

## Robert G. (Bob) Homchick

Bob Homchick chairs Davis Wright Tremaine's national health care practice. As a health care regulatory lawyer Bob counsels clients in areas such as physician self-referral (i.e., the federal Stark Law and its state law counterparts), regulatory compliance and fraud and abuse. Bob assists hospitals, physicians, ancillary services providers, and others in acquisitions, the formation and operation of joint ventures and in the development and implementation of compliance programs. His extensive experience includes defending providers in government audits, investigations, administrative proceedings and litigation, including qui tam False Claims Act lawsuits.

Bob regularly speaks and writes on a variety of health law regulatory topics.

### Practice Highlights

- Works with community hospitals, physician groups and academic medical centers to resolve Stark Law and anti-kickback issues arising out of physician relationships, organizational structures and joint ventures
- Represents various health care clients in formation or acquisition of new entities
- Assists a variety of clients in conducting internal investigations of compliance issues, developing corrective action plans and making voluntary disclosures to the government
- Represents several physician groups and hospitals in establishing joint ventures to provide specialized services such as stereotactic radiosurgery, nuclear medicine, wound care and various types of imaging
- Assists community hospitals in creating systems for evaluating and tracking financial relationships with physicians

### Presentations

"Top 10 Lessons Learned from the Physician Practice Acquisition Wars—An Advanced Course in Managing Expectations," American Health Lawyers Association Annual Meeting and In-House Counsel Conference, Seattle, 06.29.10

"ACO Governance and Legal Issues," National Accountable Care Organization Summit, Washington, D.C., 06.08.10

"Fraud and Abuse in Health Care Reform: Will You Know It When They See It?" Health Care Reform: The Law and Its Implications, American Health Lawyers Association, Arlington, Va., 05.11.10

"2010 Health Care Regulatory and Compliance Update," Millennium Biltmore Hotel, Los Angeles, 03.23.10

"Law & Economics in the World of Hospital/Physician Integration," Hospitals and Health Systems Law Institute, Sponsored by the American Health Lawyers Association, Miami, 02.25.10



**Robert G. (Bob) Homchick**

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Chair, Health Law Practice*

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### Related Practices

Health Care  
Health Care Regulation & Compliance  
Health Care Business & Transactions  
Health Care Operations  
Health Care Reimbursement & Payment  
Health Care Litigation & Dispute Resolution  
Health Care Clinical Research & Intellectual Property  
Government Investigations  
Litigation

### Related Industries

Health Care  
Hospitals  
Physician Groups  
Research and Academic Institutions

"Law & Economics in the World of Hospital/Physician Integration," Physicians and Physician Organizations Law Institute, Sponsored by the American Health Lawyers Association, Miami, 02.24.10

"Fraud and Abuse Fundamentals, Part I: Anti-Kickback," American Health Lawyers Association, Webinar, 02.18.10

"Fraud and Abuse: Overview, Update and Case Studies," Annual Washington State Society of Healthcare Attorneys Conference, Vancouver, B.C., Canada, 11.06.09

"Advanced Stark: A Case Study," Fraud and Compliance Forum, American Health Lawyers Association, Baltimore, 10.05.09

"Potentially Problematic Physician Transactions," Health Care Webinar Series, 07.28.09

"Public Interest Dialogue: A Report from the Stark Convener," 2009 American Health Lawyers Association Annual Meeting, Washington, D.C., 07.01.09

"Board Sins of Omission: Failure to Oversee Quality Creates Fraud and Fiduciary Liabilities", 06.29.09

"2009 Health Care Compliance and Regulatory Update," Millennium Biltmore Hotel, Los Angeles, 05.12.09

"Stark Morass in Academic Medicine," Operationalizing Stark: From Complexity to Reality seminar, AHLA Institute on Medicare and Medicaid Conference, Baltimore, Md., 3.24.09

"Provider-Based and Under Arrangements Billing: Compliance Case Studies," AHLA Fraud & Compliance Forum, Baltimore, 10.05.08

"Getting Hit from All Directions: The 2008 Auditing Landscape," Healthcare Financial Management Association Fall Conference, Cle Elum, Wash., 09.24.08

"Stark Gone Wild: The 2009 IPPS Final Rule," WSSHA Quarterly Meeting, Seattle, 09.16.08

"Potential Impact of the Stark Law on PFS," Marwood Group, Teleconference, 07.11.08

"Developments in the Stark Law: Insights, Illustration and Illusions," AHLA Annual Meeting, San Francisco, 06.29.08

"Developments in Medicaid Integrity," Health Care Compliance Association, Seattle, 06.06.08

"Health Care Regulatory and Compliance Update," Co-hosted with Hospital Association of Southern California , 05.20.08

"Working with Consultants: Part II: Coding, Compliance and Business Process Consultants," AHLA, Teleconference, 05.13.08

"Health Care Regulatory and Compliance Update," Co-hosted with Hospital Council of Northern & Central California, 05.01.08

"Medicaid Integrity: Everyone into the Pool," Health Care Compliance Association, New Orleans, 04.13.08

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"Lessons from Merck's \$671 Million Medicaid Drug Pricing Settlement," National Pharma Audioconference, Moderator, 03.26.08

"Working Through the Maze: Under Arrangements, Stark and Provider-Based Rules," American Health Lawyers Association, Washington, D.C., 01.24.08

"Medicaid Audits, Enforcement and Integrity," Washington State Society of Healthcare Attorneys, Vancouver, B.C., 9.9.07

"Proposed Stark Law Changes in 2008 Fee Schedule," Audioconference, American Health Lawyers Association, 8.8.07

"Medicaid: The New Enforcement Frontier?" American Health Lawyers Association, Chicago, 6.25.07

"Joint Ventures Part I and Part II" and "Navigating Rough Waters," Davis Wright Tremaine and the Hospital Council of Northern & Central California, Oakland, Calif., 6.5.07

"Joint Ventures Part I and Part II" and "Navigating Rough Waters," Davis Wright Tremaine and the Hospital Association of Southern California, Los Angeles, 5.31.07

"Stark Law Update," Washington State Society of Healthcare Attorneys, Seattle, Wash., 4.27.07

"The New CMS Rules Governing IDTFs," Moderator, Audioconference, American Health Lawyers Association, 2.20.07

"The Role of Financial Incentives in Healthcare—Gainsharing Update," Health Affairs Audioconference, 1.10.07

"Health Law Digest Stark II," AHLA, February 2001

### **Advisories**

Where Are the Private Sector Innovators?, 08.04.10

Accountable Care Organizations - Don't Ignore the Hype, 06.03.10

Health Care Reform: New Insurance and Tax Rules for Businesses, 04.09.10

Health Care Reform: The Regulatory, Compliance, and Fraud and Abuse Developments Providers Must Understand Now, 04.01.10

Congress Substantially Broadens Scope of False Claims Act, 06.02.09

New Stark Amendments Affecting "Under Arrangements," "Percentage" and "Per-Click" Leases: Deadlines Approaching, Rumors Flying, 04.22.09

RAC Stop Work Order Lifted: RAC Moving Forward, 02.09.09

CMS Releases 2009 Final Physician Fee Schedule: New rules for mobile IDTFs; final anti-markup provisions under the PDT rule, 01.06.09

OIG "Yellow Lights" Gainsharing and Pay for Performance, 10.22.08

New Final Stark Rules: CMS Enacts Sweeping Changes, 08.06.08

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Voluntary Disclosure: Look Before You Leap: Five steps every provider should take before disclosing to the government, 07.17.08

CMS Proposes Another Layer of Stark Regulation, 04.22.08

Washington Legislature Contemplates New "Baby" Stark Law, 01.25.08

STARK II PHASE III: More Changes; More Complexity, 09.05.07

Washington's New Medicaid Audit Regulations: No More Mr. Nice Guy, 07.24.07

CMS Proposes Changes to the Stark Regulations in the Medicare Physician Fee Schedule Rule, 07.12.07

### **Books / Publications**

"Fraud and Abuse in Health Care Reform: Will You Know It When They See It?" American Health Lawyers Association Members Briefing, 05.11.10

"FERA and the New World of False Claims Act Risks," Journal of Health Care Compliance, 01.01.10

"Northwest Has a Head Start," Puget Sound Business Journal, 10.23.09

"Federal Physician Self-Referral Restrictions," 2009 Cumulative Supplement, Second Edition, Health Care Fraud and Abuse: Practical Perspectives, American Bar Association, October 2009

"A Public Policy Discussion: Taking the Measure of the Stark Law," American Health Lawyers Association Public Interest Committee, August 2009

"Hospital Boards' Growing Role," Puget Sound Business Journal, 07.24.09

"Stark Marches On: The 2009 IPPS Final Rule," American Health Lawyers Association Member Briefing, October 2008

"Stark II Phase III Final Rule: No End in Sight," American Health Lawyers Association Members Briefing, September 2007

"Stark Phase II Final Regulations," American Health Lawyers Association Members Briefing, May 2004

"Stark II Phase I," American Health Lawyers Association Members Briefing, February 2001

"New Anti-Kickback Safe Harbors and Shared-Risk Exceptions," American Health Lawyers Association Members Briefing, December 1999

"OIG Says No To Hospital Gainsharing," American Health Lawyers Association Members Briefing, July 1999

### **Professional & Community Activities**

- Board of Directors, American Health Lawyers Association
- Past Chair, Practice Group on Fraud and Abuse, Self Referrals and False Claims, American Health Lawyers Association

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- Past Chair, Health Law Section, Washington State Bar Association
- Past President, Western District of Washington, Federal Bar Association

#### **Professional Recognition**

- Named as one of the "Best Lawyers in America" in Health Care Law by Woodward/White, 2001-present
- Selected to "Washington Super Lawyers," Law & Politics, 2004-2010
- Named as one of "155 Top Lawyers" by Seattle Magazine and Seattle Business Monthly, 2007
- Recipient of the "Patricia Meador Leadership Award," Practice Group on Fraud and Abuse, Self Referrals and False Claims, American Health Lawyers Association, 2009

#### **Education**

J.D., University of Notre Dame Law School, 1982, summa cum laude

B.A., University of Puget Sound, 1979, summa cum laude

#### **Admissions**

Washington, 1983

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