

John T. Gilbertson

Member of the Firm

Los Angeles

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JOHN (JACK) T. GILBERTSON is a Member of the Firm in the Health Care and Life Sciences practice, in the Los Angeles office of Epstein Becker Green. He has more than 20 years of experience providing legal, compliance, financial, tax, and consulting services to clients in the health sciences industries, including tax-exempt and for-profit hospitals and health systems, physician groups, integrated delivery systems, academic medical centers (AMCs), medical research institutions, health plans, pharmaceutical benefit management companies, pharmaceutical manufacturers, and medical device companies.

Mr. Gilbertson's experience includes:

- Representing AMCs, medical foundations, hospital systems, integrated delivery systems, physician groups, and other health science companies in a wide range of transactional and contracting matters, including mergers and acquisitions, joint ventures, services agreements (professional and ancillary service providers, employment and medical direction), and supply chain structuring, and conducting health regulatory due diligence
- Advising clients on executive compensation, government contracting, and Medicare and Medicaid reimbursement issues
- Directing corporate investigations for domestic and global health sciences companies, including discovery and evaluation of financial arrangements and interactions with physicians and other health care professionals, distributors, and sales agents and other third-party intermediaries, with a focus on key regulatory compliance issues, including anti-kickback, anti-self-referral, false claims, corruption (involving the Foreign Corrupt Practices Act), and Medicare and Medicaid programs
- Representing clients in government investigations and dispute resolution proceedings
- Assisting hospital systems and other health sciences companies with the assessment and application of regulatory requirements to key processes, and internal controls and systems, including those relating to billing,

coding, and collection; contracting; physician and vendor management; medical research; quality measurement and reporting; clinical documentation (including transition to ICD-10 and meaningful use of electronic health records); accreditation/conditions of participation; licensure; privacy and security; trade association and industry standards; and monitoring and auditing

- Representing AMCs, medical foundations, and hospital and integrated delivery systems on matters relating to tax-exempt status, including private benefit and inurement, governance, conflicts of interest, physician arrangements, joint ventures, community benefit, community needs measurement and reporting, compensation, intermediate sanctions, valuation, and compliance with requirements imposed under tax-exemption financing
- Developing, implementing, assessing, and executing key elements of compliance programs and related compliance functions for hospital systems and other health sciences companies, including programs relating to corporate compliance plans, risk identification and assessment, and monitoring and auditing activities

Before joining Epstein Becker Green, Mr. Gilbertson was a health care and government contracts attorney at an international law firm. In addition to his legal experience, Mr. Gilbertson's former practice as a certified public accountant includes an extensive background providing consulting, audit, reimbursement, forensic accounting, and tax services to local, regional, and global health sciences companies for over a decade at two of the world's leading Big Four accounting and consulting firms.

Mr. Gilbertson routinely publishes and speaks on a variety of key legal issues affecting health sciences companies. Since 2015, he has been selected to the *Southern California Super Lawyers* list in the areas of Health Care and Government Contracts.

Education

- Georgetown University Law Center (LL.M., 1999)
- Wake Forest University School of Law (J.D., 1991)
- Michigan State University (B.A., 1984)

Bar Admissions

- California

Practice Areas

- Compliance Counseling and Defense
- Fraud and Abuse Counseling and Defense
- Government and Commercial Reimbursement
- Government Contracts/Procurement

- Government Investigations and Litigation
- Health Regulatory Due Diligence
- Mergers, Acquisitions & Divestitures
- Privacy, Cybersecurity, and Data Asset Management
- Tax and Tax Exempt Counseling

Industries

- Health Care and Life Sciences Industry
- Academic Medical Centers
- Health Plans and Other Insurers
- Hospitals and Health Systems
- Medical Devices and Combination Products
- Pharmaceuticals
- Physician Group Practices/Management

Memberships

- American Bar Association
- American Health Lawyers Association
- American Institute of Certified Public Accountants
- 826LA (an affiliate of 826 National), Board of Directors, Corporate Treasurer
- Frank D. Lanterman Regional Center (Los Angeles, California), Administrative Affairs Committee
- Healthcare Financial Management Association
- Healthcare Financial Management Association (Southern California Chapter), Board of Directors, Corporate Secretary
- Los Angeles County Bar Association
- State of California Bar Association