



Noreen Vergara

PARTNER

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OVERVIEW

An experienced healthcare regulatory attorney, Noreen helps clients find creative ways to implement new structures.

Noreen's focus is supporting healthcare providers and health plans as they ensure appropriate reimbursement. She frequently works with providers who are finding new ways to operate: many of the clients Noreen supports are in the process of forming new healthcare networks with the aim of filling gaps in existing care. She assists with compliance and governance structures, as well as with reimbursement strategies with third-party payors, and she also represents clients in resolving situations where reimbursement has previously been limited to private pay patients but who are now able to access reimbursement from a patient's health plan benefit.

In many cases, Noreen finds herself working with a client who's looking to establish a new payment structure or implement a creative, unique health plan. She loves supporting clients who are seeking new and better ways to operate, and she loves building systems that will make payment more efficient while offering patients a better product. For example, Noreen has represented a state farm bureau federation in forming its own health plan, assisting with the passage of necessary legislation and working alongside organizational leaders to build out the plan. She works with healthcare sharing ministries as well, providing counsel on the complexity of managed care and insurance laws for these entities. Noreen also routinely assists major hospital systems as they contract with other local providers to expand care networks and create payment structures beyond the large insurance market.

Industry

Healthcare

Services

Data Privacy & Cybersecurity

Healthcare Operations

Healthcare Regulatory &
Compliance Counseling

Medical Staff & Governance

No Surprises Act

Psychedelics & Emerging Therapies

While Noreen regularly serves clients across the healthcare spectrum, she works particularly often with behavioral health providers, including those with a focus on substance use disorder treatment, and she has assisted these providers in achieving Certified Community Behavioral Health Clinic (CCBHC) status for Medicaid purposes. These clients have also been a focus in her work on privacy and cybersecurity within the healthcare space. As a leader of the firm's healthcare privacy and security team, Noreen assembles and audits compliance programs for healthcare providers and advises on the legal implications of data and health information exchanges. She is particularly knowledgeable about these requirements in behavioral healthcare and frequently advises clients on the substance use disorder confidentiality rules in 42 CFR Part 2.

Noreen also counsels healthcare organizations and benefit plans on the new benefit administration laws of recent years, including the Mental Health Parity and Addiction Equity Act (MHPAEA), the No Surprises Act, the transparency in coverage and hospital pricing transparency regulations, Medicare Advantage compliance, and those governing risk-sharing and health insurance payment arrangements. These intensely detailed regulations establish significant data and reporting requirements and often alter organizations' existing contracts, recordkeeping procedures, and various other policies.

Prior to joining Husch Blackwell, Noreen served in both legal and executive positions for a national managed behavioral health joint venture. Her background means that she intuitively understands the operational needs and concerns of healthcare leaders, and she's well-versed in the strategic thinking these organizations require. It's second nature for her to come alongside c-suite executives, partnering with them as they think through the implications of a new payment structure.

Experience

INSURANCE AND MANAGED CARE

- Advises insurers and health maintenance organizations ("HMOs") on entering into new managed care markets including Medicare Advantage, Medicaid, health insurance exchange plans and commercial products.
- Advises managed care organizations and provider risk-bearing organizations on matters involving utilization review, claims processing and vendor management.
- Led due diligence in a \$80M managed care acquisition and oversaw subsequent integration activities including the re-contracting of over 8000 health providers across the country.
- Advised various state departments of insurance on Affordable Care Act health insurance exchange development

Experience

HEALTHCARE REIMBURSEMENT

- Represents various managed care entities and providers who engage in value-based contracting, capitation and other risk-based payment options in complying with federal and state regulations.
- Developed and implemented clinical joint ventures among insurers and other payors, hospital systems, freestanding emergency centers, community mental health centers, physician practices, substance use disorder treatment facilities and peer support organizations.
- Develop and implement reimbursement arrangements for providers involved in accountable care organizations ("ACOs"), shared-savings payment structures, care coordination programs and social determinants of health programs.
- Advise behavioral health treatment providers, medication assisted treatment ("MAT") programs, psychedelics assisted therapy providers and peer support organizations on regulatory and compliance issues including telehealth requirements, corporate practice, fee splitting and referrals, and privacy and security.

PROVIDER AND PAYOR ALIGNMENT AND INTEGRATION

- Advises provider networks and management services organizations on developing contracting plans involving thousands of practitioners of varying licensures.
- Successfully resolved a multi-contract claims payment dispute between a large multispecialty provider group and a national payor system resulting in a \$4 million underpayment recovery for the client.
- Advises behavioral health providers and facilities on the development of new facilities and programs financed through multiple channels including private equity investment, federal and state grants, and Medicaid expansion funding.

Experience

PRIVACY AND DATA SECURITY

- Advises clients on responding to health information privacy security incidents involving millions of patients' electronic medical records across multiple states. Advises clients on appropriate responses and best practices to protect patient data.
- Advises clients on developing compliant solutions to secure and appropriately share behavioral health treatment information.
- Served as HIPAA Privacy Officer at national managed behavioral health venture for millions of health plan members requiring ongoing development and delivery of compliance training, including federal and state requirements for mental health and substance use medical records.

COMPLIANCE COUNSELING

- Advises behavioral health providers and facilities, telehealth organizations, and physician practices on general corporate, employment and regulatory matters.
- Advises insurers and other payors on compliance with commercial, Medicare Advantage and Medicaid managed care regulations.
- Counsels clients through reimbursement and overpayment audits and assists clients with claims reimbursement issues.
- Created and operated multistate managed care organization's mental health parity compliance program.
- Advised on issues including Affordable Care Act (ACA) implementation, Medicare Supplement requirements, coordination of benefit requirements, third-party administrator guidelines, medical-loss ratio requirements, limited medical benefit plans and health insurance exchange development.

Education

- J.D., Saint Louis University School of Law
 - Certificate of Health Law
 - *Saint Louis University Journal of Health Law*, Lead Articles Editor and Staff Editor
- B.A., Rockhurst University
 - Psychology
 - *cum laude*
 - Psi Chi Rockhurst Chapter, President

Admissions

- Missouri
- Kansas
- Florida

Community Leadership

- Madam President Camp, Board Member

*Contact Noreen to set up an in-person consultation by appointment in the Kansas City office.



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