

William C. Vail

SHAREHOLDER

he / him / his

Atlanta, GA | 404.253.6282

wvail@polsinelli.com



Will Vail is passionate about helping clients in the home-based care business, including non-medical home care, home health and hospice providers, realize their full potential. He provides legal advice they can use, allowing them to focus on the frail and vulnerable patients and clients they serve.

Will's experience in private practice and as an in-house attorney gives him a broad perspective that directly benefits his clients. For nearly seven years, he was lead employment counsel for two separate divisions of the largest post-acute health care provider in the nation, one division that focused on home health, hospice and home care and another that focused on nursing homes and rehabilitation centers. He later was lead employment and litigation counsel for the largest home health and hospice provider in the nation following a corporate reorganization.

In addition to various employment law issues, Will is familiar with False Claims Act, OSHA, professional liability and general liability matters related to healthcare operations. He also has a robust practice navigating home care clients through licensure issues.

Will is an experienced litigator who has been in courtrooms across the United States. He also regularly provides advice and counsel to legal and nonlegal stakeholders, performs due diligence related to mergers and acquisitions, helps start-ups begin operations in a compliant method, wind-down operations (particularly skilled nursing facilities), train managers and assist in integrating new entities into going concerns.

Will began his legal career as a law clerk for a federal judge sitting in the Western District of Virginia.

Education

- University of Kentucky College of Law (J.D., *cum laude*)
- Washington and Lee University (B.A., *cum laude*)

Bar Admissions

- Georgia

Capabilities

- Home Health, Home Care & Hospice
- Employment Advice & Investigations
- Labor & Employment
- Workplace Safety, Health (OSHA) & Environmental Advising
- Employment Class & Collective Actions
- Post Chevron Educational Resources & Updates

- Kentucky

Court Admissions

- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, District of Columbia Circuit
- U.S. District Court, Eastern District of Kentucky
- U.S. District Court, Western District of Kentucky
- U.S. District Court, Southern District of Indiana
- U.S. District Court, Northern District of Georgia

Memberships

- *Law360* Georgia Editorial Board, 2025
- American Healthcare Lawyers Association
- Rotary Club of Louisville

Recognition

- AV® Peer Review Rating, *Martindale-Hubbell*
- First Chair Award, *Top Employment Counsel*, 2017
- Ranked in *Chambers USA: America's Leading Lawyers for Business*, Labor & Employment, Georgia, 2024-2025

Matters

- Defended companies in a broad range of employment-related matters (single plaintiff as well as class and collective actions) in federal and state courts and administrative venues in nearly every state in the country (Will is still looking for his first Hawaii matter, though!)

Home Health, Home Care and Hospice

- Successfully secured the first Washington, D.C. Home Support Agency license for a home care agency
- Successfully resolved a scope of practice issue involving the operations of a home care agency with assistance from the responsible administrative agency
- Defended purported collective actions challenging live-in care arrangements in Georgia and Illinois
- Successfully secured two Opinion Letters from the U.S. Department of Labor (one on delivery driver mileage reimbursement rates and the other on live-in pay practices)

Employment Advice & Investigations

- Assisted multiple franchise businesses to alter practices to prevent claims of joint employment
- Assisted Family Office sponsored home care company to acquire \$20+ MM companies in New York (LHCSA) and Connecticut (Homemaker Companion Agency)
- Assisted in employment-related diligence review for a target home health and hospice company that had a multi-state footprint (mostly western states, including California)

that resulted in the recommendation not to proceed due to potential material wage and hour exposure

- Assisted in the creation of coalitions to prevent unfavorable legislation from being enacted in multiple states

Workplace Health & Safety

- Principal drafter of the Recommended Operational Protocols (a collaborative document initially issued in April 2020 meant to assist home-based agencies to respond to the new COVID-19 pandemic)
- Counseled private school response to the COVID-19 pandemic and how to resume in-person learning while maintaining employee and student safety