



William M. Freedman

Of Counsel
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Bill's employee benefits practice serves a diverse client base with respect to the design, preparation and implementation of pension and welfare benefit plans and their ERISA-related issues, including the effect of laws such as ERISA, the Internal Revenue Code, the Age Discrimination in Employment Act, the Older Workers Benefit Protection Act, COBRA requirements, and HIPAA health care coverage.

His tax and estate planning practice involves advice to individuals and businesses, including corporations, partnerships and limited liability companies. His experience includes federal individual, partnership, and corporate tax planning; disputes with the Internal Revenue Service; and planning for deferred compensation, qualified retirement, and IRA/403(b) plan distributions.

Bill's health care practice involves the business aspects of health care law, including the structure, design, and operation of hospital and health care provider relationships, representation of physician practices, and representation of health care delivery organizations. He represents and has designed managed health care delivery systems, including health maintenance organizations, preferred provider organizations, independent physician associations, physician-hospital organizations and hospital/physician joint ventures. He represents hospitals, physicians and companies that manufacture and distribute medical equipment and supply health care services. His health care practice focuses on regulatory compliance steps unique to the health care industry, including anti-kickback and anti-referral statutes and regulations; privacy requirements in state laws and HIPAA; and health care incident reporting and disclosure obligations.

Services

- Compensation & Benefits
- Health & Welfare Benefits
- Executive Compensation
- Corporate & Transactional
- Corporate Taxation
- Private Client & Family Wealth Planning

- Tax Planning
- Retirement Plan Documents
- Health Care Industry

Education

- Harvard Law School (J.D., 1973)
- Carleton College (B.A., 1968)

Bar Admissions

- Ohio

Court Admissions

- U.S. Tax Court
- U.S. District Court for the Southern District of Ohio

Affiliations/Memberships

- American Bar Association, Employee Benefits Committee of the Section of Taxation, Health Law Section
- Cincinnati Bar Association
- American Health Lawyers Association
- Ohio State Bar Association, Estate Planning and Probate Section
- Society of Ohio Hospital Attorneys
- Xavier University, Cincinnati, Ohio, Health Law & Policy of the Department of Health Services Administration, adjunct professor
- University of Cincinnati College of Allied Health Sciences, adjunct professor (2012 - present)

Distinctions

- Peer Review Rated AV in *Martindale-Hubbell*
- *Best Lawyers*®
 - "Lawyer of the Year" in Cincinnati for Health Care Law (2013)
 - Employee Benefits (ERISA); Health Care; Tax Law (2021-2024)
- *Ohio Super Lawyers*®
- *Cincy Magazine*
 - Cincy Leading Lawyer
 - Leading Lawyers Power 100 (2021)
- *Chambers USA Guide to America's Leading Business Lawyers*
- Adjunct Faculty Award from the College of Social Sciences, Health and Education of Xavier University

Experience

Clinical Education Agreement

Represented a physical therapy and imaging center in the drafting, negotiation and execution of a clinical education agreement with the University of Kentucky Medical Center. The agreement covers employment agreements, supervision and billing guidelines for medical students and residents to allow them to gain clinical education experience.

Joint Venture Agreement

Represented a physical therapy and imaging center in a joint venture agreement with a sports training facility to put together an integrated training facility that combines sports training and physical therapy. The facility caters to the general public, as well as to high school, college and professional athletes. Agreement involved negotiation and drafting of documents to protect the interests of all parties.

Services Agreements with Hospitals and Other Radiology Facility Service Providers

Worked with a national teleradiology company, in negotiating agreements with hospitals and ambulatory imaging centers throughout the country to provide the services of radiologists to interpret studies and to retain the services of radiologists. Agreements included employment terms and compliance with state and federal privacy, licensure, and Medicare and Medicaid enrollment and participation requirements.

Validation Study

Crafted the terms and operation of a post-market surveillance validation study for an orthopaedic implant manufacturer. Worked with Beacon, the coordinating hospital and the FDA to organize, coordinate and facilitate the study, as well as negotiated the terms of the study and the reporting of data and study results. Also worked with client to put together an institutional review board and ensured that privacy rights and other compliance matters were handled accordingly throughout study.

Co-Management Agreements

Represented subspecialty physician practices to craft the terms of co-management agreements with hospital systems under which the physician practices assumed responsibility to manage and administer the delivery of care throughout a service line and across multiple facilities. Agreements included negotiation of best practice protocols, terms for quality assurance reviews, staffing, and terms for compensation that satisfied federal and state physician self-referral and antikickback requirements.

Data Registry Agreement

Worked with a physician-hospital organization, and an independent physicians association affiliated with River Valley Pediatricians, to craft a patient data sharing arrangement with area hospitals and physicians to effect, through HealthBridge, a health information exchange, an agreement that allows for the exchange of digital data and electronic medical records for pediatric patients with asthma. The negotiations resulted in an agreement that complies with the relevant state and federal privacy issues and terms of various federal programs that fund programs to facilitate the electronic interchange of records and data.

Development and Implementation of Primary Care Coding Consulting Services to Integrated Healthcare Delivery Systems

Worked with a consulting organization that offers billing and coding training to primary care physicians, to develop the business model for providing coding training to physicians and non-physician staff members of integrated delivery systems so as to protect the intellectual property developed by the client while allowing its use by service recipients. Developed the template agreements with service recipients and assisted the client in successfully negotiating agreements with healthcare systems.

Health Benefit Plan Participating Provider Agreement Interpretation

Worked with a large hospital and care facility to negotiate and interpret health benefit plan participating provider agreement terms with large, third-party payers.

Joint Venture to Provide Aesthetic and Cosmetic Non-Surgical Services

Represented physicians affiliated with a regional collection of eye care centers in creating a joint venture with St. Elizabeth Medical Center to provide aesthetic and cosmetic non-surgical services. Drafted and negotiated the terms of the joint venture's operating agreement and services and lease agreements in compliance with state and federal privacy, antikickback and physician self-referral laws.

Recruitment Agreements

Worked with a large hospital and care facility in West Virginia to recruit physicians as hospital employees and as employees of community-based practices. Negotiated and drafted three-party agreements among the hospital, community-based physician groups and physicians that incorporated the desired terms of employment and financial assistance to community-based physician groups in a manner that satisfied the parties' business needs and objectives while complying with federal and state regulations, including antikickback and physician self-referral regulations.

Revision and Restatement of Section 125 (Cafeteria) Plan

Consultation with client's legal and administrative personnel in connection with the redesign and restatement of this funding arrangement for health and welfare benefits for approximately 90,000 employees.