



Leonard Lipsky

Member of the Firm

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LEONARD LIPSKY is a Member of the Firm in the Health Care and Life Sciences practice, in the New York office of Epstein Becker Green. He was named to the *New York Metro Rising Stars* list (2013 to 2018) in the area of Health Care, and he received an Award of Excellence in the Study of Health Law from the American Bar Association's Health Law Section and the Bureau of National Affairs, Inc. In 2017 and 2018, he was recommended by *The Legal 500 United States* in the area of Healthcare: Health Insurers.

Mr. Lipsky provides strategic advice to health care providers and investors in the health care industry in the rapidly changing health care marketplace.

Regulatory Health Care

- Advises investors in health care businesses on compliance with the corporate practice of medicine and related structuring options and considerations
- Offers insight and strategies with forming clinically integrated networks, including accountable care organizations (ACOs), management service organizations (MSOs), independent practice associations (IPAs), physician-hospital organizations (PHOs), and population health arrangements
- Advises clients of New York State and federal legislative and regulatory trends and policy developments
- Counsels clients in health regulatory compliance matters, including self-referral (Stark Law), anti-kickback, and fee-splitting
- Advises various stakeholders in the medical marijuana/cannabis industry on compliance matters

Transactional Health Care

- Advises health care providers, including health systems, hospitals, ambulatory surgery centers (ASCs), nursing homes, long-term care facilities, and home health companies—and the financial institutions investing in health care companies—on the planning, structuring, and negotiation of health care transactions (mergers,

acquisitions, and joint ventures), business arrangements, and strategic partnerships, including transactions involving health systems, IPAs, ACOs, and private equity investors

- Counsels clients on for-profit and not-for-profit governance considerations, including preparation of governing documents (shareholder agreements, bylaws) and provides real-time advice and participation on board and shareholder meetings

Mr. Lipsky is a frequent speaker and author on legal issues in the changing health care environment. He is also a guest lecturer at Cornell Tech, co-teaching a fall 2018 course on digital health law, on the topic of fraud and abuse (anti-kickback/Stark).

Recent Representations

Mr. Lipsky provided advice to:

- A private equity firm that invested in a dental practice management company that supplies services to over 40 dental practices along the East Coast
- A private equity firm investing in the veterinary medicine space throughout the United States
- The MemorialCare Health System in the formation of a first-of-its-kind direct-to-employer ACO to serve the health care needs of employees (and their dependents) of The Boeing Company in Southern California
- Barnabas Health, a New Jersey hospital system in connection with its merger with Robert Wood Johnson, creating New Jersey's largest health care system—and one of the largest in the nation—now known as "RWJ Barnabas Health"
- A hospital system on structuring a new care coordination program at the hospital in a manner that complies with regulatory requirements and meets business needs
- A hospital system in its acquisition of two health care systems in the northeastern United States

Education

- St. John's University School of Law (J.D.)
- New York University (B.A., cum laude)

Court Admissions

- U.S. District Court, District of New Jersey

Bar Admissions

- New Jersey
- New York

Practice Areas

- Fraud and Abuse Counseling and Defense
- General Counsel Services
- Government and Commercial Reimbursement
- Health Regulatory Due Diligence
- Managed Care
- Mergers, Acquisitions & Divestitures
- Stark/Self-Referral
- Value-Based Purchasing and Accountable Care

Industries

- Health Care and Life Sciences Industry
- Ambulatory Care Facilities
- Cannabis Law
- Home Health, Hospice & Community-Based Providers
- Hospitals and Health Systems
- Investment Banks & Private Equity
- Physician Group Practices/Management
- Post-Acute and Long-Term Care Providers

Memberships

- American Health Lawyers Association
- New York State Bar Association

News & Publications

February 26, 2019

Two Recent Developments Are Easing Restrictions on Licensure and Transactions in the Home Health Industry

Health Care and Life Sciences Client Alert

December 18, 2018

Trends in Transactional Due Diligence: Thought Leaders in Health Law Video Series

August 29, 2018

Response to RFIs: EBG Submits Comments to CMS on Stark Law Reforms and Is Preparing Comments to OIG on Anti-Kickback Statute and Beneficiary Inducement CMP Modifications

Health Care and Life Sciences Client Alert

July 31, 2018

NYSDOH Requests Input to Develop Public Need Guidelines for Licensed Home Care Services Agencies

Health Care & Life Sciences Client Alert

December 28, 2017

5 Things to Know About Physician Practice Management

Physician's Practice

May 4, 2017

Leonard Lipsky Quoted in "Strategic Perspectives: Are ACOs 'Truly Here to Stay' or 'A Passing Fad'?"

Wolters Kluwer Health Law Daily and Health Reform WK-Edge

April 28, 2017

Five Epstein Becker Green Attorneys Featured in "Law360 Names Attys Who Moved Up the Firm Ranks in Q1"

Law360

January 24, 2017

Epstein Becker Green Attorneys Featured in "Law360 Names Attys Who Moved Up the Firm Ranks in Q4"

Law360

December 8, 2016

Amy Lerman, Stephanie Lerman, Leonard Lipsky Featured in "Who's News"

Crain's New York Health Pulse

November 22, 2016

New York State Office of the Medicaid Inspector General Releases Guidance on Compliance Program Reviews

Health Care and Life Sciences Client Alert

January 27, 2016

New York State Requires PBM Contracts to Include a Mechanism for Appealing Disputes Related to Generic Drug Pricing

Health Care and Life Sciences Client Alert

April 8, 2015

New York State OMIG Releases Work Plan for Fiscal Year 2015-2016

Health Care and Life Sciences Client Alert

June 10, 2014

Recent Decision Casts More Uncertainty Over New York Executive Order 38's Cap on Executive Compensation

HEAL Advisory

November 14, 2013

Negotiating a Hospital/Physician Employment Agreement, *in* Physicians' Weekly

March 15, 2012

Yes, You Can Show Deadweight Docs the Exit, *in* Outpatient Surgery Magazine (coauthor)

May 15, 2011

Selling Your Practice to Wall Street, *in* New Jersey Physician (coauthor)

April 15, 2011

Selling Your Practice to a Hospital, *in* New Jersey Physician (coauthor)

February 15, 2011

Legal and Business Issues Looming in 2011, *in* New Jersey ASC (coauthor)

November 15, 2010

Benefits of Converting an ASC to an HOPD, *in* Outpatient Surgery Magazine (coauthor)

September 15, 2010

Compensation Packages for Physician Group Practices: Options and Combinations, *in* Group Practice Journal (coauthor)

September 15, 2010

Successful Hospital-Physician Joint Ventures, *in* Outpatient Surgery Magazine (coauthor)