



# Robert W. McAdams, Jr.

With more than 30 years of experience, Bob is the past chair of the firm's Health Care Practice Group. As a tested and proven advisor, he has been described as the "go to" lawyer for clients' most difficult problems. Leveraging his experience, Bob uses a strong combination of legal and business judgment to successfully advise clients on how to navigate regulatory pitfalls and achieve success.

Bob has represented health care systems, hospitals, physicians, health care joint ventures, ancillary providers and their boards, in mergers, acquisitions, divestitures, joint ventures, alliances, formation, financing, criminal investigations, audit responses, business contracts, Medicare, Medicaid and third-party reimbursement matters, shared savings and other payment models, fraud and abuse compliance, software licensing, HIPAA and state data privacy compliance, co-management arrangements, ransomware incidents, productivity compensation methodologies and clinically integrated network guidance, including before the FTC.

## Representative Experience

- Represented a health care client in the acquisition of hospitals
- Represented a client in the successful defense of a Medicare recoupment effort
- Represented a health care system in the defense of a Qui Tam action brought by former employees
- Advised a physician-hospital organization consisting of more than 10 hospitals and 2,000 physicians, on the development and implementation of a clinically integrated health care model, including successful representation before the FTC
- Represented an ambulatory surgery center in its formation and ongoing operations
- Developed a shared savings distribution model for a clinically integrated network subsidiary of a health care system.
- Developed a hospital within a hospital venture and addressed all regulatory and contractual matters related thereto
- Advised a hospital system in the methodology to unwind a physician-hospital urgent care joint venture
- Represented a health care ancillary services company in defense of repayment claims made by Medicaid

## Partner

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Columbus, OH 43215

## EDUCATION

University of California Hastings  
College of Law, J.D., 1986

University of Virginia, M.B.A., 1980

University of Dayton, B.S., 1976

## SERVICES

### Health Care

- Fraud and abuse counseling, defense, prevention and compliance
- Clinical integration
- Antitrust counseling and litigation, including clinical integration
- Hospitals, surgery centers and specialty facilities
- Physicians and related organizations
- Intellectual property
- Business governance and best practices
- Mergers and acquisitions
- Data privacy and security, including HIPAA, HITECH and state data breach laws
- Security breach, malware and ransomware advice
- Regulatory and legislative advice
- Litigation
- Reimbursement and overpayment audit defense



- Represented a health care system in the acquisition of a large, complex physician organization
- Developed a clinical co-management arrangement used by a hospital for a certain discrete service line
- Represented a health care system in the negotiation of its strategic contractual relationships with high-end equipment manufacturers in contracts exceeding tens of millions of dollars
- Represented a health care system in the sale of its hospitals
- Represented a large physician group in the development of a physician member compensation methodology and its acceptance by the members
- Assisted a national company in the acquisition and development of surgery centers
- Represented a national health care company in the sale of its long-term care facilities
- Defended providers in a criminal investigation alleging kickbacks.
- Advised a health care entity's board on compliance matters
- Represented a long-term care company in on-going compliance matters
- Represented a telehealth company in legal and regulatory compliance matters
- Advised a national company on the acquisition of health care facilities
- Performed internal compliance investigations for a large health care system
- Advised a complex physician-hospital venture regarding data breach and privacy matters, including alleged potential breaches.
- Advised a health care client in a data ransomware incident
- Counseled a company on the acquisition and consolidation of several home health entities

#### **Bar Admissions**

Ohio

California (inactive status)

U.S. Court of Appeals for the Sixth Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court for the Northern District of Ohio

U.S. District Court for the Southern District of Ohio

#### **Presentations**

- "Recent Antitrust Developments in the Health Care and Pharmaceuticals Markets," American Bar Association Recent Developments Initiative, March 5, 2014
- "Health Care Reform and the Cost of Electronic Health Records," American Bar Association Business Law Section Spring Meeting, April 2011

## **SERVICES (CONTINUED)**

### **Business Growth & Operation**

- Business transactions
- Organization, planning and financing
- Compliance, including antitrust, licensing and franchising
- Corporate governance

### **Litigation**

- Health Care litigation

### **Business Competition, Advice & Litigation**

- Antitrust advice and litigation

### **Privacy & Data Security**

- HIPAA and HITECH compliance
- U.S. and international privacy regulation

### **Technology**

### **Corporate & Internal Investigations**

## **PROFESSIONAL ASSOCIATIONS**

- Litigation Counsel of America, Senior Fellow
- Columbus Bar Association, *Professional Ethics Committee*, 2011-2015
- Columbus Bar Foundation, Fellow
- American Health Lawyers Association
- American Bar Association, *Health Law Section*, *Antitrust Law Section*, Administrative Committee Director
- Diversity Law Institute



### **Publications**

- *Physician Law: Evolving Trends & Hot Topics*, American Bar Association Health Law Section, 2017 edition

### **Honors | Awards**

- Martindale-Hubbell<sup>®</sup>, AV Rating
- *Chambers USA*, Healthcare, Ohio
- *Ohio Super Lawyers*<sup>®</sup>, Health Care
- *Columbus CEO*, Central Ohio's Leading Lawyers, 2009
- *Columbus Business First*, Central Ohio's Leading Lawyers (peer voted), 2004-2005