



Melissa M. Yates

Associate

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OVERVIEW

Melissa Yates is an associate and a member of the Health Care and FDA practice group. Her practice focuses on healthcare reimbursement litigation and compliance matters, with an emphasis on government and private payer disputes on behalf of providers, suppliers, and manufacturers. She represents clients in Medicare and Medicaid audits, False Claims Act cases, and other payer-provider disputes. Her practice often involves issues regarding statistical sampling and extrapolation in the review and analysis of health care claims. Her background also includes experience handling complex civil litigation inside and outside of health care.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Melissa served as an associate at a regional civil litigation law firm in Charleston, South Carolina. As part of this practice, Melissa worked on over 60 litigation and arbitration cases involving general liability, insurance coverage, professional malpractice, construction defect, and product liability. Melissa represented architects, engineers, contractors, design professionals, accountants, and other corporate and individual clients in such matters.

Additionally, Melissa served as a judicial intern to the Honorable Richard M. Gergel of the United States District Court of South Carolina, a law clerk to the Office of University Counsel at the University of Virginia, and a law clerk to the Commonwealth Attorney's Office in Lynchburg, Virginia.

PROFESSIONAL / CIVIC ACTIVITIES

Professional

- Federal Bar Association
- American Health Law Association
- South Carolina Bar Association
- Charleston County Bar Association
- South Carolina Women Lawyers Association (SCWLA)

- South Carolina Defense Trial Attorneys' Association (SCDTAA)
- National Association of Women Lawyers (NAWL)

Civic

- Junior League of Charleston, Committee Member
- Alpha Delta Pi Alumnae Association, Charleston Chapter, Committee Member
- Bridges of Hope, Volunteer
- Preservation Society of Charleston, Member
- Historic Charleston Foundation, PreserVISIONist Member
- Gibbes Museum of Art, Society 1858 Member
- Spoleto Festival USA, SCENE Society Member

SPEAKING ENGAGEMENTS

- October 2022, False Claims Act: Insights on Local and National Developments (*Webinar*)

ADDITIONAL BACKGROUND

- The Women's College, University of Sydney, 2013 (Study Abroad)

EDUCATION

- J.D., University of Virginia School of Law, 2019 (*Trial Advocacy, Prosecution Clinic, Moot Court*)
- B.A., Wake Forest University, 2015 (*Phi Beta Kappa, summa cum laude*)

ADMISSIONS

- Bar of North Carolina
- Bar of South Carolina
- United States Court of Appeals for the Fourth Circuit
- United States District Court for the District of South Carolina

THOUGHT LEADERSHIP POWERED BY HUB

- 8 March 2024, What's Been Missing: District Court Orders the Government to Produce Complete Universe of Claims in Provider's Due Process Challenge to Extrapolated Overpayment

- October 2022, False Claims Act: Insights on Local and National Developments
- 30 June 2022, Qui Tam Quarterly - Data on Defense: Invalidating FCA Allegations Based on Statistical Sampling and Extrapolation
- 25 March 2021, Veteran Affairs Auditing US\$35 Billion in Payments to Community Care Providers

OTHER PUBLICATIONS

- "Due Process: A Winning Weapon Against Extrapolated Overpayments," *American Health Law Association*, 11 April 2024
- "Righting an Institutional Wrong: Redefining an Overpayment Through HHS-OIG's Policy Shift on Zero-Paid Claims," *American Health Law Association*, 11 August 2023
- "False Claims Act Enforcement Involving Medicare Advantage Plans: Recent Cases and Current Trends," *American Health Law*, 18 May 2023
- "Scienter Center Stage," *American Bar Association*, 27 March 2023
- "Scienter to Become Front and Center: Developments in the FCA's Objectively Reasonable Interpretation Defense," *Federal Bar Association*, January 2023
- "Statistical Sampling and Extrapolation," *American Bar Association*, 28 December 2022

AREAS OF FOCUS

- Health Care and FDA
- Commercial Disputes
- Federal, State, and Local False Claims Act
- Health Care Fraud and Abuse (U.S.)
- Health Care Payor-Provider Disputes (U.S.)
- Internal Investigations
- White Collar Defense and Investigations