

AMBULATORY SURGERY CENTERS

For years, Hall Render attorneys have assisted clients in developing ambulatory surgery centers (“ASCs”) and have advised clients how to operate their ASCs within the confines of a complex regulatory environment.

We can prepare private placement memoranda, asset purchase agreements, shareholder buy-sell agreements, joint venture operating agreements, management services agreements, ASC medical staff bylaws and all governance documents.

When a client is considering purchasing an ASC or a major interest in one, we conduct a comprehensive due diligence review and prepare a pro forma document so the client is fully informed of the ASC’s financial standing, assets and liabilities. Like any other health care provider, ASCs must know the Medicare/Medicaid managed care and commercial payor reimbursement rules. This is especially critical as fee-for-service payment gives way to the new quality/outcome payment models and as the government and private payors consider site-neutral payment systems. We know the reimbursement rules and latest payment trends, and we can help.

Finally, we can assist with certificate of need and state licensure laws. We can advise on the Medicare Conditions for Coverage and on accreditation agency standards, including the Accreditation Association for Ambulatory Health Care, the American Association for Accreditation of Ambulatory Surgery Facilities and The Joint Commission, among others. We can also advise on ASC physical environment requirements, including the Guidelines for the Design and Construction of Health Care Facilities. We are glad to work with consultants and ASC management and development companies to achieve the best outcome for our clients.

AREAS OF FOCUS

- Antitrust Review
- ASC Acquisition
- ASC Asset Purchase Agreement
- ASC Development
- ASC Reimbursement
- Certificate of Need
- Co-Management Agreements
- Due Diligence Review
- Fraud & Abuse/Stark Law
- License Application
- Management Services-Performance Improvement Agreement
- Medical Staff Bylaws and Governance Documents
- Operating Agreement
- Physician-Hospital Alignment Strategies
- Private Placement Memorandum
- Provider-Based Rules