



Jennifer E. Michael

Member of the Firm

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JENNIFER E. MICHAEL is a Member of the Firm in the Health Care and Life Sciences practice, in the Washington, DC, office of Epstein Becker Green. She focuses her practice on federal and state fraud issues, including anti-kickback, self-referral, false claims, and regulatory compliance.

Before joining Epstein Becker Green, Ms. Michael served as Chief of the Industry Guidance Branch at the U.S. Department of Health & Human Services, Office of Counsel to the Inspector General. In that role, she led a team of attorneys responsible for interpreting and applying federal fraud and abuse statutes to a wide variety of arrangements across all segments of the health care industry. Under her leadership, the Industry Guidance Branch issued dozens of advisory opinions, the first-ever rescission of an advisory opinion, Special Fraud Alerts, policy statements, and various other guidance documents. In addition, Ms. Michael supervised rulemakings involving the federal anti-kickback statute and the federal civil monetary penalty law prohibiting inducements to beneficiaries. Her duties also included advising the Chief Counsel and other members of senior leadership at the Office of Inspector General (OIG) regarding the application of federal fraud and abuse laws to health care arrangements. As the leading source of knowledge on federal fraud and abuse statutes, she provided and supervised technical assistance to government officials at the Department of Justice (DOJ), the Centers for Medicare & Medicaid Services, and other state and federal agencies.

Ms. Michael's deep understanding of how the government interprets, applies, and enforces the federal fraud and abuse laws provides her with distinctive insights regarding the practical and legal implications of her clients' arrangements in a rapidly changing health care regulatory environment. Specifically, Ms. Michael:

- Provides advice and written legal opinions on matters involving the federal anti-kickback statute, the physician self-referral law (Stark Law), the False Claims Act, and equivalent state fraud and abuse laws and regulations
- Works with health care providers to structure compliant arrangements that promote care coordination and reflect the industry's transition to value-based care

- Helps health care organizations design and implement corporate compliance programs, prepare OIG advisory opinion requests, and conduct internal investigations and voluntary self-disclosures
- Defends clients undergoing civil and criminal investigation for health care fraud by the DOJ, the OIG, and other state and federal governmental authorities, including negotiating corporate integrity agreements
- Represents health care providers in regulatory compliance matters arising under Medicare, Medicaid, and other third-party reimbursement programs

Earlier in her career, Ms. Michael was an attorney in the Health Law practice of a national law firm. Prior to attending law school, she was a Supervising Senior Accountant and Certified Public Accountant at a Big 4 accounting firm.

Education

- University of Virginia School of Law (J.D., 2002)
 - *Virginia Tax Review*
- James Madison University (B.B.A., magna cum laude, 1995)

Bar Admissions

- District of Columbia

Practice Areas

- Fraud and Abuse Counseling and Defense
- Government Investigations and Litigation
- Compliance Counseling and Defense
- Government and Commercial Reimbursement
- Stark/Self-Referral
- Value-Based Purchasing and Accountable Care

Industries

- Health Care and Life Sciences Industry

Memberships

- American Health Lawyers Association