

Services & Industries

Healthcare Enforcement Defense

OVERVIEW

Prosecutors and regulators at the federal and state level have found fertile ground in uncovering and investigating violations of the healthcare laws and regulations, extracting high-dollar settlements from companies and sometimes handing out prison terms for individuals. The White Collar Defense and Investigations group is ready to help both companies and individuals in the healthcare field navigate the risks and, when necessary, defend them in criminal and regulatory inquiries.

With the implementation of and changes to the Affordable Care Act (ACA) and other changes to Medicare and Medicaid, the landscape continues to shift. Both state and federal law-enforcement authorities and regulators have stepped up enforcement of the healthcare rules. In addition, the substantial uptick in the number and size of data breaches has made compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) more important than ever.

Lawyers in the White Collar Defense and Investigations group have defended individuals and entities accused of violating the healthcare laws and regulations, investigated alleged violations of the rules and performed compliance audits in the healthcare industry. They have also defended investigations arising under the False Claims Act. Some of our additional experience has included:

- Defended company against allegations by state Attorney General of HIPAA violations for failing to encrypt protected health information
- Represented individual healthcare professionals facing criminal investigations and prosecutions
- Represented individual healthcare professionals in license-revocation actions
- Performed HIPAA audits to ensure compliance with data privacy rules
- Served as court-appointed monitor of Medicare and Medicaid health-insurance company under the terms of a deferred-prosecution agreement with the U.S. Department of Justice

In addressing these kinds of matters, the White Collar Defense and Investigations team works closely with lawyers in Day Pitney's Healthcare Practice Group, including former in-house counsel, to coordinate a comprehensive response to client needs.

INSIGHTS

The Myths of Vote-By-Mail

May 11, 2020

Stan Twardy authored an op-ed, "The Myths of Vote-By-Mail," published in the *Connecticut Post*, *Danbury News-Times* and *USA Today*.

Insurance and Coverage Risk Management Approaches to Address the Opioid Crisis

September 20, 2018

On September 20, Susan Huntington presented during an educational call-in discussion, "Insurance and Coverage Risk Management Approaches to Address the Opioid Crisis," for the American Health Lawyers Association (AHLA).

The Focus on Individuals in Fraud Investigations and Considerations for D&O Insurance

November 9, 2017

Susan Huntington and Danielle Corcione will present an educational call-in discussion, "The Focus on Individuals in Fraud Investigations and Considerations for D&O Insurance," for the American Health Lawyers Association on November 9 from 11 a.m. to 11:45 a.m.

When Addressing Cybersecurity and Data Breach, Don't Forget eDiscovery

July 22, 2016

Clifford Nichols wrote an article, "**When Addressing Cybersecurity and Data Breach, Don't Forget eDiscovery**," for *New Jersey Law Journal*. The article is about how companies should consider eDiscovery and litigation response issues when making policy or infrastructure changes to address cybersecurity and data breach risks.

NEWS

Top Aide in Review of Russia Inquiry Resigns From Justice Dept.

September 15, 2020

Stan Twardy was quoted in the *New York Times* article, "Top Aid in Review of Russia Inquiry Resigns From Justice Dept."

Arrests of Perez, Dunn raise concern that FBI probe is just the beginning

September 15, 2020

Stan Twardy was quoted in *CT Post* article, "Arrests of Perez, Dunn raise concern that FBI probe is just the beginning."

COVID-19 Controversy at PA Capitol Calls Into Question Employer Obligations in Telling

Workers About Positive Test

June 2, 2020

Susan Huntington was interviewed by anchor Matt Maisel in the Fox-affiliate station WMPT Fox 43 segment "COVID-19 controversy at Pa. Capitol calls into question employer obligations and limitations in telling workers about positive test," discussing employers obligations in disclosing positive tests to employees.

Day Pitney Hosts Speech by EDNY U.S. Attorney to ABA Committee

January 6, 2017

On January 5, Day Pitney hosted a speech by Robert L. Capers, the U.S. Attorney for the Eastern District of New York, to the White Collar Crime Committee of the American Bar Association's Business Law Section (WCCC) at the firm's New York City office.

Attys React To High Court's FCA Liability Ruling

June 17, 2016

Susan Huntington was quoted in an article, "[Attys React To High Court's FCA Liability Ruling](#)," in *Law360*.

CONTACTS



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