

PRACTICES:

- Litigation
 - Health Care
- Corporate
 - Health Care
 - Joint Ventures and Strategic Alliances
 - Mergers and Acquisitions

INDUSTRIES:

- Health Care



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Experience

Charlene L. McGinty concentrates her practice in the areas of health law and regulatory compliance. She represents a broad range of health care providers and companies, including hospitals and health systems, physicians and physician organizations, academic medical centers, ancillary service providers and other related entities on a variety of matters, including transactional, operational and regulatory work. Ms. McGinty has represented clients in the areas of federal and state regulation (including Medicare, Medicaid and private payor reimbursement issues), mergers and acquisitions, restructurings and divestitures, joint ventures and affiliations, structuring of business relationships, facility operations, health service delivery, professional services contracts, physician recruitment, managed care arrangements, tax exemption issues and corporate governance and internal investigations and compliance matters. Additionally, Ms. McGinty represents physicians and physician organizations in all legal aspects of their practice, including federal and state fraud and abuse and physician self-referral laws, fee splitting, corporate practice of medicine, compliance audits, physician recruitment and HIPAA privacy implementation.

Ms. McGinty writes and lectures on a variety of health law issues for organizations such as American Health Lawyers Association, Georgia Academy of Healthcare Attorneys, the Southeastern Health Care Fraud Institute, and the Health Law Section of the State Bar of Georgia. Publications and speeches focus on topics affecting facilities and providers such as federal and state fraud and abuse laws, physician self-referral laws, compliance issues and corporate compliance programs, joint ventures and governance issues. Listed below is a representative sample of recent speaking engagements and publications.

Ms. McGinty was recognized by *Atlanta Magazine* as a Georgia Super Lawyer for 2006, 2007, 2008, 2009 and 2010. Ms. McGinty is ranked by *Chambers USA* 2009 and 2010 as one of Georgia's leading lawyers for health care law. Additionally, McGinty is Martindale-Hubbell AV® Peer Review rated.

Education

- J.D., University of Kentucky College of Law, 1986
- B.A., University of Kentucky, 1981

Admitted

- Georgia

+ Publications:

- "CMS' Mandatory Disclosure of Financial Relationships May Have Considerable Impact on Hospitals and Physicians," *Client Alert*, co-authored with Summer Martin and Amy Fouts, (Summer 2007).
- "Physicians Beware - The Government Cometh: Vendor Relationships Under Fire," *Health Lawyers News*, co-authored with Summer Martin, (June 2007).
- "CMS' Proposed Changes to Medicare Physician Fee Schedule: Above and Beyond," *Client Alert*, co-authored with Sidney Welch, (August 22, 2006).
- "The False Claims Act, the Anti-Kickback Statute and the Stark Law: Lessons from U.S. ex rel. McNutt v. Haleyville Medical Supplies," presented at *Southeastern Health Care Fraud Institute*, co-authored with Ken R. Schwartz, (September 8, 2006).
- "Legal Threats to Doctors in the Coming Year," *Medical Economics*, (October 6, 2006).

+ Seminars And Presentations:

- "Telemedicine: How to Assess Your Risks and Develop a Program that Works," *Physicians and Physician Organizations Law Institute, American Health Lawyers Association*, (February 2009).
- "State Health Care Fraud Laws and Recent Developments (To Include State Qui Tam)," *Southeastern Health Care Fraud Institute, State Bar of Georgia/ICLE*, (December 2008).
- "Physician Recruitment: New Approaches to Compliance (Advanced)," *Physicians and Physician Organizations Law Institute, American Health Lawyers Association*, (February 2008).
- "Reporting, Stark and Other Changes Impacting Hospital-Physician Relationships," *Pershing Yoakley & Associates - Healthcare Business Advisory Council*, (November 2007).

- "CMS Disclosure of Financial Relationships, Contracting with Physicians, and Complying with Stark," *Georgia Hospital Association*, (November 2007).

+ Professional Activities:

- American Health Lawyers Association, Board of Directors (2008-2011); Member of Practice Groups and Professional Resources Committees (2009-); Program Chair, Physicians Law Institute (2006-), Program Planning Committee (2004-2005)
- American Health Lawyers Association, Physician Organizations Practice Group, Chair (2004 -2007); Vice Chair (1999-2004)
- American Bar Association, General Practice Section; Business Law Section, Health Law Section
- Atlanta Bar Association, Business and Finance Law Section
- Georgia Academy of Healthcare Attorneys
- State Bar of Georgia, Corporate and Banking Law Section, Business and Finance Law Section
- State Bar of Georgia, Health Law Section, Executive Committee, Chair (2000-2001)