

Home Health, Home Care & Hospice

As health care continues to evolve under the ACA and the CARES Act, an increasing amount of services and care are being provided outside of acute care settings and are migrating to the home setting. As these changes unfold over the coming years, home health, home care and hospice agencies find themselves uniquely situated to play a critical role in today's delivery continuum and in shaping that of tomorrow.

Home-based care providers (skilled home health, non-medical home care and hospice/palliative care) are more in demand than ever. They are at the forefront of the burgeoning acute care at home delivery model and, as a result, are increasingly connected to acute care providers and gaining a more prominent place in the continuum of care. Home is where most people want to recover and live and, with expert care, the reported outcomes have never been more positive.

Polsinelli's health care group understands the home health, home care and hospice industries, spanning the nuances of state and federal regulations and reimbursement mechanics to overcoming government-imposed hurdles impacting day-to-day operations and transactions.

Polsinelli's representation of home health, home care and hospice agencies across the country is comprehensive, touching not only on all aspects of agency operations and payments, but also all manners of transactions, including:

- State licensure and registration
- Medicare and Medicaid enrollment, certification and compliance
- Appeals of state licensure terminations and Medicare and Medicaid revocations and terminations
- Medicare advantage and commercial payor contracting
- Accreditation, including deemed status
- Corporate entity formation, restructuring, consolidation and combination
- Mergers and acquisitions
- Health care regulatory transactional diligence and structuring
- Acute care at home model development
- Joint ventures
- Development of professional and support services agreements
- Medicare, Medicaid and state licensure survey response and appeals
- Reimbursement issues (e.g., patient eligibility, F2F, physician certification, homebound status)
- HIPAA privacy and security
- Internal billing and coding audits
- Overpayments and refunds
- Medicare, Medicaid and MAC audits
- OIG/DOJ inquiries, investigations and audits
- Compliance issues (AKS, Stark and state referral laws)
- CARES Act compliance (pandemic-related funding and PHE waivers)
- Labor and employment

In addition, we have a strong public policy team that not only understands the home health, home care and hospice industries but also knows the regulators. Our team assists clients in executing on their strategic plans for growth as well as responding to crisis events. To achieve the best possible operational performance and patient outcomes, our public policy and health care teams work collaboratively to improve these industries on federal, state and local levels. Where warranted, we seek to leverage advocacy efforts on behalf of these industries through cost-share models that make high-cost legal products financially attainable and in collaboration with industry specific professional associations.