



## Kim Harvey Looney

### Partner

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### OVERVIEW

Kim Looney is a partner in the firm's Nashville office and is a member of the Health Care and FDA practice group. Kim regularly works with health care clients on operational issues such as licensing, state matters, Medicare certification and reimbursement, reimbursement audits, clinically integrated delivery systems, contracts, corporate governance, CON applications and hearings, and recruitment and employment. She also has significant experience advising clients on complex Stark and federal Anti-Kickback regulations, as well as compliance matters. Kim's extensive experience in structuring joint ventures and mergers and acquisitions includes analysis of fraud and abuse and other regulatory issues.

She has represented a variety of clients, including hospitals and academic medical centers, physicians and physician organizations, clinically integrated organizations, outpatient service providers, long-term care providers, home health and hospice providers, investor-owned and non-profit providers, telehealth/virtual health providers, and psychiatric services providers. Kim is also an active author and speaker on health care issues at national and state conferences and teleconferences.

### PROFESSIONAL BACKGROUND

Prior to joining the firm, Kim served as a partner at a U.S. law firm where she focused her practice on health care regulatory compliance, transactions, and operational issues. Kim has always worked exclusively in the health care industry, and before law school, she worked for Electronic Data Systems and as a health care consultant.

### ACHIEVEMENTS

- Chambers USA, Healthcare: Regulatory (Tennessee) (2016–2022)
- *The Best Lawyers in America*® (BL Rankings)
  - Health Care Law (2007–2023)
  - Corporate Law (2016–2023)
  - Administrative/Regulatory Law (2018–2023)

- Litigation - Health Care (2019–2023)
- Selected to Mid-South Super Lawyers list, Healthcare (2006–2023)
- Martindale-Hubbell, AV-rated
- Nashville Business Journal, Best of the Bar (2010–2022)
- Nashville Business Journal, Recognized as a “Healthcare Hero”
- Nashville Business Journal: Recognized as a “Woman of Influence”
- InCharge Healthcare, Recognized in Nashville Medical News

## PROFESSIONAL / CIVIC ACTIVITIES

### Professional Activities

#### *Current:*

- Executive Committee, Health Law Section of the Tennessee Bar Association
- Board of Directors, Nashville Bar Association
- Fellow, Nashville Bar Foundation; Fellow, ABA Bar Foundation

#### *Previous:*

- Member, Board of Directors, American Health Law Association; Chair, Membership, Diversity, Equity and Inclusion Committee; Vice Chair, Physician Practice Groups Committee
- Past Chair, Health Law Section of the Tennessee Bar Association
- Executive Committee, Past President, Tennessee Lawyer's Association for Women
- Member, Inaugural Class of Leadership Law, TBA
- Executive Committee - Leadership Law Program, Nashville Bar Foundation
- Attorney for Justice, as recognized for pro bono efforts by the Tennessee Supreme Court
- Past Chair, Health Law Section of the Nashville Bar Association

#### *Speaker:*

- Speaker on various health care topics at TBA Annual Health Law Conference (18 of last 21 years)

### Civic Activities

#### *Current:*

- Member, Board of Directors, Nashville General Hospital Foundation
- Trustee, Kappa Alpha Theta Foundation Member, Middle Tennessee Council Executive Board of Boy Scouts of America

- Treasurer, Horticultural Society of Middle Tennessee

***Previous Boards:***

- Heart Gala, Franklin Road Academy, Friends of Vanderbilt Children's Hospital, Fifty Forward

***Other:***

- Budget District Director, District VIII, Kappa Alpha Theta (2014-2020)
- Advisory Board, Alpha Eta chapter of Kappa Alpha Theta (2010-2020)

***Fundraisers:***

Co-chaired various fundraisers to benefit organizations such as:

- CASA, Family & Children's Service, Kappa Alpha Theta Foundation,
- Women's Fund of Community Foundation of Middle Tennessee,
- Cheekwood,
- Fifty Forward,
- Opera Guild,
- Franklin Road Academy,
- American Heart Association,
- Lifeflight and Trauma Survivors Network for Vanderbilt Medical Center,
- Junior League of Nashville, and
- Monroe Carroll, Jr. Children's Hospital at Vanderbilt

## **SPEAKING ENGAGEMENTS**

### **AHLA (2017–2024)**

- Private Equity in Health Care: Latest Trends and Developments, Podcast, 30 April 2024
- Representing Physicians and Physician Practices: The Good, the Bad, and the Ugly, Webinar 2021
- Annual Meeting, 2021, 2022
- Physicians and Hospital Law Institute, 2017, 2019, 2020, 2021, 2022, 2023
- Health Care Transactions, 2017, 2018, 2019, 2020, 2021, 2022, 2023
- Institute on Medicare and Medicaid Payment Issues, 2019, 2021
- Academic Medical Centers and Teaching Hospitals Institute, 2019
- Fundamentals of Health Law, 2017, 2018, 2020

- Fraud and Compliance Forum, 2018, 2022

## EDUCATION

- J.D., Vanderbilt Law School
- B.S., University of Tennessee

## ADMISSIONS

- Bar of Tennessee

## THOUGHT LEADERSHIP POWERED BY HUB

- 12 June 2023, May 2023 Accolades
- September 2022, September 2022 Accolades
- 27 August 2021, Qui Tam Quarterly - Hunting Telehealth Fraud Under COVID-19 Waivers and Expansion
- July 2021, July 2021 Accolades

## OTHER PUBLICATIONS

### Books

- Editor and Author, "Health Care and Life Sciences Transactions: Understanding the Legal Consequences of The Health Care Deal," *AHLA/Lexis Publication*, 2020
- Author, Representing Physicians Handbook, *AHLA/Lexis Publication*
- Author, the ACO Handbook, *AHLA/Lexis Publication*
- Author, Representing Hospitals and Health Systems Handbook, *AHLA/Lexis Publication*

### Other Publications

- "Hunting Telehealth Fraud Under COVID-19 Waivers and Expansion," *Pratt's Government Contracting Law Report*, December 2021
- Corporate Governance Toolkit, *AHLA Business Law and Governance Practice Group*, 11 October 2021
- "That Was Then and This is Now - How the COVID-19 Crisis Changed Telehealth Services: Are the Changes Here to Stay?," *AHLA Health Law Connections*, 1 September 2020
- "First Reflections - A History of Commitment to Diversity and Inclusion," *AHLA Health Law Connections*, 1 September 2020

- “Florida, Georgia Changes to Certificate of Need (CON) Laws Are Biggest in Southeast,” *AHLA PG Alert*, 1 August 2019
- “Several Southeastern States Seek to Eliminate or Relax Certificate of Need Laws,” *PG Alert*, 15 March 2019
- “State Health Care Fraud Law: An AHLA 50-State Survey with Summaries and Links,” *Quick Reference Library*, 6 September 2018
- “Business Law & Governance,” *PG Newsletter*, Vol. 10, Issue 1, November 2017

## NEWS & EVENTS

- 1 June 2023, K&L Gates Receives Firm, Individual Rankings in 2023 *Chambers USA* Guide
- 18 April 2023, AHLA Transactions, Hosted by American Health Law Association
- 31 January 2023, Physician and Hospital Law Institute 2023, Hosted by AHLA
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 28 June 2022, AHLA Annual Meeting, Hosted by the American Health Law Association
- 27 June 2022, Show Me the Money: How to Advise Physician Practices When Private Equity comes Knocking on Their Door, Hosted by the American Health Law Association
- 1 June 2022, K&L Gates Receives Firm, Individual Rankings in 2022 *Chambers USA* Guide
- 2 February 2022, Physicians and Hospitals Law Institute 2022, Hosted by the American Health Law Association
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch
- 29 June 2021, AHLA Annual Meeting: Deep Dive: Stark and Anti-Kickback Statute Compliance in Hospital and Physician Transactions, hosted by AHLA
- 21 May 2021, K&L Gates Policy and Regulatory Practice, Lawyers Ranked Among Leaders in 2021 *Chambers USA* Guide
- 3 February 2021, K&L Gates Launches Nashville Office with Hire of 25+ Lawyers

## MEDIA MENTIONS

- Quoted, “Should Certificate of Need stay? Tennessee Republican lawmakers to file ambitious reform bill,” *Nashville Business Journal*, 4 March 2024

## AREAS OF FOCUS

- Health Care and FDA
- Health Care Fraud and Abuse (U.S.)
- Health Care Payor-Provider Disputes (U.S.)
- Mergers and Acquisitions

## INDUSTRIES

- Digital Health
- Health Care Sector