

Long-Term Care Litigation

Long-term care providers often find themselves the target of lawsuits and investigations, and handling the resulting confluence of sensitive facts, complex legal issues, and public relations landmines requires a special breed of lawyer. Similarly, long-term care providers operate within a unique compliance and regulatory landscape, and need experienced counsel to help navigate it. Cozen O'Connor's Long-Term Care Litigation team stands ready to meet the full panoply of providers' needs. Our lawyers stand alongside your communities, facilities, and caregivers. We understand your goals and your challenges, and we provide steadfast service commensurate with their gravity. With Cozen O'Connor's team at the helm, our long-term care clients are able to focus on delivering laser-focused, quality care.

We represent senior care providers (including senior living, in-home health, skilled nursing and assisted living facilities and their corporate partners, as well as health care professionals) in complex matters throughout the United States, and our clients turn to us to respond with a swift, disciplined, and innovative approach. Whether you are facing a predatory lawsuit, government investigation, qui tam claims, or anything in between, Cozen O'Connor's Long-Term Care Litigation team is here to assist. Our clients appreciate that we understand that "victory" is not simply about legal or monetary results — it is also about protecting their brand and reputation, while enhancing the patient-provider relationship. With this in mind, our team is adept at disposing of many plaintiffs' claims through motion practice or in the arbitration forum. Similarly, we have favorably resolved many cases through early informal settlement discussions and through pre-trial practice.

As counselors with a deep understanding of the senior care industry, we advise clients daily on matters involving corporate governance, regulatory compliance, licensing and vendor contracts, and employment matters – always with an eye toward fulfilling the client's overall mission. We work closely with clients to design and implement risk management strategies, achieve regulatory compliance, and fulfill licensure and certification requirements.

Most recently, the Cozen O'Connor team has stood by health care providers across the nation to assist in managing fluid CDC guidance, federal and state regulatory and criminal investigations, and risk management issues that have been thrust on the long-term care industry due to COVID-19.

EXPERIENCE

- Served as the outsourced legal department for a multistate skilled nursing provider, offering expert guidance on all matters including litigation, civil and regulatory issues, provider contract review, facility-based troubleshooting, and legal risk management training.
- Served as lead counsel for long-term care providers that operate throughout the country in a wide range of matters including patient care litigation, labor and employment disputes, commercial contract disputes, regulatory compliance issues, and high-exposure professional liability cases.
- Won defense verdicts in jury trials involving claims of wrongful death, custodial abuse, and neglect in numerous jurisdictions throughout the country.
- Won defense verdicts against predatory plaintiff firms espousing reptilian theories in support of claims of custodial abuse and neglect, corporate negligence, understaffing, and other alleged breaches of the standard of care.
- Won defense verdicts in arbitration for specialized care centers in cases involving pressure ulcers as the basis for wrongful death claims.
- Won defense verdict in jury trials for providers involving allegations of failure to diagnose, failure to recognize signs and symptoms, failure to timely report conditions to physicians, and failure to provide appropriate care and treatment involving a myriad of medical conditions.
- Counseled clients on compliance with HIPAA and other privacy and security policies and



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Related Practice Areas

- Commercial Litigation
- Product Liability

regulations.

- Provided due diligence case assessment of liability exposure to clients and transactional counsel engaged in acquiring multi-location senior living communities across the country.

