



Associate

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Bar Admissions

Maryland

Court Admissions

Court of Appeals of
Maryland

Education

University of Maryland
School of Law (J.D.,
with honor, 2005)

- *The Business Lawyer*
- Moot Court Board
- 2005 Meyerowitz Competition Chair

Trinity College (B.A.,
with honors)

- Phi Beta Kappa
- Presidential Fellow, Philosophy

JOSHUA J. FREEMIRE

Experience

Joshua J. Freemire, an associate in Ober|Kaler's Health Law Group, advises physicians, hospitals, pharmacies, laboratories and other health care providers on regulatory compliance, licensing, reimbursement, and structuring business transactions with a primary focus on fraud and abuse, health care information technology, including meaningful use, and state and federal privacy laws. Josh works closely with clients to develop and implement compliance programs and manage compliance issues, including self-disclosure under both the OIG and CMS protocols. Josh has also helped clients to assess and respond to data breaches under HIPAA and under state consumer protection laws and to respond to subsequent investigations by regulators. He has worked with clients to resolve questions relating to implementation and documentation requirements of federal and state HIT Incentive programs. Josh has addressed HIT privacy and security compliance and data breaches at provider entities as small as single physician practices and as large as Fortune 50 organizations.

Specifically, Josh counsels health care clients regarding regulatory compliance relating to business entity formation and structure and the regulatory issues presented by the formation of new practices and entities, or acquisition or mergers with existing providers. His counsel encompasses matters relating to state and federal health care licensing and regulation, patient privacy laws, electronic health record security, federal and state tax-exemption, reimbursement, and fraud and abuse.

He is the author of numerous articles on health care law and frequently participates in seminars and webinars conducted by professional associations and other provider organizations.

Representative Cases

- Defended a national laboratory provider in response to multiple government subpoenas investigations Medicaid Fraud
- Represented a Regional Health Information System with regard to formation, compliance, tax-exempt status, and corporate matters
- Represented a Nationally known Hospital chain in a series of reimbursement disputes worth multiple millions of dollars
- Provided regulatory compliance counsel in connection with the acquisition of a national laboratory company
- Provided regulatory compliance counsel in regard to a national pharmacy chain's acquisition
- Drafted briefs before the Maryland Court of Appeals in connection with a provider's challenge to a state administrative agency's characterization of certain expenses

- Advised a national pharmacy provider with regard to compliance aspects of a "Red Flag" identity theft protection plan implementation
- Defended a national laboratory provider in a qui tam lawsuit
- Provided analysis and advice to the Maryland Health Care Commission regarding state and federal laws applying to electronic health records
- Provided regulatory compliance counsel regarding a national provider organization's contemplated implementation of an electronic health records system

Professional Memberships

- American Bar Association
- American Health Lawyers Association
- Maryland State Bar Association
 - Health Law Section

Honoraries

- Listed as a Maryland Rising Star in *Maryland Super Lawyers*, 2010, 2012

Professional Background

- Intern to the Honorable Richard D. Bennett, United States District Court for the District of Maryland

Publications & Presentations

- Co-author, "Voluntary Disclosures: The Good, the Worrisome, and the Unknown," *Health Law and Compliance Update*, Wolters Kluwer, 2012
- Presenter, "Social Media, Health Care Privacy and Your Employees: 7 Tips to Avoid HIPAA Violations and Employee Claims," Webinar, Ober|Kaler, 2011
- Co-author with Julie E. Kass, "'Concierge' Medicine – Best Practices and Common Pitfalls," *Health Law Handbook*, 2009
- Guest, "New Medicare Rewards for E-Prescribing," Audio Interview, ReachMD, 2009
- Guest, "Preventing Identify Theft in the Clinical Practice," Audio Interview, ReachMD, 2009
- Presenter, American College of Medical Coding Conference, 2008
- Presenter, Webinar on FTC's Red Flag Rules, Radiology Business Management Association, 2008
- Author, "Providers May Charge for Missed Appointments, But...," *MCA Journal*, 2008
- Key Contributor to the "Final Report" of the Maryland Health Care Commission's Task Force to Study Electronic Health Records, 2007
- Author, "Pay Per Lead Advertising May Be Legal, But...," *MCA Journal*, 2008
- Author, "Planning to Charge a Yearly 'Overhead' Fee? Proceed with Caution," *Health Law Alert*, 2007