

Michael Montgomery

Managing Associate



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Overview

Michael is a member of Dentons' national Health Care practice, resident in the San Francisco office. His practice focuses on transactional, regulatory and compliance matters for providers in the health care space, and includes representing and advising tax-exempt and for-profit hospitals and health systems, physician organizations, and other health sciences companies. He has handled a variety of matters, including mergers and acquisitions, joint venture formations, corporate organization and governance, public financings, and diligence organization and management. His experience also extends to a variety of related regulatory and compliance issues, including antitrust review, nonprofit law, tax-exemption, licensing, and fraud and abuse.

Experience

- Representing hospital systems and physician groups in various transactional structuring and contracting matters, including mergers and acquisitions, joint ventures, strategic affiliations, and services agreements.
- Coordinating, preparing and filing state business licensing and registration applications for hospital systems and other healthcare entities in multiple states, including qualifications to do business, fictitious business name registrations and cannabis producer, manufacturer and retail licensing applications.
- Representing nonprofit hospital and integrated delivery systems on matters relating to nonprofit status, including attorney general and other regulatory approvals for nonprofit change of ownership/control transactions, nonprofit board compliance, and obtaining tax-exemption for nonprofit entities.
- Assisting healthcare clients in various regulatory processes and matters, including Hart-Scott-Rodino (HSR) filings and Second Requests, fraud and abuse investigations, and corporate integrity agreement compliance.
- Advising hospital and healthcare systems with respect to corporate governance matters, including drafting board and committee governance charters, developing local and system-wide policies and procedures, and board governance approval processes.
- Coordination and review of diligence in connection with merger and acquisition transactions, joint ventures, health care bond financing transactions, litigation matters, and government investigations.
- Assisting hospital systems with the assessment and application of regulatory requirements to compliance

programs and related compliance functions for hospital systems, including corporate compliance plans, corporate board compliance, risk identification and assessment, and monitoring and auditing activities.

Insights

- Co-author, "Regulatory Challenges In Uncertain Times: Competitor Collaborations and M&A Activity During the COVID-19 Crisis," *Journal of Health Care Compliance*, October 20
- Co-author, "CARES Act - US\$2 Trillion Health Care and Economic Relief Package Passes: Implications for the Health Care Sector," *Dentons Insight*, March 2020
- Contributing Author, *Dentons Cannabis Newsletter*, January 2020 - Present
- Co-author, "In the Weeds: Are U.S. Health Care Companies ready for a Legal Cannabis Market?" *Journal of Health Care Compliance*, August 2019
- Author, "Ensuring 501(c)(3) Compliance for Whole-Hospital Joint Ventures Between Tax-Exempt Hospital Providers and For-Profits: Insights from Private Letter Ruling 201744019," *Journal of Health Care Compliance*, January 2018

Activities and Affiliations

Memberships

- American Health Lawyers Association
- Health Law Section of the American Bar Association
- Health Law Section of the California Bar Association
- Bar Association of San Francisco
- Charles Houston Bar Association

Areas of focus

Practices

- Competition and Antitrust
- Competition and Antitrust Counseling and Compliance
- Corporate
- Corporate Governance
- Health Care Regulation
- Joint Ventures
- Mergers and Acquisitions

Industry sectors

- Cannabis
- Fraud and Abuse Counseling, Investigations and Defense

- Health Care
- Life Sciences and Health Care
- Nonprofit Entities

Education

- University of California at Hastings, 2016, JD
- University of California at Santa Barbara, 2013, BA, political science, *cum laude*

Admissions and qualifications

- California