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Thomas M. Tammany

Shareholder

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Practice

Health Care

Tom is a leading health care attorney who represents a broad range of providers in the health care industry, primarily in business transactions, regulatory compliance and employment matters. With over 35 years of health law experience, in both private practice and as in-house counsel, and in various leadership positions, Tom has developed a reputation for sound judgment, creativity and a positive approach in assisting his clients achieve their legal and business objectives. He regularly represents academic medical centers and health systems, acute care hospitals, specialty and children's hospitals, individual physicians and physician groups, imaging and ambulatory surgery centers, home health and hospice agencies, medical device companies and other ancillary providers. He focuses his practice primarily in representing clients in mergers and acquisitions (M&A), joint ventures (JVs), fraud and abuse/Stark law compliance, billing and reimbursement matters and medical staff credentialing disputes. Tom also has extensive experience in other related matters, including non-profit corporate law and governance, the corporate practice of medicine, facility licensure and accreditation, patient care and privacy/ HIPAA matters and clinical research agreements.

Prior to joining Stevens & Lee, Tom was co-chair of the health law group at a large (Am Law 200) law firm. Before entering private practice, Tom was chief counsel of the University of Pennsylvania Health System (UPHS) where he provided strategic legal counsel to senior management and the board during a period of tremendous growth as UPHS transitioned from a single teaching hospital and faculty practice plan to a comprehensive academic health system.

Tom began his career in health law as associate general counsel of Main Line Health, Inc., where he focused primarily on employment, medical staff and transactional matters, after initially practicing with a labor/ employment law firm in Philadelphia.

Prior to practicing as a "civilian attorney," Tom served on active duty in the U.S. Army Judge Advocate

General's Corps where he was appointed first as the Chief of the Criminal Division and then as the Command Labor Counsel at his installation. He was awarded the Meritorious Service Medal and the Army Commendation Medal for his service. He was also U.S. Army Ranger qualified.

Tom has been a frequent speaker at programs sponsored by the Pennsylvania Bar Institute, the New Jersey Bar Association, the American Health Lawyers Association and various industry organizations. He was an adjunct professor of Health Care Law at St. Joseph's University, and has also been a guest lecturer at the Villanova University School of Law and the Wharton School of the University of Pennsylvania.

Tom is a contributor to the Health Law Observer blog.

Experience

Representative Experience

Strategic Transactions

- Represented a health system in New Jersey in the formation a new JV with a radiology group into which the parties contributed their imaging center assets, with the JV then entering into a co-management agreement for those centers
- Represented a 100+ physician radiology group in structuring an innovative arrangement with a newly formed JV owned by a health system and a private equity-firm to develop a network of "micro-hospitals" in Pennsylvania
- Prepared a "risk analysis" of a major home health agency's exposure to potential claims under the "piercing the corporate veil" doctrine
- Represented a private equity-owned buyer in the acquisition of a major non-profit hospital system in Pennsylvania
- Represented a supplier in the sale of its multi-state orthopedic and durable medical equipment business to a national distribution company
- Negotiated the acquisition of two separate hospital systems by a New Jersey health system
- Represented a New Jersey health system in developing two separate home health/hospice JVs with other providers
- Represented a major academic medical center in its acquisition of an ophthalmology hospital and negotiation of an academic affiliation agreement
- Represented several health systems in the formation of captive or friendly PCs, the acquisition of physician practices, labs, pharmacies and ambulance companies, and the sale of other similar organizations
- Negotiated numerous clinical affiliation agreements between hospitals and various educational institutions.
- Negotiated numerous graduate medical education (GME) agreements between hospitals and other institutions, with particular attention to direct and indirect GME reimbursement under Medicare's teaching hospital regulations

Government and Internal Investigations

- Coordinated several internal investigations of hospital/physician compliance with Medicare/ Medicaid billing regulations, several of which involved voluntary disclosures to the local U.S. Attorney's Office or the Centers for Medicare & Medicaid Services (CMS) under its Self-Referral Disclosure Protocol, and settlement of those matters
- Conducted several internal compliance reviews of a health system's personal service agreements, office leases and other arrangements with physicians and other referral sources under the federal Anti-Kickback Statute (AKS) and the Stark law.
- Prepared an analysis of a home health agency's JV with a hospital system under the AKS and the New Jersey Codey Law, with specific recommendations for restructuring

Physicians/Physician Groups

- Represented a 50+ physician radiology group in restructuring its imaging center joint ventures and entering into a new JV with a local health system. Negotiated the co-management and related agreements between the new JV and the hospital that now owned the imaging centers.
- Represented a radiology practice in the contribution of its assets in six imaging centers in Maryland and Virginia to a new JV with a regional health system
- Advised several physician groups regarding "buy-sell agreements," restrictive covenants, compliance with corporate and governance requirements and their ongoing business affairs.

Medical Staff

- Served as counsel to the hospital in numerous medical staff credentialing, disciplinary and substance abuse matters
- Appointed as the independent hearing officer in two cases involving a hospital's suspension and subsequent termination of a surgeon's medical staff membership and clinical privileges
- Appointed as counsel to the hospital's board in reviewing an OB-GYN's appeal from the termination of his medical staff membership and clinical privileges
- Assisted hospitals and their medical staffs in developing a uniform set of medical staff bylaws following an M&A transaction

Employment

- Assisted an academic medical center in developing a "Physician Compensation Plan" for its faculty in compliance with the fraud and abuse/ Stark laws
- Negotiated restructured employment agreements or separation and release agreements on behalf of several CEOs, COOs, senior managers, physicians and other key employees
- Advised hospitals in numerous physician recruitment, employment, discipline and termination matters
- Represented a number of individual physicians in negotiating their employment or other contracts with their practice groups or hospital affiliated employers

Thomas M. Tammany

Affiliations

- American Health Lawyers Association
- American Bar Association
  - Health Care Law Section
- Pennsylvania Bar Association
  - Health Law Committee, former Member
- New Jersey Bar Association
- American Red Cross of Southeastern Pennsylvania, former Board Member
- Support Center for Child Advocates, former Board Member

Recognition

- Listed in *Chambers USA*, Pennsylvania, Health Care, 2014-Present
- Named in *The Best Lawyers in America*, King of Prussia, PA, Health Care Law, 2005-Present
- Named as a Super Lawyer, Pennsylvania, Health Care Law, 2004-2022, 2025-Present
- Rated AV®Preeminent™ by LexisNexis Martindale-Hubbell

Education

- Villanova University School of Law, J.D.
- West Chester University, B.S., *summa cum laude*
- Widener University, ROTC Program, Commissioned as a 2nd Lieutenant in the U.S. Army

Bar Admissions

- Pennsylvania
- New Jersey

Court Admissions

- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the District of New Jersey