



Andrew Brenton

SENIOR COUNSEL

MADISON, WI

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OVERVIEW

With a deep understanding of healthcare law, Andrew focuses his practice on helping clients in the hospice, palliative care, and post-acute care sectors.

Andrew is part of the firm's coast-to-coast Hospice & Palliative Care Team, working with clients on a broad range of healthcare regulatory compliance issues, including those related to Medicare regulations, provider enrollment rules, and fraud and abuse laws like the federal False Claims Act and Anti-Kickback Statute. He answers questions that otherwise might keep clients awake at night. Andrew and the team also help navigate clients through a wide range of government audits and claim review, fraud and repayment investigations, provider and payor contracting issues, and transactional and restructuring matters.

Clients appreciate Andrew's background as in-house counsel for the Wisconsin Hospital Association, where he monitored changing state and federal legislation and rulemaking and how they influenced healthcare providers. In that position, Andrew handled contracting, compliance, governance, and healthcare policy matters, including issues related to the Health Insurance Portability and Accountability Act (HIPAA) and data privacy, telehealth, and meaningful use of electronic health records. He advocates for clients so they can stay focused on their patient care missions.

Industries

Education
Healthcare
Life Sciences

Services

Healthcare Regulatory & Compliance Counseling
Hospice & Palliative Care
Hospice Medicare & Medicaid Audits

Experience

HEALTHCARE EXPERIENCE

- Counseled two hospice clients through complicated Medicare repayment investigations that resulted in reductions in potential overpayment liability of approximately \$18 million and \$4.5 million, respectively.
- Navigated numerous hospice clients through other complex internal fraud and abuse investigations and 60-Day Repayment Rule investigations.
- Advised multiple hospice providers on Medicare provider enrollment requirements, including successfully navigating clients through deactivation and other adverse enrollment determinations.
- Led clients receiving contractor claim denials through the labyrinthine Medicare administrative appeals process, including advocating for clients at the redetermination, reconsideration, and administrative law judge phases of appeal.
- Ushered hospice clients successfully through regulatory due diligence efforts for a variety of transactions (buy-side and sell-side).
- Drafted and negotiated, on behalf of hospice clients, various complex healthcare agreements with hospitals, nursing homes, assisted living facilities, physicians, physician groups, and a wide variety of healthcare vendors.
- Counseled and led hospice client through contract negotiation process with large payor for the provision of hospice and palliative care services to Medicare Advantage beneficiaries.
- Counseled clients during the COVID-19 pandemic on Provider Relief Fund use and reporting requirements and new Medicare telehealth rules.
- Advised numerous hospice clients on healthcare data privacy laws, including HIPAA breach notification requirements.

Experience

ASSOCIATION COUNSEL

- Led public policy development efforts related to telehealth, electronic health records, trauma care and emergency preparedness.
- Coordinated development and execution of plan for Wisconsin to adopt interstate licensure compact, ensuring ability of out-of-state nurses to continue practicing in-state.
- Led negotiation of complex cloud migration contract.
- Drafted and reviewed employee handbook policies and counseled human resources director on employment practices.
- Drafted corporate bylaws and resolutions, and advised senior management on governance and other legal issues.

Recognition

- *Best Lawyers: Ones to Watch® in America*
 - Health Care Law, 2021-2025

Education

- J.D., University of Wisconsin Law School
 - *cum laude*
 - *Wisconsin Journal of Law, Gender & Society*, Senior Managing Articles Editor
- B.A., University of Wisconsin-Madison
 - highest distinction
 - History

Admissions

- Wisconsin
- Illinois

Community Leadership

- Wisconsin Hospice and Palliative Care Association, Board Member
- Dane County Bar Association, former Board Member
- Specialty Purebred Cat Rescue
- Dane County Humane Society



Monitoring updates and fostering learning.