



Lloyd A. Bookman

(he/him/his)

Founding Partner

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CAPABILITIES

Administrative Law

Business Transactions

Compliance

False Claims Act

Fraud and Abuse, Stark, Anti-Kickback Counseling and Defense

Government Investigations

Government Relations and Public Policy

Medicare, Medicaid, Other Governmental Reimbursement and Payment

Medicare and Medicaid Audits, Appeals, and Reimbursement Litigation

Ambulance Providers

Hospitals and Health Systems

Counties, Health Districts, and Public Agencies

Trade Associations

EDUCATION

University of California, Los Angeles, J.D., Order of the Coif, 1979

University of California, Los Angeles, B.S., *cum laude*, 1976

BAR ADMISSIONS

California, 1979

“Confidence in the guidance and representation that health care providers need from their counsel requires a comprehensive knowledge of the law and the industry as a baseline. But it also requires an ability to leverage that knowledge constructively and persuasively when interacting with regulators and government attorneys.”

Working with providers, regulators, government attorneys, and legislators alike, Lloyd Bookman has spent his entire career protecting and advancing his health care clients’ interests in matters ranging from reimbursement disputes to False Claims Act cases to compliance issues. Lloyd has earned the trust of clients throughout the industry who recognize the advantages that come from over four decades of extensive experience.

A founding partner of the firm, Lloyd is recognized as one of the nation’s most accomplished health care attorneys. He complements his immersive legal knowledge with a deep appreciation of the practical and financial realities involved in caring for patients in an ever-evolving industry. This allows him to provide actionable, pragmatic counsel that considers how a given strategy or approach impacts his clients today and in the long term.

Lloyd is particularly known for his work on matters involving Medicare and Medicaid reimbursement, having served as lead counsel in several high-profile and significant cases. He represents hospitals and other health care providers in major litigation challenging Medicaid rate reductions and regularly advocates for providers before the Provider Reimbursement Review Board, state Medicaid agencies, and federal and state courts. Frequently called upon as an expert witness for his insights regarding reimbursement issues and a frequent speaker on the topic, Lloyd has been cited in *Chambers USA* as “A significant presence in the market” who “possesses particular expertise in Medicare and Medicaid reimbursements, and is also adept at handling both transactions and litigation for clients.”

Comprehensive compliance counsel is also a core part of Lloyd’s practice. He advises clients concerning billing and cost report issues, false claims, anti-kickback and self-referral matters, self-disclosures to the OIG and other governmental entities, and the development of compliance plans.

When reimbursement, compliance, or other matters rise to the level of civil or administrative investigations or litigation, the respect that regulators and government attorneys have for Lloyd's legal knowledge and his no-nonsense, honest approach help facilitate early and favorable resolutions for his clients. "He garners praise from market sources for being a "subject matter expert with strong relationships within the regulatory community," *Chambers USA* says.

Lloyd's practice also includes representing and advising clients in a wide range of transactional matters, including sales and acquisitions, affiliations, network and integrated delivery system formation, joint ventures and other syndications, accountable care organization development, and physician contracting.

His efforts on behalf of his clients extend beyond individual matters to include working with regulators and legislators to help negotiate and craft legislation to benefit providers and the patients in their care. Active in several professional and health care industry organizations, Lloyd takes particular pride in the work he and his wife have done to revive and support the civic, educational, and cultural endeavors of the Brentwood Arts Center in his community.

Representative Matters

- *Orthopaedic Hospital v. Belshe*, 103 F.3d 1491 (9th Cir. 1997). Ground breaking litigation successfully challenging Medi-Cal rates for hospital outpatient service on behalf California hospitals. Obtained \$350 million retroactive payment plus 43% prospective rate increase.
- *Alvarado Community Hospital v. Shalala*, 155 F.3d 1115 (9th Cir. 1998) and *County of Los Angeles v. Shalala*, 192 F.3d 1005 (D.C. Cir. 1999). Represented several hundred hospitals nationwide challenging Medicare outlier payments. Courts ruled CMS acted arbitrarily and capriciously in establishing outlier criteria resulting in \$100 million in additional outlier payments to our clients.
- *Integra Med Analytics LLC v. Providence Health & Servs.*, No. 19-56367 (9th Cir. 2021). Successfully obtained dismissal of significant False Claims Act litigation for a large nonprofit hospital system. Court rejects novel theory that statistical analysis can be the principal basis for an FCA claim.
- *City of Oxnard v. County of Ventura*, 71 Cal. App. 5th 1010 (2021). Successfully represented county in defeating effort by city to establish its own emergency ambulance service and leave the countywide system. Litigation involved important issues under the California Emergency Medical Services Act.
- *California Hospital Association v. Maxwell-Jolly*, 118 Cal. App. 4th 559 (2010). Represented California Hospital Association in a successful challenge to methodology used to establish Medi-Cal rates for distinct-part nursing facilities.
- *Loma Linda University Medical Center v. Leavitt*. Ninth Circuit held that the Provider Reimbursement Review Board had jurisdiction over a hospital's appeal concerning interest expense that the hospital inadvertently failed to claim in its cost report, reversing the CMS Administrator's contrary decision.
- *California Pharmacists Association v. Maxwell-Jolly*, 563 F.3d 847 (9th Cir. 2009). Obtained emergency injunctive relief prohibiting California from reducing Medi-Cal rates for various hospital services.
- *Mission Hospital Regional Medical Center v. Shewry*, 168 Cal. App. 4th 460 (2008). In a case brought by 100 California hospitals, court held that a freeze on Medi-Cal payment rates for inpatient hospital services violated provisions of the federal Medicaid Act.
- Drafted and negotiated complex 2005 Medi-Cal financing legislation which overhauled payment and financing mechanisms for hospital services.
- Drafted, negotiated, and defended original and subsequent iterations of Medi-Cal Hospital Quality Assurance Fee legislation increasing hospital payments and bringing in billions of dollars of federal funding annually into California.
- Assisted the Massachusetts Hospital Association with the development and drafting of 2022 hospital assessment and supplemental payment legislation.

- Handled ten OIG self-disclosures, four disclosures under the Self-Referral (Stark) Disclosure Protocol, multiple report and repay self-disclosures to Medicare Administrative Contractors and Medicaid programs, as well as numerous other compliance matters, for hospitals, hospital systems, and other providers.

Recognition

- Chambers USA, Top Healthcare Lawyer: California, 2014-Present
- Super Lawyers, Southern California, 2004-2023
- Best Lawyers, Health Care Law, 2008-2024
- Daily Journal, Top Health Care Lawyers in California, 2019-2020
- Legal 500, 2020
- Partners in Care, Recipient, Mathies Award for Health Care Leadership, 2010
- Los Angeles Daily Journal, Among the Top 100 Lawyers in California, 2010
- California Hospital Association, Distinguished Achievement Award
- Lawyer Monthly, Health and Safety Lawyer of the Year: USA, 2014
- Best Healthcare Lawyer in Los Angeles, 2015

Professional Affiliations

- California Society for Healthcare Attorneys
- American Health Lawyers Association
- American Bar Association
- Los Angeles County Bar Association
- Healthcare Financial Management Association

Community

- Brentwood Art Center

News

- Lloyd Bookman is mentioned in Law360 Article, "Calif. Hospital To Pay \$2.1M After Prescription Overbilling"
- HLB's 2024 Southern California Super Lawyers
- Twenty-One HLB Attorneys Have Been Named "Best Lawyers in America 2024" and Five HLB Attorneys as "Ones to Watch"
- Hooper, Lundy & Bookman Again Ranked Among Top Health Law Firms In The United States By Chambers USA
- HLB's 2023 Southern California Super Lawyers

Insights

- Important OIG Advisory Opinion on Hospital-Employed NPs
- California's Health Care Quality and Affordability Act
- Key Case Interprets California's Criminal Insurance Fraud and Self-Referral Laws
- Advisory Opinion on Sub-Regulatory Medicare Guidance
- DHCS 340B Drug Pricing Self-Audit Requests

Events

- Lloyd Bookman and Katrina Pagonis are speaking at CHA's 2024 Hospital Finance & Reimbursement Seminar

- HLB Webinar: A Brave New World – California’s New Pre-Transaction Notice and Cost and Market Impact Review
- CHA’s Hospital Finance Week Webinar Series
- Fraud and Compliance Forum
- California Hospital Association (CHA) Hospital Compliance Seminar