

Overview

Global expenditures on health care are approaching seven trillion US dollars a year, or roughly 10 percent of the world's gross domestic product. More than 70 percent of these expenditures occur in North America and Europe alone. Not surprisingly, opportunities are immense and growing in the health and life sciences industry, for businesses that include: pharmaceutical and device manufacturers, research and development organizations, information technology companies, providers, clinicians, insurers and entrepreneurs of every stripe.

These opportunities are local, national and global. A 100-bed community hospital in Kansas City wants to form a joint venture for an ambulatory surgery center with 11 cardiologists from St. Louis. A children's hospital in Abu Dhabi wants to partner with a teaching hospital in Paris. A device manufacturer headquartered in Bonn wishes to market its products in Hong Kong. A Russian pharmaceutical company seeks approval from the US Food and Drug Administration for a new anti-coagulant. An e-health company headquartered in Barcelona wants to license its health records software to an IT consultant in Kampala. The list may be long, but the number of law firms that can handle this range of matters is not.

The firm must have a presence, on the ground and around the world. The firm must have a deep bench of lawyers who have spent decades immersed in the health and life sciences sector, helping organizations navigate continuously evolving political, regulatory and economic landscapes. The firm must understand each jurisdiction's health care delivery system—from manufacturer to distributor to provider to patient to payor to policy maker—and the firm must be able to provide each of these players with the full range of strategic transactional, regulatory and dispute resolution counseling services.

With offices in 79 locations in 52 countries across four continents, and with more than 100 lawyers, consultants and policy professionals who have spent their entire professional careers exclusively counseling health care life sciences organizations, Dentons is proud to be that firm.

Areas of focus include:

- Distressed Health Care

Representative Experience

- **Alberta Health Services:** Advising on the negotiation of an Information Sharing Framework with a medical association, on behalf of participating physicians, which is the first Canadian information sharing agreement (and related information management agreement and information exchange protocol) of its kind. It involves the client and the participating physicians sharing health information as co-custodians using electronic medical record systems owned and/or operated by the client.
- **Regional health care provider:** Advising on the negotiation of a multijurisdiction agreement with the Northwest Territories (NWT) whereby the client will implement a version of NetCare and act as a service bureau offering electronic health records management for NWT medical practitioners and patients.
- **Katz Group Canada Inc.:** Advising on the sale of its independent pharmacy banner business conducted by Drug Trading Company Limited and all of the shares of its independent franchise retail pharmaceutical business carried on by Medicine Shoppe Canada Inc. to McKesson Canada Corporation for C\$925 million.

- **Medical suppliers:** Counseling numerous medical equipment and other medical suppliers with respect to Medicare, Medicaid and other federal and state healthcare programs. We help the companies with supplier standards, licensure, contracting, coding, billing reimbursement and related issues. We also advise on how to structure arrangements with distributors, providers and group purchasing organizations; review product pricing and sample promotional programs and analyze advertising and marketing materials for compliance with federal and state fraud and abuse laws.
- **Nation's leading drugstore chain:** Representing client in \$225 million acquisition of a retail and specialty pharmacy business.
- **Neurological Consultants of Kansas City, Inc.:** Handling sophisticated transactions on behalf of a leading physician group, including physician practice mergers and acquisitions and physician-hospital joint ventures. We also work with the group on day-to-day corporate governance and contracting issues for physicians, including practice formation, employment matters, exclusive hospital contracting, managed care contracting and billing and collection issues.
- **Patheon Inc.:** Acting as Canadian counsel on the acquisition of Banner Pharmacaps, a specialty pharmaceutical business dedicated to the research, development and manufacturing of unique gelatin based dosage forms. Banner is the world's second largest pharmaceutical business focused on delivering proprietary softgel formulations. The company has four manufacturing facilities, significant proprietary technologies and products, and leading positions in some of the industry's fastest-growing product categories. Banner is headquartered in High Point, N.C., with additional research labs and manufacturing facilities in the Netherlands, Canada and Mexico.
- **Sana Kliniken AG:** Advising on the acquisition of all shares in the hospital Krankenhaus Rummelsberg GmbH. The 400-bed specialist hospital for orthopedics and accident surgery, neurology, internal medicine, and rehabilitation was previously operated by diaconal organization Rummelsberger Diakonie. The Federal Cartel Office approved the acquisition of the hospital, which boasted 470 employees. The transaction was one of the most important takeovers in the hospital sector in 2010. The team advised Sana on all legal and structural questions.
- **Substantial health system:** Serving as lead outside counsel to a substantial, health system with multiple hospitals, facilities, physician practices and clinics located in numerous western and mid western locations in the US regarding wide variety of fraud and abuse, regulatory, coverage and reimbursement and compliance matters. We support the client in a wide variety of ongoing investigations, audits and reviews of potential overpayments and alleged false claims.
- **The Salvation Army:** Advising on a wide range of matters and issues, including matters relevant to the delivery of healthcare and social services. Our work includes serving The Salvation Army in regard to the operation of health service providers including: hospitals, long-term care facilities, community mental health service providers, addiction services and the provision of housing and services to those who live with developmental disabilities. Such work includes relations with regional health authorities and local health integration networks, partnerships with other funders and other health service providers. Key areas in which we provide support include internal governance and corporate matters, governance, accreditation, contractual and other arrangements with healthcare professionals, patient care issues, technology and related issues, privacy and the protection of personal health information, P3 and construction project matters, employment, litigation and related matters. Our work for The Salvation Army encompasses and supports the broad range of services provided by The Salvation Army, the largest non-governmental provider of services in Canada.