



## Brian Lee

Partner

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### *Related Services*

Health Care ■ Health Care Legislative & Public Policy ■ Health Care Regulatory Counseling and Fraud & Abuse ■ Reimbursement ■ HIPAA/Health Information Privacy, Security & Breach Response ■ FDA/Food, Drug & Device ■ Artificial Intelligence (AI) ■ Legislative & Public Policy

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*Brian offers solution-driven guidance and strategies to health care clients for regulatory and legislative issues. As a former consultant advising on congressional and administrative action, he has an edge when providing counsel to clients on federal reimbursement policies and federal regulations.*

Brian Lee focuses his practice on regulatory and legislative issues concerning federal reimbursement for and regulation of physicians, hospitals, post-acute care providers, insurers, and manufacturers.

Brian has helped numerous clients secure more than \$200 million in pandemic-related Provider Relief Funds. He has also advised them through subsequent reporting periods and on how to prepare for related government audits.

Brian also assists clients in navigating Medicare coverage and reimbursement requirements and Medicare payment policies. He provides counsel on the development and implementation of strategic initiatives in response to congressional and administrative coverage and reimbursement changes.

Before joining Alston & Bird, Brian served as a consultant for a health care policy research and management consulting firm, where he advised CMS on congressional action and their impact on Medicare, counseled on Medicare reimbursement issues, and developed methods to assess, review, and evaluate alternative payment models, including changes that waive the Anti-Kickback Statute and Stark Law. Brian also served as a Medicare denial appeals attorney, obtaining reimbursement for inappropriately denied Medicare Part A services. *Super Lawyers* named Brian to its Rising Stars list for health care law in 2019. *The Best Lawyers in America*® named Brian to its “Ones to Watch” list for health care law in 2021 and 2022.

### *Representative Experience*

- Counsel for health care providers and suppliers on compliance with the CARES Act Provider Relief Fund requirements.
- Assisted health care entities in obtaining more than \$100 million in previously denied Provider Relief Fund payments.
- Advising health care providers with single audit findings and in response to demands from HRSA.
- Legislative and regulatory counsel for state and national health care trade associations, hospitals, and provider groups on federal coverage and reimbursement requirements.
- Counsel for providers and suppliers participating in alternative payment models and delivery system reform initiatives.
- Legislative and regulatory counsel for innovative technology manufacturers, including one of the leading diabetes care technology companies, on CMS coverage and reimbursement issues.
- Counsel for health care providers undergoing congressional investigations.

- Co-hosted Alston & Bird's multipart series on HRSA's Provider Relief Fund (PRF), advising health care providers on how to properly obtain payments for lost revenue during the pandemic and how to be prepared and respond to government audits.

## ***Publications & Presentations***

### ***Publications***

- "Biden Executive Order on Artificial Intelligence Highlights Breadth, Challenges, and More Activity to Come," American Health Law Association, November 15, 2023.
- "Recent Provider Relief Fund Audits Are Just The Beginning," *Law360*, July 12, 2023.
- "The Independent Payment Advisory Board: Dead Before It's Born?" *Government Contracting Law Report*, Vol. 3, No. 9, September 2017.

### ***Presentations***

- "Pandemic Relief Compliance and Enforcement Update," Healthcare Fraud and Abuse, webinar, October 13, 2021.
- "Provider Relief Funds – The Reporting Portal is Now Open!" Marcum Accountants and Advisors, webinar, July 14, 2021.
- "Hospital Price Transparency: What's Required and Why You Should Care," Georgia Healthcare Financial Management Association 2021 Spring Institute, Pine Mountain, GA, May 5-7, 2021.
- "Overview of COVID-19 Funding Sources," Alabama Healthcare Leadership Summit 2021, February 5, 2021.

## ***Professional & Community Engagement***

- Korean-American Bar Association of Washington, D.C.
- The Network for Public Health Law

### ***Education***

- Harvard University (M.P.H., 2013)
- University of Maryland (J.D., 2012)
- Georgetown University (B.S., 2009)

### ***Admitted to Practice***

- District of Columbia
- Massachusetts