

thought leaders



HEALTH CARE AND  
LIFE SCIENCES



# thought leaders

*Experts in all aspects of healthcare law.*

Client Feedback  
Chambers USA

The health care and life sciences industry is a powerful engine for the U.S. and global economies and has improved the quality of life for millions of people. But with greater opportunity comes greater risks: a constantly shifting regulatory landscape, fierce competition, and litigation pitfalls, among many others.

## THE HEALTH CARE INDUSTRY'S "GO-TO SHOP"

Epstein Becker Green (EBG) is the health care industry's "go-to shop for transactional, regulatory, and litigation work," according to Chambers and Partners, a respected publisher of law firm rankings. Founded by two health care partners in 1973, our firm has grown to become a national powerhouse with "a huge collection of star health care lawyers."

Our health care thought leaders counsel clients in every sector of the health care delivery system and throughout the life sciences industry, anticipating and guiding companies through the release of new regulations, closing vital transactions, and managing litigation with an eye on the long game to secure the best outcome for our clients' business, not just the case in front of us. We help our clients navigate the effects of proposed changes by the Trump administration to the Affordable Care Act and to regulatory, legislative, and enforcement environments, which would greatly impact our clients' business and compliance strategies.

## THOUGHT LEADERSHIP IN ACTION

Being a thought leader is more than just anticipating regulatory changes or responding to a shifting competitive climate. Our team has forged a new standard for the level of service, experience, and knowledge that health care clients should expect from their law firms.

For example:

- When the U.S. Department of Justice challenged the merger between two nonprofit hospitals—the first time it had ever done so—we successfully defended our client so that the deal could proceed.
- Our lawyers set the evidentiary standard for a plaintiff to defeat a motion for summary judgment in a "rule of reason" Section 1 health care antitrust case. We also proposed the U.S. Supreme Court's standard for evaluating health care arrangements under the "rule of reason," rather than the "per se" rule.
- We were the first law firm to be designated by the Health Information Trust Alliance as a Common Security Framework (CSF) Assessor. This designation is given only to organizations with distinct capabilities in identifying and addressing security risks for health care industry clients.
- We pioneered the use of statistical evidence for analyzing health care markets.
- We were one of the innovators of managed care delivery systems. EBG lawyers have provided key technical advice to Congress, federal agencies, and states throughout the development, passage, and implementation of managed care legislation.

## THE RIGHT TEAM FOR ANY SOLUTION

To better serve our clients' evolving needs, we established two consultancies focused on global and cross-sector policy solutions and legislative and regulatory advocacy. These partner organizations, which help us mobilize the right team for any solution, include:

### EBG Advisors, Inc.

Using its network of international lawyers, policy analysts, and industry strategists, EBG Advisors provides health care organizations with proactive business solutions across health care sectors, regulatory

jurisdictions, and international borders. With a far-reaching network of consultants, EBG Advisors is capable of supporting client innovations from ideation to full implementation.

### National Health Advisors

National Health Advisors educates and lobbies members of Congress, legislative staff, and senior administration officials on the most challenging issues facing our clients. Our team of policy veterans represents clients before Congress and federal agencies and offers vital guidance on proposed legislation and agency regulations.



## what they're saying

Ranked Nationally in Tier 1  
for Health Care Law

**U.S. News - Best Lawyers**  
"Best Law Firms"

Ranked in Healthcare Nationwide and  
in the District of Columbia, New York,  
and New Jersey

**Chambers USA**

Named a Top-Tier Recommended  
Law Firm in the Category of  
"Healthcare: Health Insurers"

**The Legal 500 United States**

*In a practice area that is wrought with regulatory risk and shades of gray, the health care law practice at Epstein Becker & Green provides practical and thoughtful advice that serves the client's business needs while minimizing the risk of government scrutiny.*

Client Feedback

U.S. News - Best Lawyers "Best Law Firms"

# challenge, meet experience

EBG has the experience that you need to handle every legal question—from routine filings to core business strategies to make-or-break litigation. Our advice is grounded in a thorough understanding of the challenges that you face every day.

## Challenge

Government enforcers have stepped up demands that health care companies implement comprehensive **compliance** programs.

**Pharmaceutical and medical device** manufacturers face scrutiny on a number of legal and regulatory requirements associated with the research, development, pricing, and promotion of their products—domestically and internationally.

U.S. **fraud** enforcement efforts now include multi-agency task forces, state attorneys general, and private government contractors. Private whistleblowers are more active than ever. Today, no health care entity is immune from the threat of a government investigation.

## Our Experience

▶ We develop compliance programs tailored to each organization and conduct training on specific areas of vulnerability, program implementation, and best practices for ongoing oversight.

▶ We advise on product development, the FDA approval process, reimbursement, and post-approval marketing, commercialization, and compliance.

▶ We defend health care organizations in connection with fraud and abuse investigations and False Claims Act litigation.

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