

ATTORNEY REFERRAL INFORMATION

The ACR Legal Department provides referrals to attorneys for those radiologists and radiation oncologists who do not have representation, or who have an attorney but would like to consult with a specialist in a particular area of the law, such as medical staff bylaws. We also may provide general information on specific issues, such as contracts, with this referral sheet. Some of the information may be in sample format. Please be advised that any materials we provide are for informational purposes only and not meant to substitute for legal counsel.

While it is not essential that you have local counsel to represent you, your attorney should be familiar with your state law and administrative regulations pertaining to medical practice. Of course, it is important that you and the attorneys discuss fee arrangements, as well as the time they expect to spend on the matter, before retaining any of them to represent you.

Thank you for contacting the ACR Legal Department. If you need further assistance or have questions about the Business Practice Issues section of the web site, please call 1-800-227-5463 and ask for Elizabeth Rathburn or you may email her at erathburn@acr.org or legal@acr.org.

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Kathy H. Butler

GREENSFELDER, HEMKER & GALE, P.C.

10 S Broadway, Suite 2000

Saint Louis, Missouri 63102

Tel.: (314) 516-2661

Fax: (314) 516-2693

khb@greensfelder.com

www.greensfelder.com



A longtime passion for the health care industry drives Kathy Butler to exclusively focus her practice on advising hospitals, health systems, physician practices and other health care providers across the health care spectrum. Kathy helps providers interpret and comply with regulations including federal and state fraud and abuse laws, federal Stark Law and legal requirements for tax-exempt entities. She counsels on compliance plans, internal regulatory reviews and external regulatory investigations and works with institutional and individual clients on physician practice acquisitions and other physician integration strategies. In addition, Kathy provides advice on the development of hospital and hospital-system policies and professional service contracts. She is experienced in medical staff credentialing, governance and disciplinary matters, impaired health professional issues, risk management issues, patient rights issues and bio-ethical issues. Kathy collaborates with the firm's business services attorneys on general corporate matters related to health care, and with litigators on health care-related litigation matters including medical staff litigation and health care-related litigation brought by the government and/or qui tam whistleblowers. As a leader of the firm's health care practice and industry groups, Kathy is a leader at the firm — throughout her long career, she has served in various leadership roles both within the firm and as its representative with professional organizations. Kathy has a long-standing interest in the health care industry, and developed a niche that pairs her interest in health care with her legal knowledge. She previously served as in-house counsel for a large health care system, an experience that enhances her understanding of the business and management challenges hospitals face.

Milada R. Goturi

THOMPSON COBURN LLP
1909 K Street NW, Suite 600
Washington, District of Columbia 20006
Tel.: (202) 585-6951
Fax: (202) 585-6969
mgoturi@thompsoncoburn.com
www.thompsoncoburn.com



Milada provides in-depth guidance on Medicare and Medicaid billing and reimbursement issues. She assists providers with audits of billing practices and represents providers in self-disclosures of compliance matters to CMS and OIG. Milada intimately understands the complex relationships between hospitals and physicians and provides strategic advice on physician contracting, compliance with Stark and Antikickback laws and structuring business arrangements in compliance with these laws. Milada has significant experience in HIPAA compliance and data privacy and security. She regularly advises on all aspects of HIPAA compliance, including establishing HIPAA privacy and security compliance programs and responding to privacy and security incidents. Milada also advises clients on day-to-day operational issues, EMTALA compliance, licensing and accreditation survey matters, patient care issues and medical staff matters. Milada represents providers faced with investigations by various government enforcement agencies, including the U.S. Department of Justice, the U.S. Department of Health and Human Services, state attorneys general, the Office of Civil Rights and others. She works closely with clients to develop appropriate responses and successfully negotiate timely and favorable outcomes. Milada also has extensive experience negotiating corporate health care transactions. Working on every aspect of the transaction, she structures and negotiates affiliations, mergers, acquisitions and joint ventures involving hospitals, surgery centers, physician practices and other businesses. Admitted in DC, IL, MD, MO.

Harvey M. Tettlebaum

HUSCH BLACKWELL
630 Bolivar Street, Suite 300
Jefferson City, Missouri 65101
Tel.: (573) 761-1107
Fax: (573) 634-7854
harvey.tettlebaum@huschblackwell.com
www.huschblackwell.com



Harvey represents providers and associations of healthcare providers across the care spectrum from acute to primary care, including mental health professionals, pharmacists and pharmacies, emergency medical services, physicians and dentists. He brings a 360-degree view to healthcare matters, combining his thorough understanding of the statutory and regulatory landscapes and his familiarity with the key players when developing strategies to solve clients' problems and help them achieve their goals. Harvey is actively involved in pro bono work. He helps develop legislative proposals and public policy positions for the Anti-Defamation League and funding sources for the Missouri Legal Services programs.

Stuart J. Vogelsmeier
LASHLY & BAER, P.C.
714 Locust Street
Saint Louis, Missouri 63101
Tel.: (314) 436-8349
Fax: (314) 621-6844
sjvogels@lashlybaer.com
www.lashlybaer.com



Stuart J. Vogelsmeier is the Executive Vice President of Lashly & Baer, and Chair of the Health Care and Business practices. He is a business lawyer and represents health care providers, health care organizations, owner-operated businesses, and professionals in Missouri, Illinois, and nationwide. He practices health law and corporate law. His clients have included major health systems, national health care group purchasing organizations, dental service organizations, senior living facilities, multi-specialty physician groups, critical access hospitals, rural health centers, billing companies, durable medical equipment suppliers, imaging centers, ambulatory surgery centers, and individual providers. Mr. Vogelsmeier has been involved in every phase of the life of business. This includes dealing with structuring businesses, buying and selling businesses, providing regulatory advice, negotiating contracts and leases, and structuring joint ventures. Health care providers rely on his advice for operating issues such as Medicare compliance, the Stark law, fraud and abuse, group purchasing, joint ventures, tax-exemption compliance, clinical research matters, reimbursement, telemedicine, and ancillary services. He counsels health care providers and business owners on licensure, information systems, risk management, liability protection, and real estate matters.

Richard D. Watters
LASHLY & BAER, P.C.
714 Locust Street
Saint Louis, Missouri 63101
Tel.: (314) 306-3004
Fax: (314) 621-6844
rdwatters@lashlybaer.com
www.lashlybaer.com



Richard D. Watters advises all types of health care clients from large hospital systems to individual physicians, nurses and other health care professionals on various matters including general health care laws and regulations, business operations, contracting, governance and corporate issues, licensing/regulatory compliance, the Stark Law, fraud and abuse, EMTALA, Certificates of Need, medical staff issues, practice and business acquisitions, joint ventures, Medicare and Medicaid conditions of participation, and reimbursement and contract negotiations. Mr. Watters has considerable experience in obtaining Certificates of Need for hospitals, nursing homes and imaging centers. He has also obtained numerous multimillion-dollar verdicts for his hospital and nursing home clients in Medicaid reimbursement appeals. He often represents health care institutions and individual professionals before regulatory agencies, licensing bodies, professional organizations, medical staff committees, PROs, Medicare and managed care. Rick has been selected by his peers for inclusion in Best Lawyers in America® in the field of Health Care Law, for the last 30 years, most recently in 2021.

Mark R. Woodbury

POLSINELLI

900 W. 48th Place, Suite 900

Kansas City, Missouri 64112

Tel.: (816) 271-8018

Fax: (816) 279-3977

mwoodbury@polsinelli.com

www.polsinelli.com



Mark Woodbury brings a unique perspective to his work on behalf of clients that is based on more than 35 years of experience working with hospitals and physician practice groups, life science and other businesses. He is a problem-solver, understands the business needs of the firm's clients, and always looks for ways to accomplish their goals either within the complex legal and regulatory environment of the health care industry or with private and nonprofit businesses in other industries. Whether an acquisition or sale, establishing clinically integrated networks, dealing with physician compensation plans, drafting and/or negotiating complex contracts or dealing with governance, regulatory or compliance matters, organizations rely on Mark for strategic and practical legal counsel. He also works closely with private and nonprofit businesses in other industries, providing them with practical and strategic advice and counsel regarding business formations, joint ventures, acquisitions and sales, contracting, licensing, and financing.