SQUIRE PATTON BOGGS

# Heather L. Stutz

**Partner**

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## About Heather

Heather Stutz focuses her practice on risk management, compliance, corporate governance, strategic partnerships and transactions and litigation matters in the healthcare industry.

She advises clients on how to accomplish their strategic goals, while minimizing risk and succeeding in disputes.

Heather's skills include developing a deep understanding of her clients' businesses and industries, including the operations, strategic goals, key drivers, and personalities; and the ability to digest and simplify complex business processes and regulatory schemes for juries and clients alike.

As an advocate, Heather has successfully represented clients at the state and federal trial and appellate court levels, as well as in administrative hearings and arbitrations. She also helps clients prepare for and navigate through internal and governmental investigations.

In her compliance role, Heather assists clients on how to properly gain a competitive edge and positions them for success in any future adversarial proceedings. Her unique mix of advocacy skills and regulatory insight make Heather well-suited for her role advising clients as they perform compliance functions, including internal investigations and corrective action, make strategic business decisions, and forge new relationships.

Heather's clients include large corporations, healthcare providers and payers, nonprofits, cannabis industry participants, and governmental entities.

Heather has been consistently selected for inclusion in *Ohio Super Lawyers – Rising Stars*, a listing of the top up and coming lawyers in the state.

Heather has been a member of the Ohio State Bar Association and the Columbus Bar Association, as well as the American Health Lawyers Association and the Society of Ohio Healthcare Attorneys. She also served as a Director on the nonprofit Hannah Neil Development Board and volunteers her time on legal matters for a nonprofit tutoring academy focused on serving children with learning disabilities.

## Experience

- Representing health system in the acquisition and integration of hospitals and other provider organizations, including transaction due diligence and negotiation, non-profit and for-profit corporate formation, tax-exempt applications, governance structures and regulatory approvals.
- Obtaining a defense verdict for a large, vertically integrated nonprofit healthcare system after a 10-week jury trial involving antitrust, unfair competition, tortious interference, fraud and abuse and deceptive trade practices claims with alleged treble damages of US$330 million.
- Acting as outside general counsel to technology-enabled substance use disorder ecosystem, regularly advising it in relation to complex business transactions and compliance matters.
- Advising healthcare systems, including large, vertically integrated Ohio nonprofit systems, on provider, payer and physician transactions, strategic affiliations and joint ventures, regulatory and compliance matters, internal and governmental investigations, corporate governance and litigation.
- Representing children's mental health platform provider in complex US$200 million contract with state, and advising on related compliance and operational matters.
- Successfully defended large, specialty hospital in a dispute with payer regarding reimbursement and involving breach of contract, Anti-kickback statute, pass-through billing, anti-competitive information sharing, violation of provider-based rules and other allegations.
- Representing the Ohio Hospital Association in matters before the Ohio Supreme Court.
- Advising health systems on issues related to independent and employed physician relationships, including physician contract analysis, adherence and revisions to medical staff bylaws, billing and coding investigations, training and compliance.
- Representing payers in compliance and complex commercial litigation matters.
- Advising payer on State Department of Insurance and Centers for Medicare and Medicaid Services regulatory issues, including issues related to transactions resulting in changes of control, provider contracting and filing requirements.
- Advising payers and providers on the establishment of clinically integrated networks, accountable care organizations, value-based care programs and other care coordination programs.
- Advising Middle East client on creation of national healthcare research and development entities, as well as consulting as to governance and documentation for same.
- Successfully defended, at the Ohio administrative and appellate levels, competitor's challenge to Certificate of Need granted to owner of a system of skilled nursing facilities.
- Conducting large-scale compliance investigations into coding and billing practices, and developing and implementing corrective action measures, including ongoing compliance monitoring plan.
- Advising payers and providers on progressive care coordination and quality incentive transactions, including commercial and governmental bundled payment plans and shared savings programs.
- Advising on operational integration aimed at population health management, including drafting and review of transactional documents, shared employee leases, firewalls and policies and procedures.
- Advising health systems concerning the creation of Centers of Excellence, including drafting/review of contracts and analysis of permissible relationships and incentives.
- Defending and advising clients on Stark Law and Anti-kickback Statute challenges to physician relationships.
- Advising payer on corporate restructuring in response to the Affordable Care Act.

- Advising 501(c)(3) tax-exempt entities regarding Internal Revenue Service rules, tax-exempt applications, reporting obligations, Form 990 preparation, compliance and community benefit analyses.
- Conducted business-wide compliance investigation to ensure compliance with federal and state regulatory requirements related to insurance reporting and licensing, as well as broker incentive program processes.
- Serving as special counsel and lead trial counsel to the Ohio State Department of Commerce, while advising and successfully defending the Department in the implementation of the State's Medical Marijuana Control Program.
- Advising cannabis industry suppliers and participants nationwide on both federal and state compliance and transactional matters, as well as in governmental investigations.
- Successfully enforcing the rights of disabled children and the schools they attend to receive Medicaid reimbursement.
- Advising international retailer of women's lingerie, intimate apparel and health and beauty products regarding numerous regulatory and compliance issues, as well as the preparation and implementation of a comprehensive global document retention policy.
- Obtaining dismissal of federal and state false advertising and deceptive trade practices claims alleging damages in excess of US$15 million plus punitive damages and attorneys' fees against our client, an international retailer of women's lingerie, intimate apparel, and health and beauty products and accessories, and its various affiliates.
- Successfully representing plaintiffs, a mass retailer of value-priced stationery and related products and its parent, by obtaining one of the largest verdicts in Franklin County Common Pleas Court after a five-week breach of contract and misappropriation of trade secrets jury trial.
- Successfully protecting the intellectual property of an international retailer of women's lingerie, intimate apparel, and health and beauty products and its various affiliates, through numerous trademark, trade dress and trade name infringement, false designation of origin, deceptive trade practices and unfair competition claims.
- Successfully representing an international hauling and disposal service business in claims involving trademark infringement, false designation of origin and unfair competition.
- Obtaining a summary judgment, affirmed on appeal, against a constitutional challenge to rules promulgated by a public library.
- Successfully representing a large accounting firm against accounting malpractice claim involving alleged damages of tens of millions of US dollars.
- Successfully negotiating resolutions with state and federal regulators.

## Credentials

### Education

- Ohio Northern University, J.D., *summa cum laude*, valedictorian, member, *Ohio Northern University Law Review*, 2004
- Ohio Northern University, B.A., *summa cum laude*, valedictorian, 2001

### Admissions

- Ohio, 2004

### Courts

- U.S. Ct. of App., Sixth Circuit
- U.S. Dist. Ct., S. Dist. of Ohio

## Recognitions

- Recognized in *The Best Lawyers in America* 2026 and 2027 for Commercial Litigation

## Expertise

### Services

- Litigation
- Government Investigations & White Collar

### Industries

- Healthcare

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## About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.