

Hunter A. Morgan

ASSOCIATE

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Hunter Morgan represents health care providers nationwide when reimbursement is threatened by government and commercial payors. He focuses on reimbursement litigation and disputes involving the federal Administrative Procedure Act and analogous state Acts in federal courts and state administrative law courts, in addition to Medicare appeals, coalition litigation and challenges to payors' use of artificial intelligence and algorithmic tools to review, deny or downcode provider claims.

Hunter frequently advocates for clients in government post-payment audits involving statistical sampling and extrapolation. He also works with provider industry groups and coalitions to challenge federal and state government agency actions, including actions by the Department of Health and Human Services, Centers for Medicare & Medicaid Services and state Medicaid agencies, to address systemic reimbursement issues and protect provider rights.

His practice also includes advising providers throughout the country in civil and criminal Medicaid Fraud Control Unit investigations and other government payment integrity agency matters. He likewise works with providers in payment disputes with commercial payors arising from provider-payor practice agreements, commercial payor investigative units and payment integrity units.

Hunter's additional experience includes litigating against Durable Medical Equipment, Prosthetics, Orthotics and Supplies manufacturers; defending against government investigations and matters arising under the False Claims Act; advising clients on internal audits and overpayment refund analysis; challenging provider enrollment and revocation matters; bringing administrative appeals of government post-payment audits; and commercial arbitration.

Education

- University of South Carolina School of Law (J.D., *cum laude*, 2020)
- Virginia Military Institute (B.A., *with distinction*, 2016)

Bar Admissions

Capabilities

- Health Care Litigation
- Health Care

- South Carolina

Court Admissions

- U.S. District Court, District of South Carolina

Memberships

- American Bar Association
- American Health Law Association
- South Carolina Bar Association
- Charleston County Bar Association

Matters

- Assisted a behavioral health provider successfully appeal an extrapolated overpayment demand from a commercial payor to reduce the provider's overpayment by approximately 96%.
- Represented a skilled nursing facility in a successful appeal of an overpayment asserted by a state agency following a desk review of Minimum Data Set forms.
- Assisted a physician practice in obtaining emergency and injunctive relief from a commercial payor's overpayment demand, leading the payor to reconsider its position and resolve the matter for less than 50% of the original demand.
- Challenging the constitutionality of government payor audit procedures under the APA.

Publications

March 7, 2025

Back to Backlog? Polsinelli Shareholders Share Insight on how Terminations of DAB Attorneys and Potential Removal of Administrative Law Judges May Impact Medicare Appeals