

**LYNN M. BARRETT, ESQ., CHC, CCP**  
**2601 CORAL STONE COURT**  
**WINDERMERE, FLORIDA 34786**  
**(954) 540-3087**

**PROFESSIONAL EXPERIENCE**

**Barrett Law, P.A.** 2019 – Present  
*President*

Provide healthcare compliance advice and guidance to a myriad of providers. Conduct compliance effectiveness reviews. Create, review and revise compliance policies and procedures. Conduct compliance training on the Stark Law, the Anti-Kickback Statute, the False Claims Act and Civil Monetary Penalties, as well on DOJ and OIG guidance on effective compliance programs. Provide guidance to Boards of Directors/Trustees on the duties of care and loyalty and conduct training in connection therewith. Analyze arrangements for actual or potential conflicts of interest. Serve as Independent Review Organization to organizations under Corporate Integrity Agreements.

**Wachler & Associates, PC** 2020 – Present  
*Partner*

Serve as partner in a health law firm focusing on providing advice and guidance to a wide range of providers, including hospitals, health systems, physicians, group practices, laboratories, ambulatory surgery centers (ASCs), medical device companies, home health agencies, hospice providers and health care start-ups. Provide regulatory guidance on the Stark Law, Anti-Kickback Statute and EKRA to individuals and entities. Analyze numerous arrangements, including employment, physician services, marketing and consulting arrangements. Assist with regulatory and transactional components of developing, purchasing and selling ASCs, as well as mergers of healthcare entities. Respond to government inquiries, including from local Offices of Inspector General, and assist with investigations. Prepare and review all types of contracts including employment, contractor, stock purchase, operating, management, billing, and lease. Assist with various aspects of COVID-testing issues, including, without limitation, billing and ordering of tests.

**Maurice A. Deane School of Law at Hofstra University** 2020 - Present  
*Adjunct Professor*

Serve as adjunct professor to the Maurice A. Deane School of Law at Hofstra University's online health law program focusing on Medicare and Medicaid laws, rules, regulations and policy issues, as well as healthcare business transactions, and healthcare compliance.

**Nova Southeastern University Shepard Broad College of Law** 2021- Present  
*Adjunct Professor*

Serve as adjunct professor for NSU's college of law focusing on healthcare compliance.

**North Broward Hospital District d/b/a Broward Health** 2015 – 2019  
*General Counsel*

Served as key member of the Executive Management Team of one of the largest public health systems in the United States which consists of four acute care hospitals, seven outpatient facilities and urgent care centers and twelve community health centers. Oversaw and managed legal and regulatory functions for the system and supervised a team of in-house and outside counsel. Actively participated in the implementation of a five-year Corporate Integrity Agreement (CIA) with the federal Department of Health and Human Services Office of Inspector General, including creating a Code of Conduct and numerous policies and procedures, developing a certification program, drafting implementation and annual reports, and preparing and

implementing a training plan which includes developing and conducting training on the CIA, the Stark Law, the Anti-Kickback Statute and the Federal False Claims Act. Assisted with multi-million dollar bond offering. Prepared and presented monthly reports to the Board of Commissioners and served as *ex officio* member of all Board Committees. Conducted Board training on the CIA, Board duties, responsibilities and governance, and compliance certain fraud and abuse laws and regulations. Worked closely with numerous regulatory agencies on a number of reviews and investigations, including, without limitation, the State of Florida Office of Chief Inspector General, the Federal Office of Inspector General, and the U. S. Attorney's Office. Drafted and implemented numerous contract template agreements, including, without limitation, medical directorships, physician employment, on-call coverage, construction, distribution, GPO, supply chain and consulting agreements. Participated in preparing grant applications in connection with behavioral health initiatives. Attended and staffed Baker Act proceedings. Significantly enhanced the fair market value and commercial reasonableness appraisal process, and developed numerous tracking tools. Restructured physician arrangements including physician employment, on-call coverage, inpatient services and leases. Prepared and implemented a system-wide on-call coverage policy consistent with Federal regulations and guidance. Provided advice and guidance regarding the restructuring of the commercial ACO and other managed care arrangements. Conducted and oversaw internal investigations involving legal and compliance issues potentially implicating the Stark Law, the Anti-Kickback Statute, the Sherman Act, CMS' conditions of participation, and State public corruption laws. Analyzed regulatory issues and prepared and submitted reports to the Federal Government in connection therewith including Stark Self Disclosures. Reviewed and revised Medical Staff Bylaws and attended to numerous physician issues implicating the Healthcare Quality Improvement Act, Florida Board of Medicine laws, and other Federal and State laws. Analyzed issues relating to the District's Foundation, including conflicts of interest, solicitation of donations and financial disclosures. Provided daily advice and guidance on such topics as physicians and referral source arrangements, public entity laws and regulations, procurement matters, contracting issues and Board governance. Collaborated and consulted effectively and positively with numerous departments including the office of compliance and ethics, the physician services department, the office of internal audit, the graduate medical education department, the real estate department, and contracts administration. Reviewed internal processes and policies for optimization and compliance with applicable laws, rules and regulations.

**Jackson Health System**

2014 – 2015

*Senior Vice President, Chief Compliance & Ethics Officer*

Served as Chief Compliance & Ethics Officer and implemented and maintained the Office of Compliance & Ethics' comprehensive compliance program for Jackson Health System, managing a staff of 17 compliance professionals. Prepared and presented monthly reports to the Board of Trustees. Conducted compliance training for health system executives on physician and referral source arrangements. Conducted numerous training sessions for health system employees on issues such as State of Florida public records law and the Sunshine Act, EMTALA, HIPAA and internal reviews and investigations. Implemented and conducted quarterly training for the Board of Trustees. Provided daily compliance guidance on physician arrangements and other potential referral sources, billing issues, medical necessity and quality of care matters. Actively participated in the development of Jackson's Annual Operating Agreement and provided compliance guidance in connection with numerous academic medical center matters. Oversaw and assisted in the preparation of responses to external regulatory agencies such as CMS, AHCA and the Federal Office of Civil Rights, and worked closely with regulatory agencies, including the Commission on Ethics, and the local OIG on investigations and reviews. Worked collaboratively and proactively with numerous departments, including Quality, Risk Management, Human Resources, Procurement, Physician Services and the County Attorney's Office to ensure an integrated approach to resolving issues, and to implement systems to detect and prevent compliance issues. Participated in strategic initiatives to provide guidance and assistance to the Strategy and Business Development Departments. Prepared annual Compliance Work Plan consistent with OIG and state and federal regulatory guidance and developed, supervised, and conducted assessments and audits consistent therewith. Prepared and managed the annual budget for the Office of Compliance & Ethics. Certified in Healthcare Compliance.

**Roetzel & Andress, LPA**

2013

*Partner*

Served as Partner as a member of the firm's Health Care Industry Group. Provided health care regulatory and compliance advice and guidance in connection with areas such as physician arrangements, complex joint venture arrangements, compliance issues relating to home health and assisted living facility matters, civil monetary penalties and patient inducement issues, Medicare billing matters relating to a pharmacy acquisition, and numerous issues relating to compounding pharmacies.

**Jones Walker, LLP**  
*Special Counsel*

2010 – 2013

Served as Special Counsel as a member of the firm's Health Care Practice. Provided advice and guidance on healthcare regulatory, compliance, transactional, and operational issues to healthcare systems, hospitals, home health agencies, skilled nursing facilities, and other healthcare providers. Conducted compliance reviews of numerous physician and referral source arrangements, policies and procedures in such area as the Stark Law, and the Anti-Kickback Statute, and prepared recommendations regarding same. Conducted internal reviews of hospital matters involving such issues as medical necessity and critical care services and provided compliance guidance regarding formulating policies, procedures and auditing mechanisms. Prepared and conducted comprehensive regulatory and compliance training for health system executives regarding the federal False Claims Act, Stark Law, Anti-Kickback Statute and additional fraud and abuse laws and regulations, as well as tax-exempt organization issues, such as community benefit and private inurement. Prepared and conducted numerous training programs for physicians, allied health professionals and hospital executives on issues such as medical necessity and certain billing and supervision issues. Served as regulatory healthcare counsel to health systems and provided regulatory and compliance advice and counsel on day-to-day basis, as well as provided advice on complex operational and medical staff issues, including, without limitation, analyzed issues relating to and prepared employment, independent contractor, on-call coverage and billing services agreements, and analyzed medical staff bylaws, rules and regulations. Analyzed and provided advice on HIPAA and HITECH issues, and prepared and revised business associate agreements, policies and procedures in connection with the 2013 HIPAA Omnibus Final Rule. Provided federal and state healthcare regulatory advice and prepared memoranda on complex acquisitions of healthcare entities, including, without limitation, diagnostic imaging companies, home health agencies, home care entities and physician practices. Prepared articles and presentations on current healthcare topics including overpayments; quality of care issues and enforcement actions under the False Claims Act; marketing in the context of the Anti-Kickback Statute; False Claims Act, Stark Law and Anti-Kickback Statute enforcement actions and cases in the context of hospital-physician arrangements, with particular focus on issues of commercial reasonableness and fair market value; Medicare Conditions of Participation; HITECH and HIPAA compliance; telemedicine, electronic health records, meaningful use and the Medicare and Medicaid incentive programs; and legal issue facing ambulance providers and home health agencies. Prepared and presented webinars and seminars on readmissions, quality of care in the context of nursing facility and other healthcare provider enforcement actions; accountable care organizations, bundled payments, and medical homes; public health systems challenges when conducting clinical research, including issues relating to indemnification and sovereign immunity; and healthcare reform legislation.

**The South Broward Hospital District**  
*Deputy General Counsel*

2005 – 2009

Served as Deputy General Counsel with broad-ranging responsibility for regulatory, compliance, transactional and other matters for a five-hospital public health system. Provided comprehensive federal and state regulatory and compliance guidance in multiple areas of the law, including complex fraud and abuse laws relating to physician practice acquisitions, physician employment and contractor relationships and physician recruitment arrangements. Developed tools to facilitate operational objectives, including developing and/or substantially revising standard form agreements (physician recruitment, call coverage, disaster agreements, leases and construction contracts) and procedures and protocols for legal and regulatory matters. Provided advice and counsel to Board of Commissioners, attended numerous Board committee meetings and prepared Board resolutions and other Board documents. Provided comprehensive training and in-services to medical staff leadership, senior executives, physicians, and staff and provided analysis and advice in response to legislative and regulatory initiatives. Researched, structured and negotiated Medical Staff Bylaws, rules and regulations. Oversaw

and assisted in the restructuring of complex physician-hospital arrangements including ambulatory surgery centers, PHOs, independent practice associations and other strategic arrangements. Revised and negotiated clinical trial agreements, attended IRB meetings and assisted in overall restructuring of clinical research program. Represented the District at numerous mediations and arbitrations relating to both medical malpractice and general liability claims and negotiate settlements with respect thereto. Assisted in the negotiation of complex IT agreements and managed care arrangements and participated in and oversaw litigation involving managed care companies.

**Tenet Healthcare Corporation**

1999 – 2005

*Senior Managing Counsel, Florida Region*

Managed Tenet Florida Region Law Department, overseeing a staff of eight. Directly provided and oversaw the provision of legal representation and counseling to sixteen Florida hospitals. Initiated and implemented a series of Regional regulatory and compliance initiatives, including the review of each hospital's peer review process, the restructuring of each hospital's subpoena process and the review and revision of advance medical directive policies and procedures. Assisted in the day-to-day implementation of a Corporate Integrity Agreement. Provided in-service and training to hospital Governing Boards, as well as the Directors of Business Development and Hospital, Regional and Corporate executives on a number of complex legal and fraud and abuse issues. Provided federal and state regulatory advice and assisted in the structuring of arrangements affecting hospital operations, including physician and potential referral source arrangements. Directed the legal strategy related to medical staff matters and operational litigation, including the retention and oversight of outside counsel. Assisted in all aspects of opening a new acute care hospital as well as the integration of two newly acquired hospitals into the Tenet Healthcare Corporation. Coordinated and oversaw federal and state investigations, including EMTALA fast track de-certifications and statements of deficiencies. Coordinated internal investigations and reviewed and revised corrective action plans and written responses to government agencies. Provided legal advice and guidance to the Corporation on IRB and clinical protocol issues and agreements. Identified and coordinated the resolution of compliance issues and provide guidance and direction to the Compliance Department.

**Baptist Health Systems of South Florida, Inc.**

1997 – 1999

*Senior Corporate Attorney, Office of General Counsel*

Directly provided and managed legal representation and counseling on transactional, business, operational, employment and regulatory matters to a not-for-profit health system which owns and operates four acute care hospitals, urgent care centers, home health agencies and a for-profit subsidiary responsible for physician practice management, hospital outpatient centers and an ambulatory surgery center. Analyzed federal and state fraud and abuse, self-referral, anti-kickback and tax-exempt organization laws as applied to physician transactions, including equity interest acquisitions, physician recruitment, hospital-based staffing, management services arrangements, employment and contracting arrangements. Attended and provide guidance to Hospital Credentials and Medical Executive Committees. Managed and represented the hospital and medical staff at utilization and quality fair hearings. Managed patient care issues, provided legal guidance to all Institutional Review Boards, and reviewed, analyzed and revised medical protocols and consents to ensure compliance with FDA and OHRP regulations. Directed and supervised all due diligence throughout the system for multi-million-dollar bond deal.

**McDermott, Will & Emery**

1996 – 1997

*Associate, Health Care Department*

Provided transactional and regulatory guidance to a broad range of healthcare providers, including publicly traded physician practice management companies and corporate health systems. Structured, drafted and negotiated documents for, and closed a variety of transactions involving, physician practice acquisitions, stock purchase and stock exchange transactions, management services arrangements, joint operating arrangements and physician practice closures. Conducted compliance audits for a national healthcare corporation, analyzed provider arrangements for compliance with federal and state fraud and abuse, self-referral, anti-kickback and antitrust laws.

**Zach, Sparber, Koznitzky, Truxton, Spratt & Brooks, P.A.**  
*Associate, Healthcare Department*

1995 – 1996

Assisted in the formation of joint ventures, group practices and other arrangements between and among healthcare providers. Prepared compliance program for clinical laboratories. Analyzed and researched fraud and abuse and self-referral issues. Drafted shareholder agreements, partnership agreements, and employment and consulting agreements.

**Cadwalader, Wickersham & Taft**  
*Associate, Corporate Department*

1991 – 1995

Participated in all aspects of broad-based healthcare corporate practice on behalf of major non-profit and for-profit organizations. Assisted in drafting documents for purchase and sale of nursing homes. Conducted extensive research and writing on health law and elder law. Extensive general corporate and financial market regulation experience, including securities and commodities regulatory and transactional work. Negotiated, drafted and closed complex derivative products, including interest rate and currency swaps, commodity swaps, and tender option and trust agreements.

**Florida International University**  
*Adjunct Professor*

2010 – 2014

Co-created and taught Health Law course for Florida International University's Master of Healthcare Administration program, focused on understanding and identifying compliance and regulatory issues in the healthcare arena. Course examined the legal foundations of the federal and state court system, fraud and abuse regulations and enforcement issues, corporate compliance, ethical issues in medicine, quality of care, clinical research, HIPAA and privacy issues; provider regulation and healthcare policy.

## **EDUCATION**

New York University School of Law: Juris Doctorate, May 1991

*Honors:* Award for Outstanding Scholarship in Law and Medicine; Review of Law and Social Change

Carnegie-Mellon University: Bachelor of Science in Psychology and German, December 1985

*Honors:* University Scholar & College Scholar; Ranked Number 2 in graduating class (top 1%)

Goethe Institute, Luneberg, Germany Education Abroad Program, 1983

## **PROFESSIONAL MEMBERSHIPS**

Admitted to New York Bar, May 1992

Admitted to Florida Bar, March 1996

Health Care Compliance Association, *Certified in Healthcare Compliance*

Health Ethics Trust, *Certified Compliance Professional Designation*

*Fellow*, American Bar Association

American Bar Association, Health Law Section

*Chair*, Ethics & Professionalism

*Vice-Chair*, eHealth, Privacy & Security

National Association of Women Lawyers

*Co-Chair*, Health & Life Sciences Law Affinity Group

Women's Healthcare Executive Network (WHEN) of South Florida  
*Board Education Chair*

American Health Lawyers Association, Health Law Section  
*Special Topics Leader, Labs, Regulation and Payment*

Florida Bioethics Network, Member