

# Christopher G. Janney

## Partner



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Washington, DC

D +1 202 408 9151

[christopher.janney@dentons.com](mailto:christopher.janney@dentons.com)

## Overview

Christopher Janney is a partner in the Health Care practice and the Life Sciences practice, resident in the Washington, DC, office. A former practice chair, Christopher has more than 25 years of experience representing hospitals, health systems, academic medical centers, pharmaceutical, vaccine and device manufacturers, durable medical equipment suppliers, group purchasing organizations, accountable care organizations, payers and information technology companies in connection with:

- Structuring complex business and clinical arrangements—including mergers, acquisitions and agreements pertaining to services, products, marketing, recruiting and other areas—to ensure compliance with federal and state laws
- Advising on anti-kickback, physician self-referral, civil monetary penalty and similar laws
- Developing and implementing health care fraud and abuse programs and corporate compliance programs
- Managing internal investigations and audits relating to potential violations of civil and criminal health care fraud and abuse laws
- Representing providers in connection with investigations and audits undertaken by federal and state regulatory and enforcement agencies, including the US Department of Justice (DOJ), the US Department of Health and Human Services Office of Inspector General (HHS-OIG), the Centers for Medicare and Medicaid Services (CMS) and CMS contractors

## Recognition

- *Chambers USA: America's Leading Lawyers for Business*, Healthcare, 2014-2017
- *Best Lawyers in America*, Health Care Law, 2013-2022
- Expert Guides to the Leading Lawyers (US Healthcare Category), 2014
- "Washington, DC, Super Lawyer - Health Care," *Super Lawyers*, 2014-2017

- "Outstanding Healthcare Fraud and Abuse Compliance Lawyers," *Nightingale's Healthcare News*, 2010

## Insights

- Co-author, "ONC releases final rule to advance interoperability and enhance ease of access to, and use and exchange of, electronic health information," Dentons client alert, March 16, 2020
- Co-author, "In Wake of Coronavirus, Congress eases restrictions on Medicare telehealth coverage," Dentons client alert, March 10, 2020
- Co-author, "CMS issues guidance on obligations and flexibility under Medicare Advantage and Part D programs arising from COVID-19 pandemic," *Dentons client alert*, March 13, 2020
- Co-author, "CMS proposes penalties for MSP reporting violations," Dentons client alert, February 18, 2020
- "HHS proposes moving up 340B Drug Pricing Rule effective date to January 1, 2019," Dentons client alert, November 5, 2018
- Co-Author, "Dear CMS: We'd Like Our Rabbit Back: The Case For Reinstating the Stark Law's Physician Payments Exception" *AHLA Connections*, Vol. 22, Issue 2, March 2018
- Co-author, "CMS Publishes RADV Medical Reviewer Guidance," Dentons client alert, October 18, 2017
- Co-author, "Federal district court interprets Stark Law's "writing" requirement ," Dentons client alert, March 21, 2017
- Co-author, "HRSA's Proposed 340B Program Guidance: What Providers Need to Know," *Bloomberg BNA's Health Law Reporter*, September 17, 2015
- Co-author, "Navigating CMS' Tangled Web Of Stark Law Interpretation," *Law360*, July 22, 2015
- "The Stark Law: A Call For More Accuracy and Less Zealous Advocacy," *Journal of Health Care Compliance*, December 2012
- "The CMS Proposed Overpayment Rule: Has The Pendulum Swung Too Far?," *Bloomberg BNA Medicare Report*, March 2012
- "CMS Proposes Significant Changes to Stark and Related Regulations," *BNA Health Care Fraud Report*, Vol. 11, No. 16, August 1, 2007
- "IRS Addresses Relationship Between Tax-Exempt Status and (1) Private Benefit and (2) Excess Benefit Transactions Resulting In Intermediate Sanctions," *Health Lawyers News*, American Health Lawyers Association, December 2005
- Co-author, *The Stark Law: A User's Guide to Achieving Compliance*, *HCPro*, September 2005
- "Stark II, Phase II - Highlights and Preliminary Analysis," *BNA Health Law Reporter*, Vol. 13, No. 14, April 1, 2004
- "OIG Issues Proposed Clarifications to 'Excessive Charge' Exclusion Rule," *Journal of Health Care Compliance*, November - December 2003
- "The Federal Physician Self-Referral ("Stark") Law: Summary of January 4, 2001 (Phase I) Final Regulations," Dentons client alert, February 10, 2003
- "Healthcare Program Compliance Guide," *Bloomberg BNA*, June 18, 2001
- "HHS IG Final Compliance Program Guidance for Medicare+Choice Organizations," *BNA Health Care Fraud Report*, Vol. 3, No. 22, November 17, 1999
- "What to Watch for in HHS IG's Compliance Guidelines for M+C Organizations," *BNA Health Care Fraud*

- "The Crime of the Nineties," *Trustee Magazine*, Vol. 51, No. 4, April 1998
- "Ruling Exposes Board Members to Personal Liability," *The Miami Herald*, March 20, 1998
- "Directors Held Liable for Health Care Fraud," *Washington Business Journal*, March 13, 1998
- *Health Care Fraud: A Provider's Guide for Achieving Legal Compliance*, Washington Legal Foundation, 1997

## Activities and Affiliations

### Presentations

- Co-presenter, "Addressing ACO Legal Issues," Second National Accountable Care Organization Summit, Washington DC, June 27, 2011
- "ACO Legal Issues: Fraud and Abuse," Brookings-Dartmouth ACO Learning Network webinar, March 16, 2011
- "A Practical Look at the New Health Care Reform Act – New Fraud and Abuse Provisions," The District of Columbia Bar Continuing Legal Education Program, June 16, 2010
- Co-presenter, "Health Care Reform: New Fraud and Abuse Provisions," Compliance 360 webinar, June 14, 2010
- Co-panelist, "ACO Governance and Legal Issues," The National Accountable Care Organization Summit, June 8, 2010
- "Preparing for July 26: Impact of New Stark II Phase II Requirements on Existing Physician Recruiting Arrangements," American Health Lawyers Association National Teleconference, July 14, 2004
- "The New Stark Regulations: What Do They Mean for Academic Medical Center?," University HealthSystem Consortium Teleconference, May 7, 2004
- "Current Federal Fraud and Abuse Enforcement Trends in Managed Care," BCBSA Compliance and Ethics Conference, March 15, 2002
- "Stark II: Sanctions and Enforcement," Fourth Annual Advanced ALI-ABA Course of Study - Health Care and Litigation, October 19, 2001
- "Health Care Fraud and Abuse Compliance Update," ACRO Annual Meeting, May 5, 2001
- "Identifying Compliance Issues Raised by E-Health Transactions and Strategies," Institute for International Research, October 24, 2000
- "Establishing an Effective Medicare Managed Care Fraud and Abuse Compliance Program," Institute for International Research, September 23, 1999

### Memberships

- American Health Lawyers Association
- American Bar Association: Health Law Section
- Health Care Compliance Association

### Prior and Present Employment

Prior to law school, Christopher worked for two years (1986–1988) as an analyst with the DOJ's National Drug Policy

Board.

## Areas of focus

### Industry sectors

- Fraud and Abuse Counseling, Investigations and Defense
- Life Sciences and Health Care
- Regulatory Counseling

## Education

- Harvard Law School, 1991, JD, *cum laude*
- University of Maryland, 1986, BA, *summa cum laude*, Phi Beta Kappa

## Admissions and qualifications

- District of Columbia
- Maryland
- US District Court for the District of Maryland