



Sean J. Quinn

PARTNER

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OVERVIEW

In a field filled with fluctuating regulatory developments, Sean prides himself in distilling complex information into plain, digestible language for clients industrywide, resulting in sound, strategic decisions.

In fact, Sean has always appreciated the power of effective communication having served as a sports journalist prior to law school. Sean's current practice relies on the same skills he utilized as a contributor for ESPN and NFL beat writer in New York City. Investigating the facts, asking the right questions and attention to detail prove imperative in an ever-evolving healthcare landscape. He enjoys the challenge of staying on top of the latest healthcare regulations and rulings, tracking trends just like a news cycle.

Sean's practice focuses on healthcare regulatory and compliance issues, including fraud and abuse (Stark Law and Anti-Kickback Statute), government investigations, privacy and data security, operations, licensing, corporate governance, and Medicare/Medicaid reimbursement, among others. He counsels clients industrywide, including hospitals and healthcare systems, physician groups and providers, pharmacies, and pharmaceutical and medical device manufacturers. He regularly assists clients in structuring and analyzing arrangements and transactions, such as joint ventures and mergers and acquisitions, to reduce risk under fraud and abuse laws.

Additionally, Sean is an experienced litigator and appellate advocate, spending several years early in his career routinely defending healthcare providers against complex claims in state and

Industry

Healthcare

Services

Academic Medicine

Clinical Research & Trials

Data Privacy & Cybersecurity

Digital Health

Healthcare Litigation

Healthcare M&A, Joint Ventures,
and Other Transactions

Healthcare Operations

Healthcare Providers

Healthcare Regulatory &
Compliance Counseling

Medical Staff & Governance

Pharmacy

White Collar, Internal
Investigations, & Compliance

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federal courts, as well as in front of state licensing boards where he negotiated favorable settlements with the State Attorney General's Office. Such experience proves vital in defending *qui tam* and False Claims Act cases and related civil and administrative enforcement actions. Further, Sean's litigation background arms him with foresight and understanding of unintended consequences in conducting transactions.

Experience

MEDICARE/MEDICAID

- Structured arrangements between hospitals and physicians to comply with the Anti-Kickback Statute, Stark Law, and applicable state fraud and abuse laws.
- Advised home health agency on compliance issues, including Medicare billing requirements, related to new service lines.
- Advised health plan on issues related to prescription drug coverage requirements for Medicaid beneficiaries.
- Advised teaching hospitals and physician groups on compliance with Medicare billing requirements, including drafting policies and procedures related to resident supervision, documentation and overlapping surgeries.
- Advised long-term care pharmacy joint venture on potential liability under the Anti-Kickback Statute.
- Advised hospitals on issues related to self-disclosure, as well as Medicare Conditions of Participation and Conditions of Payment.

CORPORATE/TRANSACTIONAL

- Led corporate restructuring of business arrangements for long-term care operator, including changes of ownership in Arizona.
- Represented and advised physician groups in mergers and acquisitions with hospitals.
- Drafted agreements between pharmacies and hospitals regarding shared savings payments in relation to the 340B Drug Pricing Program.

Experience

- Negotiated physician employment agreements, including issues related to non-competes, on behalf of providers, physician groups, and hospitals, respectively.
- Advised physician groups on daily operations, including corporate governance, formation of new entities, and restructuring of current entities or arrangements.

DATA PRIVACY/CYBERSECURITY

- Drafted Health Insurance Portability and Accountability Act (HIPAA) and Health Information Technology for Economic and Clinical Health (HITECH) Act policies and procedures for a variety of healthcare clients, including pharmacies and physician groups.
- Represented providers and healthcare companies in responding to privacy and security data breaches.

INVESTIGATIONS

- Represented healthcare client in relation to an investigation by the U.S. Department of Justice and alleged violations of the False Claims Act.
- Represented long-term care operator in relation to an investigation and enforcement action by Arizona Department of Health Services, which sought revocation of license, among other penalties. Favorable settlement for client included no civil monetary penalties, no admission of liability and continued operation of facility at issue.
- Represented healthcare client in relation to investigation by Arizona Health Care Cost Containment System (AHCCCS)-Office of Inspector General (OIG) regarding improper payments.
- Represented providers with managed care organizations in relation to overpayments, underpayments, provider agreements and out-of-network billing arrangements.

Recognition

- Best Lawyers: Ones to Watch, Health Care Law, 2021-2024
- Thomson Reuters' *Southwest Super Lawyers*, Rising Star, 2020-2023

Education

- J.D., Syracuse University College of Law
 - *cum laude*
 - *Syracuse Law Review*, Executive Editor (published)
 - National Order of Scribes
 - Moot Court Honor Society
 - CALI Awards in Legal Communication and Research I & II
 - Winner, 12th Annual ABA Health Law Student Writing Competition
- B.A., Syracuse University, S.I. Newhouse School of Public Communications
 - Newspaper Journalism and History
 - Dean's List

Admissions

- Washington
- Arizona
- U.S. District Court, District of Arizona



2024 Best Lawyers Ones to
Watch