



Michele P. Madison

Partner

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PRACTICE AREAS:

Accountable Care Organizations

Corporate

Data Security, Privacy & Breach

Healthcare

Healthcare Fraud & Abuse

Healthcare Information Technology

Healthcare Transactions

Medical Device

BAR ADMISSION:

State Bar of Georgia, admitted 1998

Michele Person Madison is a Partner in the firm's Healthcare Practice, where she provides general legal advice to health systems in various regulatory and business matters. Ms. Madison is highly experienced in managing legal issues arising in hospitals, physician offices or integrated health systems including employment, investigations, risk management assessment and corporation management, and she provides legal education for health systems' medical staff, management team and employees in these areas. She often facilitates and manages implementation of compliance plans for HIPAA privacy and security regulations, drafts and completes Certificate of Need applications and facilitates regulatory compliance, and provides oversight and guidance regarding medical staff governance and credentialing issues.

Ms. Madison also works with information technology companies and advises clients on compliance with regulations and industry standards. Ms. Madison has specific experience in negotiating contractual agreements between healthcare providers and service providers, interpreting and advising health systems on regulations applicable to the healthcare industry, and providing regulatory advice with a focus on Stark, Anti-Kickback and HIPAA. Ms. Madison also has key experience and expertise in Compliance programs. She provides advice for compliance with state and federal regulations and regularly drafts and negotiates agreements with hospitals, physicians, managed care organizations and ancillary service providers, as well as contractual agreements for vendors with an emphasis on information technology, purchasing and lease agreements. Ms. Madison also works with electronic medical record vendors and personal health record providers.

Key Services

- Anti-Kickback Statute
- False Claims Act
- Mergers and Acquisitions
- Personal Health Record Compliance
- Medicare and Medicaid Regulations
- Stark II and Physician Self-referral laws
- Electronic Medical Record Compliance
- HIPAA Privacy and Security Regulations

Representative Transactions

- Represented a health system in the sale of a nonprofit health system, including an acute care facility and psychiatric hospital.
- Represented a health system in the joint venture of an acute care hospital with physician ownership and the sale of affiliate hospital facilities.
- Represented physician practices in the sale of practice to a health system.
- Represented health system in the purchase and integration of physician practices into a multi-disciplinary physician group practice.
- Acquisition and sale transaction for a major hospital system in the sale of one of its hospitals.
- Advised large hospital system on a management venture with physician ownership.
- Managed, drafted and negotiated the integration of physician practices and ventures to effectively align strategic planning.
- Managed, drafted and negotiated the acquisition of a gastroenterology practice.

Education

Georgia State University, B.B.A., *cum laude*, 1995

The University of Georgia School of Law, J.D., 1998

Honors and Affiliations

Listed, *The Best Lawyers in America* - top lawyer for Healthcare Law, 2013 – 2016
Listed, Georgia Super Lawyer by *Atlanta* magazine, 2014-2015
Listed, *Chambers USA: America's Leading Lawyers for Business* - top lawyer in Healthcare, 2010-2015
Honored, *Georgia Trend* Legal Elite, 2012
Member, Technology Association of Georgia, Health Board of Directors
Member, American Health Lawyers Association
Georgia Academy of Healthcare Attorneys
Healthcare Financial Management Association
Institute for Healthcare Information Technology, Secretary
Health Information Management Services Systems, Member
Health Information Technology (HIT) Summit, Board Member and Transformation Healthcare Module Chair

Publications

"Federal Regulators Launch New Round Of HIPAA Privacy, Security And Breach Notification Audits," *MMM Client Alert*, March 21, 2016
"Why Atlanta is Becoming the National Health IT Capital," *Hypepotamus*, February 29, 2016
"MACRA and Its Impact on Physician Reimbursement – What you Need to Know," Georgia MFMA Newsletter, 2016
"Nursing Informatics," chapter on Healthcare Regulations, 2015, updated
"Health IT Alert: Department of Health and Human Services Releases Final HIPAA/HITECH Omnibus Rule," *MMM Client Alert*, January 23, 2013
"Health IT Alert: Prepare Now for the HIPAA/HITECH Omnibus Rule," *MMM Client Alert*, January 16th, 2013
June 28th, 2012 "Meaningful Use: The Final Rule Has Arrived," *Atlanta Hospital News*, September 2010
"New Restrictions on Physician-Owned Hospitals," *Morris, Manning & Martin Healthcare Newsletter*, April 2010
"Healthcare Reform Potentially Restricts Physician Ownership of Hospitals," *Atlanta Hospital News*, January 2010
"Providers Should Be Stimulated to Become Meaningful Users," *Atlanta Hospital News*, September 2009
"Financial Incentives from the Stimulus Package for Providers," *Morris, Manning & Martin Healthcare Newsletter*, May 2009
"Electronic Medical Records: a Bi-Partisan Goal and a Hospital/Physician Alignment Tool," *Atlanta Hospital News*, March 2009
"The U.S. Supreme Court Has Largely Upheld the Healthcare Reform Act," January 2009
"E-Prescribing Equals Increased Reimbursement," *Morris, Manning & Martin Healthcare Newsletter*, Fourth Quarter 2008
"Are Personal Health Records Beneficial to Hospitals?" *Atlanta Hospital News*, November 2008
"Preventative Health for an Organization," *Atlanta Hospital News*, August 2008
"ADOPTING Healthcare IT: Security and Mitigating Risk," *Atlanta Hospital News*, July 2008
"Patient Quality Improvement Act," *MAG Journal*, June 2008
"Does Your Hospital Comply With the Deficit Reduction Act?" *Atlanta Hospital News*, June 2008
"Are Your Nurse Protocol Agreements Between APRNs and Physicians in Agreement?" *Atlanta Hospital News*, May 2008
"Healthcare IT Security," *MAG Journal*, May 2008
"Opportunities and Challenges in Physician Employment at a Hospital or Its Affiliates," *MAG Journal*, Volume 97, Issue 3, 2008
"Electronic Medical Record and HIPAA Security Implications," *MAG Journal*, Volume 96, Issue 3, 2007
"Physicians... What to look for in contracts," *MAG Journal*, Volume 97, Issue 2, 2007
"Legal implications of the electronic medical record in Georgia," *MAG Journal*, Volume 95, Issue 2, 2006

Speaking Engagements

MACRA, Georgia Hospital Association On-line Education, July 19, 2016

"Clinical Integration and the Compliance Officer's Role," Georgia Hospital Association's Compliance Officer Training presentation, June 23, 2016

"Learn How to Maximize your Future Reimbursements by Up to 27 Percent," webinar, May 19, 2016

"Privacy, Cyberliability and EHR Laws," HealthIE Georgia Training webinar, May 17, 2016

"State of Healthcare Workplace Learning," TAG Workplace Learning Society's event in partnership with TAG Health panel discussion, April 21, 2016

"Latest News on HIPAA 2016 Requirements and How to Prepare for an Audit," MMM webinar, April 13, 2016

"The Leader's Role in Compliance: Looking Ahead to 2016" and "Management vs. Governance: Communication with your Hospital," HomeTown Health Leadership Meeting, February 12, 2016

"The Pitfalls to Avoid in Any Integration/Acquisition/Capital Strategy," American Hospital Association – Rural Health Care Leadership Conference. February 9, 2016

"Privacy/Cyber Legal Issues in Private Practices, High Risk Areas for Regulatory Compliance and False Claims Act liability," Panel discussion for Sterling Risk Advisors' educational breakfast, February 2, 2016

"Compliance, ACA and Your Hospital's Financials - Fitness Training," HomeTown Health Boot Camp, January 25 & 26, 2016

"State of the Healthcare Information Technology Industry," TAG Health Panel Discussion, January 21, 2016

"A Board's Role in Corporate Compliance," MMM webinar, December 8, 2015

"Physician Contracting Strategies: Employed versus Independent," HomeTown Health's 16th Annual Fall Conference, October 23, 2015

"Preparing for, Identifying and Resolving HIPAA Cyber Incidents," MMM webinar, October 13, 2015

Legal Compliance panel, Home Town Health Conference's Annual Florida Meeting, June 16, 2015

"Healthcare Reimbursements and the Affordable Care Act – Regulatory and Litigation Update from Industry Experts," Panel discussion at the Committee on Healthcare Finance's Annual Conference, June 2, 2015

Woman In Technology, Healthcare IT Panel, April 15, 2015

"What You Need to Know About Health Care Privacy, Security & Risk Management," webinar, April 7, 2015

"A New Paradigm in FDA Oversight and Medical Device Innovation," Moderating Panel discussion at SEMDA Conference, March 31, 2015

"Meaningful Use Audits and Reimbursement Changes," GE Centricity User Group Conference, March 27, 2015

Georgia Telehealth Conference, Savannah, Georgia, March 26, 2015

"Next Generation Telemedicine in Georgia Telehealth Regulatory and Legal Considerations," webinar, March 24, 2015

Navicare Atlanta Exchange 2013, Atlanta, Georgia, April 16, 2013

"Healthcare Reform," Liberty County Regional Medical Center, February 21, 2013

"Healthcare Reform," GSHRM, February 15, 2013

"RAC and Compliance Audits," North Atlanta Surgical Associates Retreat, February 8, 2013

"HIPAA Omnibus Rule," Health Solution Resource Forum, February 7, 2013

"Healthcare Reform and an Update on Regulations," Home Town Health Leadership Conference, February 7, 2013

"How the Final HIPAA/HITECH Omnibus Rule Will Affect You," MMM Webinar, February 5, 2013

"Healthcare Reform and Its Impact on Healthcare Practices," Navicare webinar, December 12, 2012

"The Impact of the Election on Community & Rural Hospitals & Potential Strategic Options," MMM Webinar, December 11, 2012

HealthIT Leadership Summit, December 4th, 2012

"Healthcare Reform and HIPAA Obligations for Business Associates," VendorMate Use Conference, California, September 19, 2012

"Medicare Shared Savings Strategy - How Will CAH's be Affected?," HomeTown Health 2012 Critical Access Hospital Conference, August 15, 2012

"Government Fraud Enforcement: What is Next for Healthcare?" American Telugu Association, July 8, 2012

"Healthcare Reform," Georgia Healthcare Society of Risk Manager, Atlanta, Georgia, June 7-8, 2012

"HIPAA and HITECH," BlueWave Computing, Atlanta, Georgia, May 23, 2012

"Healthcare Reform Act," VendorMate, Atlanta, Georgia, May 15, 2012

"Meaningful Use Stage 2," GE Centricity User Conference, May 11, 2012

"Healthcare Update – Community Health Needs Assessments (CHNE) for ACO – VBP Changes in Oct 2012," Hometown Health Spring Conference, St. Simons Island, Georgia, April 25-27, 2012

"Healthcare Reform and Stimulus Act," MMM and Blue Wave Computing webinar, April 24, 2012

"HIPAA and Healthcare Reform's Impact on Healthcare Services," Vendormate, Atlanta, Georgia, April 23, 2012

Emory Health Innovation Panel, Atlanta, Georgia, April 16, 2012

HIPAA Compliance Training Certification program, MMM and HomeTown Health, LLC, Macon, Georgia, February 28-29, 2012

"How Healthcare IT Benefits Patients, Providers, and Georgia's Overall Economy," AG Health meeting, Atlanta, GA, January 26, 2012

Health IT Leadership Summit, November 8, 2011

"Optimizing Care: Linking Risk, Quality, Compliance and Case Management...to Survive and Thrive Under the New Paradigm," Marsh Atlanta Office, November 1, 2011

"The Final ACO Rule," Marwood Group webinar, October 25, 2011

"How Does the Community Hospital Fit into an ACO?," Community Hospital 100 Conference, Pinehurst, North Carolina, October 23-25, 2011

"Healthcare Privacy & Security - What Every Provider Needs to Know," 6th Annual Georgia Healthcare Trade Fair & Regional Conference, Atlanta, Georgia, October 12, 2011

"The Promise and Pitfalls Of Accountable Care Organizations - A Panel Discussion," 6th Annual Georgia Healthcare Trade Fair & Regional Conference, Atlanta, Georgia, October 12, 2011

"Meaningful Use For Eligible Professionals - What You Need To Know NOW!" 6th Annual Georgia Healthcare Trade Fair & Regional Conference, Atlanta, Georgia, October 12, 2011

"New 2011 HIPAA Enforcements - Are you in the KNOW?," HSRF webinar, August 25, 2011

"HIPAA Privacy Issues," Georgia HIMA Annual Meeting, August 4, 2011

"HIPAA/HITECH," St. Joseph's Medical Group, July 28, 2011

Meaningful Use presentation, 5th Annual MIT Health Information Summit, Boston, Massachusetts, July 13 -15, 2011

Metro Atlanta Chamber of Commerce and Bioscience Leadership Council conference on the future of healthcare in Atlanta and the Southeast as it relates to accountable care, ACOs, and payment reform, June 21, 2011

"Six Goals of Meaningful Use – Education Webinar Series," Home Town Health, June – August, 2011

"Strategy Session for C-Level Healthcare Executives," June 10, 2011

"How Will the ACO Regulations Affect You?" MMM Webinar, June 1, 2011

"EHR Implementation," Health Solution Resource Forum Focus Group, March 31, 2011

"HIPAA 5010 and ICD-10 Implementation Challenges and Strategy," Home Town Health Seminar, March 29, 2011

"What Role Do CAH's Play in Accountable Care Organizations (ACOs) Employing Physicians & How to Set Up an ACO?" Southeast Critical Access Hospital Conference. March 25, 2011

"TAG Public Policy and HIT Innovation," Atlanta, March 24, 2011

"Meaningful Use and EHR Implementation," Medical Associates Association, March 24, 2011

"Telehealth Billing and Legal Telehealth," Georgia Conference for Telehealth, March 18, 2011

"Healthcare Reform," in-house presentation at Kimberly Clarke in Salt Lake City, Utah, March 1, 2011.

"Healthcare Reform," in-house presentation at Kimberly Clarke in Atlanta, Georgia, March 8, 2011.

"State Medicaid RAC Programs, RAC Monitor event, March 2, 2011.

"Meaningful Use," GE HealthSystems Centricity User Conference, Stone Mountain, Georgia, February 3 & 4, 2011.

HomeTown Health Hospital Health Information Technology Conference, Macon, Georgia, January 20, 2011.

"Healthcare Reform as it Relates to the Medical Practice," North Georgia Medical Group Management Association, Dalton, Georgia, January 13, 2011.

"Legislations & Regulations, Healthcare Reform, and the Stimulus Bill," 2010 A.D.A.M. Virtual Client Summit, October 13, 2010

"What You Need to Know about Meaningful Use to Obtain Financial Incentives Towards Your HER," Strategic Healthcare Partners, LLC Webinar, July 29, 2010

"How Utilization Review and Case Management Assignment Protocol Can Ensure Accurate Reviews of Admission Patient Status," Hometown Health Webinar, July 22, 2010

"Healthcare Reform, Provider Compliance and Mandatory Protective Steps," Webinar, July 1, 2010

"Coding & Documentation Compliance – Your key to RAC's Success," Hometown Health Rural Hospital Education Program Webinar, May 17, 2010

"Stimulus Funding Incentives for Physicians," Georgia Medical Group Management Association's Annual Meeting, April 20, 2010

"Overview of the Federal Healthcare Reform: What Does it Mean?" Morris, Manning & Martin Webinar, April 7, 2010

"RAC READINESS - "Effective Compliance Program Structure - 8 Key Elements," Hometown Health Rural Hospital Education Program Webinar, March 17, 2010

"Hospital/ Physician Alignment Using Health Information Technology, " Annual Meeting of the Georgia Society of CPAs, February 25, 2010

"How Does the Massachusetts Election Impact Your Healthcare Plan & What Should Your Company Expect?" Technology General Counsel Roundtable, Feb 24, 2010

"RAC Readiness - To Self Disclose or Not to Self Disclose," Hometown Health Rural Hospital Education Program, February 17, 2010

"How to Obtain Stimulus Funding," Technology Association of Georgia (TAG), January 28, 2010

"Integrating RACs, MACs & HACs –Target Areas Into Your Compliance Program," Hometown Health Rural Hospital Education Program, January 10, 2010