



Value-Based Care

PRACTICES



OVERVIEW

Value-based care is dramatically changing the health care system landscape from a fee-for-service or volume-based model to value-based health care. At Smith Anderson, we recognize that value-based initiatives are not just another trend – they are the future of the industry and require extensive planning, financial investment and careful consideration. From Medicare and Medicaid to private insurance, payers are now rewarding health care providers and physicians for investing in quality patient care to improve patients' health outcomes, with incentives for embracing this culture that is transforming the delivery of health care.

Our Value-Based Health Care team includes one of the country's leading attorneys in value-based care who has been at the forefront of this payment model since 2012, guiding and transitioning physicians, hospitals and major government and commercial payers from across the nation. Combined, our lawyers have assisted in the formation of more than 60 Physician Organizations and Physician Hospital Organizations, and more than 20 accountable care organizations (ACO). Health care organizations have chosen Smith Anderson to assist with their value-based care strategies because of our team's deep experience with the opportunities and challenges of value-based care with which providers are faced.

We have demonstrated our commitment to this evolving topic, having helped start **Toward Accountable Care Consortium**, a community of over 40 North Carolina medical societies and organizations. Our attorneys are regularly engaged in forming Medicare ACOs, advising clients on Medicaid value-based care initiatives, working with Medicare Advantage plans, assisting clients with navigating the regulatory landscape, and negotiating private payer value-based care contracts. We also advise clients on corporate restructuring matters, tax issues facing value-based care participants, governance issues and shared savings distribution issues.

SERVICES

- Strategic general counsel services for ACOs and other value-based reimbursement initiatives
- Contract drafting and negotiation with payers, providers and partners
- Data privacy compliance and incident response
- Data analytics and population health strategies
- Clinically integrated network formation and regulatory advice
- Tax advice and planning
- Corporate counseling
- Stark/Anti-Kickback Statute Waiver compliance
- Medicare Shared Savings Plan (MSSP) application process
- Population health analytics technology development and licensing

- Antitrust compliance
-

EXPERIENCE

- Represent one of the nation's leading and largest MSSP accountable care organizations by covered lives and participating providers with over 5000 health care providers and facilities
 - Represent physician-owned ACO that has had shared savings of over \$28 million
 - Advised clients negotiating payer agreements in Medicaid transformation in North Carolina
 - Formed ACOs for private equity-backed practice management companies
 - Formed company focused on opioid and substance abuse treatment in value-based care space
 - Advised ACO client on strategic partnership with leading blockchain company developing innovative patient engagement solution
 - Advised clients on bundled payments and alternative payment model (APM) strategies
-

PROFESSIONALS

Julian D. Bobbitt, Jr.

Robert W. Shaw

John W. Gibson

Josiah S. Irvin

RELATED AREAS

Banking & Finance

Data Privacy

Government Contracting

Government Relations

Health Care

Insurance Regulation

Regulatory & Public Policy

