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Healthcare is a complex and fast-changing industry that touches many areas of law, including litigation and transactional work in the public and private sectors, and work with non-legal entities. Legal jobs related to health care pop up in federal and state government, private firms, and in-house legal departments in big companies, among others. Healthcare touches a wide range of legal practice areas, such as corporate law, torts, criminal law, antitrust, administrative, real estate, and regulatory compliance. The range of positions where health law attorneys find jobs is broad. They include organizing how providers are structured and paid, regulating foods, drugs, and medical devices, disease prevention and health promotion to improve public health, and negotiating complex transactions to satisfy the changing demands of a dynamic market. This guide details different types of health law employers for Colorado Law students to consider, and outlines ways for students to become involved with health law while in law school, in order to maximize your marketability to health law employers when you graduate.

Health law is a unique practice area because it focuses on an industry, rather than a specific body of law. Health law touches all aspects of the healthcare industry, including the organization, financing, and delivery of healthcare services. Because the industry is so expansive, healthcare intersects with many types of law, including antitrust, corporate, transactional, litigation, contracts, antitrust, criminal, bioethics, intellectual property, tax, labor, and regulatory, among others. Health attorneys may be called on to serve in a number of roles, such as client counseling and training, transactional drafting, negotiation, litigation (both in court and administrative agencies), and government relations. Here are some descriptions of issues that Health Law attorneys address:

Accreditation – Regulating the quality of health care institutions through federal and state boards as well as private entities such as The Joint Commission or National Committee for Quality Assurance. State licensing boards and certification organizations offer litigation opportunities

Advocacy – Special interest organizations that address health policy issues afford opportunities to participate in impact litigation or legislative advocacy. These can include organizations at the national level such as Health Law Advocates, Center for Medicare Advocacy, HIV Law Project, or the AARP Foundation Litigation, and at the state level such as the Colorado Consumer Health Initiative. Also, national and state level professional associations such as the American Hospital Association or the Colorado Medical Society have political action committees that employ lawyers.

Bioethics – The number of attorneys who claim this as a full-time specialty is small however many attorneys who represent hospitals and other large providers confront ethical issues regularly in their practices and some public interest firms and organizations such as the Bioethics Defense Fund, the Presidential Commission for the Study of Bioethical Issues, or the Center for Practical Bioethics

Biotechnology and Patent Law – There is a shortage of attorneys trained in science and therefore qualified graduates are in demand in patent law and in the biotech industry. These fields are dynamic and changing as the laws are still developing as well as new products and scientific applications are changing rapidly

Compliance – This is a burgeoning specialty for attorneys trained in health law, whether institutions require representation to meet fraud and abuse requirements, or satisfying the requirements of HIPAA Privacy, Food, Drug and Cosmetic Act, Foreign Corrupt Practices Act, Prescription Drug Marketing Act, the Federal Sunshine Law, Data Privacy under HITECH, and a myriad of other regulatory provisions, there are a number of institutions that need the expertise of health care lawyers

Contract and Corporate Matters – This area has blossomed for health care attorneys helping entities meet the demands of health reform. Mergers, acquisitions, physician practice sales/purchases, tax conversions, creation of accountable care organizations, joint ventures, and integrated practice associations are among the many types of transactions that require health care attorneys. Health care lawyers in these areas may specialize in tax, antitrust, or general corporate law as these areas apply to the health care industry

Criminal Law – Prosecution and defense of Medicaid and Medicare fraud comprises most of the criminal work in health care. Apply for positions with the Office of <u>United States Attorneys</u> through the United States Department of Justice or the <u>Federal Trade Commission</u> if this work interests you at the federal level, and apply to work with <u>State Medicaid Fraud Control Units</u> to prosecute Medicaid fraud at the state level

Employment and Labor Law -

Arent Fox (Los Angeles)

Bingham McCutchen (San Francisco)

Crowell & Moring, LLP (Los Angeles, ()-30 g0 GrrrrrrrrFncisco

Wilson, Elser, Moskowitz, Edelman & Dicker, LLP (Houston)

Greenberg Taurig, LLP (Dallas)

Husch Blackwell, LLP (Austin)

Waller, Landsend, Dortch & Davis, LLP (Austin)

Cowles & Thompson, PC (Dallas)

Watson, Caraway, Midkiff & Luningham, LLP (Fort Worth)

Bourland, Wall & Wenzel, PC (Fort Worth)

Atchley, Russell, Waldrop & Hlavinka, LLP (Texarkana)

Quillin Law Firm, PC (Dallas)

Whitaker, Chalk, Swindle & Schwartz, PLLC (Fort Worth)

Covington & Burling, LLP

Drinker, Biddle & Reath, LLP

Ober Kaler

Latham & Watkins, LLP

McDermott, Will & Emery, LLP

King & Spalding

Powers, Pyles, Sutter & Verville, PC

Reed Smith, LLP

Sidley Austin, LLP

Skadden, Arps, Slate, Meagher & Flom, LLP

Many large health companies have in-house legal departments. This includes health systems, hospitals,

- o <u>Denver Health</u>
- o <u>Lutheran Medical Center (Exempla)</u>
- o <u>National Jewish Health</u>
- o Porter Hospital (Centura Health)
- o St. Anthony's Hospital (Centura)

Pharmaceutical and Medical Device Companies:

- o <u>Amgen</u>
- o <u>Covidien</u>

Health Insurance and Malpractice Insurance Companies:

o <u>COPIC</u>

Medical Research:

- o <u>University of Colorado Health Sciences</u>
- o Agilent Technologies

organizations offer ways to be involved with health policy through research and advocacy. See the list below and the "Professional Organizations and Associations" section for more ideas.

Brookings Institute
The Henry J. Kaise

Hershey Decker

Kaiser Permanente

<u>Novartis</u>

Polsinelli Shughart

Superior Medical Supply

Tolmar

<u>University of Colorado Hospital</u>

Vascular Solutions

The number one way to prepare for a career in Health Law is to enroll to earn the newly approved Certificate in Health Law and Policy.

Law students may demonstrate to employers that they are prepared to practice health law and lead in the administration financing, organization policy-making and delivery of health care by earning a Health Law & Policy Certificate (HLP).

The law governing the administration of statutes by the executive agencies of the federal government. Topics include the relationships of the constitutional branches with the agencies, the availability and scope of judicial review of agency action, procedural due process rights of individuals, the nature of agency processes for rulemaking and adjudication, and laws requiring open meetings and records. There is a final examination; enrollment is limited only by the size of the room assigned. No prerequisites. The course is offered at least annually.

Course provides a practical understanding of how to apply the law in both transactional and litigation settings. Gives an interdisciplinary look at how various areas of the law are brought together in common factual settings. Students will negotiate, document, and close the acquisition of a business covering the areas of practice of corporate, contracts, real property, secured transactions, and bankruptcy law. Students will then test, in a litigation setting, the decisions made during the acquisition stage.

Focuses on the development and use of concepts derived from a number of legal areas in the context of business planning and counseling. Topics such as formation of business entities, sale of a business, recapitalization, division, reorganization and dissolution are considered. Prerequisites: Income Taxation and either Agency, Partnership and the LLC or Corporations.

Provides an interdisciplinary study of law and bioethics. Students will read legal cases and clinical bioethics material to understand how the law has attempted to unify the goals of the two disciplines.

Compares public health law systems to those in other countries. Studies the goals, legal structures, and services provided, together with such issues of coercion as quarantines, monitoring, mandates & prohibitions, and forcing pharmaceutical companies to make available inexpensive generic drugs.

This course introduces key corporate and regulatory issues impacting the delivery of health care. Students gain an understanding of basic corporate law and regulatory principles, and learn to integrate core federal and state laws into choice and use of corporate structures and operational strategies. As the industry undergoes tremendous consolidation and reorganization in response to the changing market and environment ushered in by the Affordable Care Act, the course examines health care transactions from the hospital's and the physician's perspective.

This course will address the legal rules regulating the family, examining in detail the rules of marriage and divorce. The course will focus in particular on how these rules differ depending on whether the family is wealthy or poor, traditional or nontraditional, self-supporting or receiving public aid. This course will cut across traditional law school disciplines, such as civil, criminal, and constitutional law.

This course surveys the legal, economic and policy framework that governs American business. In doing so, it examines the core principles that guide our economy and, against the backdrop of the proposition that non-regulated markets are generally preferred, introduces a number or areas of regulation, including antitrust, securities, environmental, patents, health-care, advertising/information and consumer protection. We will critically examine economic rationales, legal ground rules and regulatory models. One objective will be to gain a good understanding of how government intervention has actually played out in selected markets. We will also examine markets that, though once regulated, have since been deregulated.

This class is through the University of Colorado at Denver School of Business and Health Sciences Center. It introduces the structure and function of the medical care delivery system, including basic concepts and measures of health, disease, quality, values, needs and utilization; issues in healthcare manpower, institutions and system organization; general issues in policy, reimbursement and regulation; broad community and organizational considerations in medical care organizations. The student is introduced to the principles of epidemiology and environmental health and demonstrates the application of epidemiology concepts to planning for the healthcare service needs of a population.

This course examines the law that controls access to health care, the cost of health care and the quality of health care delivered in the United States. Employing health economics as an overarching paradigm, the course surveys a wide range of law including the federal law that prohibits patient dumping, managed care liability, restraints of trade and fraud; regulatory law that controls federal financing programs such as Medicare and Medicaid; and state laws that control private insurance financing, forprofit conversions and unfair trade practices. There are no pre-requisites or caps in this class. Grading is based upon a 3-hour examination and class participation.

Explores (1) the law controlling ethical issues that arise during the delivery of medical care, (2) the substantive law of medical malpractice and tort reform aimed at reducing the frequency and severity of medical malpractice verdicts, and (3) the practical aspects of litigating a medical malpractice case. Cross-listed at the Health Sciences Center; will include field trips there.

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Examines the legal and policy issues raised by non-profits, including the formation of a non-profit, qualification for federal tax exemption, the rise and role of private foundations, fiduciary duty issues, restrictions on political activity and private benefit, etc. Also focuses on the broader social questions raised by giving, charities, and philanthropy.

Introduces students to the substantive areas of health and poverty law. Topics include health disparities and the role of law, cultural competence, standards of care for vulnerable populations, relationships between income, employment, housing, education, health, violence, and immigrants. Students will also help with intake of clinic patients and support client representation by the attorney of record.

How does a corporation establish and manage expectations for the conduct of its work force? What does a corporation need to do to keep itself out of the headlines for scandals, and how should it respond to problems when they arise? This course will explore these topics. It will cover the requirements for corporate compliance programs and the key components of them, including the role of the audit committee, internal audit, and ethics and compliance. It will also look closely at a few different compliance regimes, including Sarbanes Oxley, the privacy and security components of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the evolution of other data privacy standards like 'Do Not Track,' and the anti-corruption standards of the Foreign Corrupt Practices Act and the UK Bribery Act. Anticipate that grades will be based on class participation, three to five short written exercises throughout the semester, and a take home final. ex

The Health Law Society (HLS) is a student group at Colorado Law that is dedicated to fostering awareness and dialogue about the health care field from a legal perspective. HLS seeks to provide opportunities for student engagement by hosting speakers, promoting health-related conferences, externships, and other professional growth opportunities, and meeting with attorneys and policy-makers in the health care field.

The Barristers' Council gives Colorado Law students the opportunity to develop their lawyering skills outside the classroom. It is Colorado Law's top resource for students interested in trial advocacy, appellate advocacy, and transactional law. Each year, the Barristers' Council sponsors several intrascholastic mock trial, moot court, and transactional law tournaments, including the National Health Law Moot Court Competition and the Edward L. Bryant Health Law Transactions Moot Court Competition. These competitions give Colorado Law students an opportunity to sharpen and test their advocacy and counseling skills. Experienced attorneys serve as judges for the competitions, and provide practical feedback to all participating students. Students who become members of the Barristers' Council receive intensive advocacy training throughout their time at Colorado Law. They have the opportunity to compete against other top law students from around the country and to represent Colorado Law at prestigious national advocacy tournaments.

The Business Law Association (BLA) seeks to provide law students with information about and contacts to the business world. We host annual information sessions regarding upcoming events and the joint JD/MBA degree program. In addition, we bring in speakers from diverse business/law fields.

This journal is a biannual publication, which was founded in 1989-90 and was formerly the Colorado Journal of International Environmental Law and Policy. It publishes articles related to natural resources, energy, and environmental law and policy, as well as a feature article discussing environmental issues with international implications in each issue.

This journal has since established a position among the elite national technology and telecommunications law journals, featuring seminal moments in Internet policy such as former FCC Chairman Michael Powell's articulation of the four Internet Freedoms and Professor Tim Wu's groundbreaking definition of Network Neutrality. The journal is closely affiliated with the Silicon Flatirons Center. Annually, the Center hosts the nationally renowned Digital Broadband Migration symposium, submissions to which are published in the winter issue of JTHTL.

The Public Interest Students Association (PISA) is an organization that strives to involve students in service to the community during law school and to make students aware of their obligation to public service as future members of the bar. We provide both legal and general community service opportunities to members, bring in speakers, and fundraise for our summer fellowships. We also seek to help students learn about and pursue employment in public interest legal work after graduation.

The Silicon Flatirons Students Group is part of the Silicon Flatirons Center for Law, Technology, and Entrepreneurship, an interdisciplinary research center at Colorado Law. Silicon Flatirons Center's Core Mission is to elevate the debate surrounding technology policy issues; support and enable entrepreneurship in the technology community; inspire, prepare, and place students in Technology and Entrepreneurial Law. In fulfilling this mission, Silicon Flatirons serves as a source for new ideas, a forum for in-depth discussions and research, and a valuable campus platform for the technology community.

This is a journal of legal scholarship managed and edited by students and published four times a year. The student members of the conduct independent legal research, prepare notes and comments for publication, edit the works of their fellow students, as well as articles and book reviews submitted by faculty members and other scholars. New members are selected by the student Board of Editors based in part on class standing and the quality of student essays submitted in a writing competition. Students may receive academic credit for work on the that meets prescribed standards set by a faculty advisory committee.

See the "Policy" section for more ideas.

American Health Lawyers Association

American Bar Association

American College of Healthcare Executives

American College of Legal Medicine

American Association of Legal Nurse Consultants

American Association of Nurse Attorneys

American Society for Healthcare Risk Management

American Society of Law, Medicine, and Ethics

American Public Health Association

Food and Drug Law Institute

National Business Coalition on Health

National Health Care Anti-Fraud Association

Healthcare Leadership Council

American Health Care Association

Colorado Bar Association (Health Law Chapter - student membership)

Colorado Consumer Health Initiative

Colorado Coalition for the Medically Underserved