented a New Jersey healthcare system and its Chair of Surgery in litigation brought by a trauma surgeon challenging a summary suspension of medical staff privileges. Following reinstatement through internal proceedings, the firm continued to defend the client in this \$2.4 million action, which settled before trial.

Hospitals

- 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 at 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's team secured expedited judicial review and filed suit in the U.S. District Court for the District of Columbia seeking declaratory relief and damages.
- Represented a coalition of New Jersey hospitals in a \$300 million constitutional challenge to the State of New Jersey's charity care and Medicaid reimbursement regime, defending the hospitals' takings claims through summary judgment, Appellate Division review, and New Jersey Supreme Court proceedings, resulting in published decisions affirming dismissal of the claims. The hospitals filed a petition for certiorari with the Supreme Court of the United States, which was denied.
- Assisted a New Jersey teaching hospital and biomedical research facility in securing local and county approvals for expansion of its Critical Decision Unit facility.

Physicians & Group Practices

- Representing a physician in an ongoing investigation by the U.S. Attorney's Office for the Eastern District of New York concerning alleged Medicaid fraud related to billing for non-medically necessary testing.
- 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.

- Representing a physician practice owner in a seven-figure action for diversion of assets against a practice management company, seeking recovery of misappropriated funds and restoration of operational control.
- Advised a medical practice in a Chapter 11 bankruptcy proceeding involving competing claims from a private equity sponsor, an acquisition lender, and the practice's physician owners. The matter addressed disputes arising from the dissolution of the practice, restrictive covenant issues, and claims exceeding \$35 million. The firm guided the parties to a global settlement and confirmation of a Chapter 11 plan of liquidation, resolving all claims.
- Represented a physician charged with conspiracy to commit healthcare fraud involving fraudulent billing for medically unnecessary compound medications submitted to New Jersey state and local health benefits programs and private insurers.

Specialty Providers

- Advising a New Jersey-based Applied Behavior Analysis (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.
- Successfully defended a company operating a post-acute network of skilled nursing and assisted living facilities in federal court, securing an order to dismiss a complaint alleging \$10 million in damages for a range of due process and emotional distress claims.
- Represented an endoscopy practice in its \$7.5 million acquisition by a major hospital system, addressing healthcare regulatory and transactional issues.
- Represented an unlicensed owner of a licensed clinical social worker practice in a state fraud and abuse investigation with potential seven-figure reimbursement exposure and possible criminal referral.
- Represented a leading senior care provider in dozens of guardianship proceedings for residents lacking family decision-makers, coordinating with the New Jersey Office of the Public Guardian to secure medical authority and Medicaid eligibility.

Healthcare Sector Vendors

- Represented a medical supply distributor and affiliated entities in a federal False Claims Act *qui tam* action alleging Medicare fraud, securing dismissal prior to the pleading stage through documentary evidence and sworn submissions, while claims against other defendants continued.

- Represented a medical device company in its \$50+ million sale to a Johnson & Johnson subsidiary, managing regulatory, diligence, and closing considerations.
- Represented a global medical equipment manufacturer in environmental permitting, ISRA compliance, and international corporate reorganizations, including resolution of Clean Water Act disputes resulting in \$20–\$50 million in avoided compliance costs.
- Advised a medical electronic billing company in its \$22 million sale (plus earn-out) to a national healthcare services provider.

Other Clients

- 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.
- Representing a pharmacy in restoring Medicare certification, resolving conditions-of-participation violations and securing Center for Medicare and Medicaid Services approval for re-enrollment, allowing the business to resume serving Medicare beneficiaries.
- Representing a clinical director subpoenaed by the New Jersey State Commission of Investigation in a wide-ranging inquiry into addiction treatment facilities involving alleged improper referrals, ownership structures, and quality-of-care concerns, with potential industry-wide reimbursement implications in the hundreds of millions of dollars.
- Representing targets and key witnesses in federal and state healthcare fraud and Medicaid fraud investigations, including matters involving potential exposure exceeding \$14 million, restitution risk, and incarceration, before New Jersey and New York authorities and the U.S. Attorney’s Office for the Eastern District of New York.
- 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.
- Advised a private equity client in the acquisition and subsequent exit from an urgent care practice, successfully extracting the client near its original investment with full indemnification after operational failures.

Published Cases

- In *Stilianessis v. Dionne, DMD* (2018), represented the plaintiff in a dental malpractice appeal before the New Jersey Appellate Division, securing reversal based on improper “net opinion” expert testimony standards.

Insights & More

Announcements

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

36 Greenbaum Attorneys Selected for Inclusion in 2026 Edition of New Jersey Super Lawyers
3.20.26

Greenbaum, Rowe, Smith & Davis Recognized on 2026 "Best Law Firms" List by Best Lawyers
11.06.25

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

Jemi Goulian Lucey Installed as Second Vice President of Association of the Federal Bar of New Jersey
6.10.25

2025 Chambers USA Guide Ranks Greenbaum, Rowe, Smith & Davis in Key Practice Areas and Recognizes 18
Attorneys as Leading Individuals
6.04.25

Sukrti Thonse Joins Greenbaum, Rowe, Smith & Davis as Associate
4.07.25

Thirty-Five Attorneys from Greenbaum, Rowe, Smith & Davis Selected for Inclusion in 2025 Edition of New
Jersey Super Lawyers
3.19.25

Greenbaum, Rowe, Smith & Davis Recognized on 2025 "Best Law Firms®" rankings by Best Lawyers®
11.06.24

James A. Robertson Recognized by Healthcare Financial Management Association New Jersey Chapter
10.13.24

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 Chambers USA Guide Ranks Greenbaum, Rowe, Smith & Davis in Key Practice Areas and Recognizes 20
Attorneys as Leading Individuals
6.05.24

John Zen Jackson Appointed Vice President of Medical History Society of New Jersey
5.09.24

Jennifer A. Belardo Joins Greenbaum, Rowe, Smith & Davis as Associate in the Healthcare Practice
4.07.24

Thirty-Four Attorneys from Greenbaum, Rowe, Smith & Davis Selected for Inclusion in 2024 Edition of New Jersey Super Lawyers

3.25.24

Greenbaum, Rowe, Smith & Davis LLP Shares Timely Insights in New Blog on Legal Issues for the Healthcare Industry

7.13.22

Client Alerts

Charitable Mission, Limited Immunity: What NJ's Supreme Court Says About Federally Qualified Health Centers

6.22.26

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

New Jersey Legislature Revises Involuntary Commitment Law

9.27.23

Eighth Circuit Imposes "But-For" Causation Standard for False Claims Act Cases Premised on Anti-Kickback Violations, Causes Circuit Court Split

11.15.22

New Jersey Supreme Court Ruling Clarifies Standards for Punitive Damages in Medical Malpractice Actions

8.30.22

HHS Issues Guidance Regarding Civil Rights Protections Under Rehabilitation Act and Affordable Care Act for Persons with Disabilities

2.07.22

New Jersey Enacts Legislation Imposing Annual Community Service Contributions on Nonprofit Hospitals

3.01.21

HHS Provider Relief Fund Payments: New Guidance on Coronavirus-Related Expenses and Lost Revenues

6.24.20

HHS Stimulus Actions: Attestation Deadline for Initial Distributions Extended to 90 Days; Attestation for Additional Distributions Required by June 3, 2020

5.27.20

HHS Extends Attestation Deadline to 45 Days for Payments to Providers Under CARES Act

5.08.20

CMS Issues Explanatory Guidance on Blanket Stark Law Waivers

4.30.20

HHS Announces Process for Additional \$20B in Stimulus Payments to Eligible Providers

4.29.20

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

COVID-19 Healthcare Law Update: CMS 1135 Waivers in the Wake of COVID-19

3.30.20

COVID-19 Healthcare Law Update: NJ Governor Phil Murphy Issues Executive Order 109; Effective Friday, March 27, 2020

3.25.20

An Overview of Several Recent Executive Orders from Governor Murphy

3.25.20

Healthcare Perspectives Blog

District Court Rejects Attempt by Disability Advocates to Prevent New York Medical Aid in Dying Law from Going into Effect

8.12.26

New York's Medical Aid in Dying Act Is Challenged As Discriminating Against Disabled Persons

7.15.26

A Response to the Big Beautiful Bill: Seven Days in June

6.02.26

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

4.10.26

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

3.30.26

ACA Marketplace Enrollment Declines in 2026: Coverage Shifts and Implications for Providers

3.24.26

Medicaid Financing Changes Under the OBBBA: Provider Tax Waiver Final Rule and Caps on Medicaid Manager Care SDPs

3.19.26

CMS Distributes \$10B in Rural Health Transformation Funding; \$147M for New Jersey

3.13.26

From the Big Beautiful Bill to the Great Healthcare Plan: President Trump and Congressional Republicans' Proposal to Reform the American Healthcare System

3.06.26

Enforcement of Litigant's Rights Under BME Order Upheld

2.12.26

Does a Witness' Deference to Different Specialty Concerning Diagnosis Constitute Concession of Lack of Qualifications to Provide Causation Opinion in Malpractice Claim?

12.11.25

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

First Circuit Decision Regarding Anti-Kickback Statute Standard Widens Circuit Split and Creates Potential for Supreme Court Clarification

7.29.25

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

7.17.25

Legal Risks and Challenges for Private Equity in Healthcare Acquisitions

5.29.25

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

5.22.25

Medicare Telehealth Flexibilities Are Once Again Extended

3.19.25

Foreseeability in Psychiatric Malpractice Claims

3.16.25

A New Standard of Care for Medical Liability?

3.06.25

Criminalizing Reproductive Care and Abortion Services through Telehealth

2.13.25

New Jersey Supreme Court Opinion Refines Affidavit of Merit Requirements for Malpractice Case Against Physician Certified in Multiple Specialties

1.30.25

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

NJ Appellate Division Upholds BME Suspension of Doctor's License

6.13.24

CMS Managed Care Final Rule Aims to Better Address Needs of Medicaid and CHIP Populations

6.11.24

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

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

6.22.23

A Giggle a Day?

6.07.23

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

4.13.23

BME Denies License Reinstatement in First Application of Statute Directing Refusal of Licensure Because of Conviction for Sexual Offenses

3.16.23

The Do's and Don'ts of Structuring Physician-MSO Arrangements to Comply with the New Jersey Corporate Practice of Medicine Doctrine

3.07.23

Tips for Addressing Dispute Resolution in Payer-Provider Contracts

2.07.23

Publications

Clean Energy in New Jersey: How Healthcare Facilities Can Save Money and Save the Environment
Winter 2025

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

Legal Risks and Challenges for Private Equity in Healthcare Acquisitions

Summer 2025

Legal Risks and Challenges for Private Equity in Healthcare Acquisitions

Summer 2025

Remembering the New Jersey- Born Physician Who Became the First Black Lawyer Admitted to Practice before the Supreme Court of the United States

3.14.25

The CMS Managed Care Final Rule: Access Standards, Consumer Surveys, Payment Standards and More for Managed Medicaid and CHIP

12.18.24

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

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

Seminars & Events

Withum's Healthcare Symposium 2025

12.09.25

The Karen Ann Quinlan Case: Its Legacy and New Jersey's Contributions to End-of-Life Jurisprudence Between 1975 and 2025

11.24.25

A Discussion of the New Jersey Supreme Court's Decision in Englewood Hospital & Medical Center v. State of New Jersey

10.30.25

AI in Healthcare

10.15.25

Managed Care Contracts: Medicare and Medicaid Considerations for Providers

5.17.23

Managed Care Contracts: Medicare and Medicaid Considerations for Providers

3.01.22