

# David A. King

SHAREHOLDER

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David King is a shareholder in the Health Care Litigation and Disputes group in Nashville and serves as head of the Managed Care and Payor Disputes practice. Leveraging nearly 40 years of health care litigation experience, David leads a national practice representing many of the country's renowned health care providers in all types of commercial payor disputes, payor strategy and managed care contracting. David has a deep understanding of the very complicated and constantly evolving managed care space, enabling him to provide strategic and legal advice to help healthcare providers solve some of their most difficult reimbursement and contracting challenges.

David works with a wide range of health care entities, including for-profit and not-for-profit hospital systems, ambulatory surgery centers, air ambulance services, hospital-based ancillary providers and other physician groups, as well as medical device companies. In recent years, he has helped these providers recover over \$120 million in underpaid, misclassified and denied claims and negotiate several high-profile managed care contracts with national payors.

David's representative work includes:

## **Managed Care Disputes**

David handles a variety of managed care matters including disputes related to out-of-network underpayments and misclassified emergency claims, payor policy challenges, medical necessity denials, attempted recoupments and offsets, patient class actions, managed care contracting strategy and negotiation interpretation, refusal to contract, discrimination and retaliation against out-of-network providers and related reimbursement disputes, and related legal issues involving the Affordable Care Act, ERISA preemption, UCR laws, prompt pay laws, any willing provider laws and laws regarding payor audits, recoupments and offsets. David has years of experience and success implementing all forms of resolution for these disputes, including negotiation, mediation, arbitration and litigation.

## **Managed Care Strategy and Contracting**

David consults with health care providers on in-network and out-of-network strategies and

## **Capabilities**

- Health Care Litigation
- Health Care
- Managed Care & Payor Disputes
- Behavioral Health
- Hospitals & Health Systems
- Academic Medical Centers

other issues involving the relationships among providers, insurers, self-funded plans, benefit administrators and vendors. He counsels providers on challenges such as payor coverage and reimbursement policies, reference-based pricing initiatives, surprise medical billing, ERISA and ACA laws, hospital lien laws and coverage for newer medical devices and procedures. He also assists providers with various managed care contracting issues, including drafting and negotiating contracts, advising on navigating tiered and narrow networks, silent PPOs, lease/rental networks, operational challenges and revenue cycle management.

## **National and State Legislation**

David consults with various providers on proposed/new national and state legislation impacting their strategies and reimbursement, such as federal and state "surprise" billing laws for out-of-network providers and laws relating to improper payor policies and practices, and laws relating to reimbursement for COVID-19 testing and treatment.

David thrives on enabling clients to navigate the ever-changing and regulated health care industry. To this end, he is a frequent lecturer on payor disputes and strategies, and has been nationally recognized for many years by *Best Lawyers in America*<sup>®</sup>, *Super Lawyers* and a multitude of other publications.

## **Education**

- University of Tennessee Winston College of Law (J.D., 1985)
- University of Tennessee (B.S., 1982)

## **Bar Admissions**

- Tennessee, 1985

## **Court Admissions**

- U.S. Court of Appeals, Fifth Circuit
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, Tenth Circuit

## **Memberships**

- American Bar Association, Health Law Section
- American Health Law Association (AHLA)
- Tennessee Bar Association, Health Law Section
- Nashville Health Care Council
- Nashville Council of Healthcare Attorneys
- Hillwood Country Club
  - President, 2010; Board of Directors, 2008-2011, 2001-2003

## **Recognition**

- Ranked in *Chambers USA: America's Leading Lawyers for Business*, Litigation: General Commercial, Tennessee, 2025
- Named "Litigation Star" by *Benchmark Litigation*, 2019, 2021-2026
- Selected for *Best Lawyers*<sup>®</sup> "Lawyer of the Year" in Nashville for Litigation - Health Care, 2018
- Selected for *Best Lawyers*<sup>®</sup> "Lawyer of the Year" in Nashville for Litigation - Insurance, 2025
- Recognized by *BTI Consulting Group* as a Client Service All-Star, Health Care

Litigation and Disputes, 2017, 2024

- Selected for inclusion in *Best Lawyers in America*® for:
  - Litigation - Insurance, 2016-2026
  - Litigation - Health Care, 2015-2026
  - Insurance Law, 2013-2026
  - Litigation - Securities, 2011-2026
  - Medical Malpractice Law: Defendants, 2011-2023
  - Personal Injury Litigation - Defendants, 2011-2026
  - Health Care Law, 2010-2026
  - Commercial Litigation, 2007-2026
- *Mid-South Super Lawyers*, 2006-2009, 2011-2018
- *Nashville Post* "The Best Lawyers in Nashville," 2011

## Matters

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- Representing regional hospital system in private arbitration in multi-year out-of-network rate dispute with national payor
- Representing national hospital system in challenges to national payor's new/planned payment policies
- Representing national air ambulance company in multiple putative class actions filed in federal district courts around the country in which patients are challenging the reasonableness of the company's charges for emergency air ambulance services
- Representing regional hospital system in private arbitration challenging national payor's attempt to apply new payment policies to contract
- Represented regional hospital system in multi-billion dollar contract renewal with national payor
- Represented a group of 21 Tennessee physicians in federal litigation in Nashville challenging a regulation from Centers for Medicare & Medicaid Services
- Represented a group of hospitals in arbitration against major commercial payor to establish rates for out-of-network claims for emergency services
- Represented several hospitals against a self-funded employee benefit plan for underpaying hundreds of claims contrary to the agreed fee schedule, with a focus on ERISA preemption issues
- Guided one of the largest nonprofit hospital systems in the country in developing an out-of-network reimbursement strategy
- Represented hospitals part of national system in a series of arbitrations around the country in disputes against a large commercial insurer for underpaying hundreds of claims related to medical necessity
- Represented several hospitals in a dispute against a large commercial insurer due to changes to coding policy in the provider manual contrary to underlying contracts
- Assisted a laboratory company in obtaining a network contract following years of medical necessity claim denials
- Represented a laboratory company against a large commercial insurer for several million dollars of claims denied for allegedly being investigational in nature
- Represented a laboratory company in pursuing several million dollars of unpaid claims because the insurer questioned the medical necessity based on allegedly ambiguous orders written by the treating physicians

# News

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October 28, 2025

**Benchmark Litigation Recognizes 32 Polsinelli Attorneys as 2026 'Stars'**

June 5, 2025

**Polsinelli Continues to Rise in 2025 Chambers USA Rankings**

October 3, 2024

**Benchmark Litigation Recognizes 32 Polsinelli Attorneys as 2025 'Stars'**

August 15, 2024

**Best Lawyers Recognizes 500+ Polsinelli Attorneys on 2025 Lists**

# Publications

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June 13, 2024

**BTI Client Service All-Stars 2024**

*Mentioned, BTI Consulting Group*

August 9, 2023

**CMS Halts No Surprises Act IDR Process After Federal Court Sides with Providers on Claim Batching and Increased Fees**

March 1, 2023

**Health Care Reimbursement and Payor Dispute Update**

February 8, 2023

**Federal Court Strikes Down Portions of the Final Rule Addressing the Independent Dispute Resolution Process Under the No Surprises Act**

September 15, 2022

**Health Care Reimbursement and Payor Dispute Update**

August 25, 2022

**Federal Agencies Release a Final Rule Implementing the No Surprises Act's Independent Dispute Resolution Process**

July 28, 2022

**Federal Court Strikes Additional Portions of Regulations Implementing No Surprises Act Addressing Air Ambulance Services**

# Events

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April 16, 2026

**Polsinelli's Health Care Reimbursement Summit**

*Polsinelli Nashville Office*

April 16, 2026

**Hot Topics in Commercial/MA Payor Disputes**

*Polsinelli's Health Care Reimbursement Summit*

September 12, 2024

**2024 Business Law Institute - Nashville**

September 6, 2024

**2024 Business Law Institute - Denver**