



Kelsey U. Jernigan

Partner

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OVERVIEW

Kelsey Jernigan is a partner in the firm's Research Triangle Park office. Kelsey's practice focuses on all areas of health care regulatory, compliance and transactional law for hospitals, health systems, academic medical centers and other health care providers. Her scope of work concentrates on potential Stark Law and Anti-Kickback matters; hospital contracting with physicians, health care providers and vendors; and assisting clients with various operational matters, including medical staff and risk management issues. Kelsey regularly conducts internal reviews of hospital clients' financial arrangements with physicians, and has assisted clients in filing disclosures under the Stark Self-Referral Disclosure Protocol. She routinely analyzes complicated Anti-Kickback and Civil Monetary Penalty matters, and has drafted and submitted multiple Advisory Opinion requests to the OIG. Kelsey has experience advising hospitals on EMTALA issues, and counseling health care providers through licensure issues and adverse survey citations. In addition, Kelsey also assists in all stages of affiliations and transactions between health care providers, ranging from due diligence, compliance and transactional matters, and preparation and submission of change of ownership filings.

PROFESSIONAL BACKGROUND

Kelsey served as a judicial extern to the Honorable W. Earl Britt of the United States District Court for the Eastern District of North Carolina. Prior to attending law school, Kelsey worked for two health care systems in public relations and government affairs. She was also a summer associate in K&L Gates' Research Triangle Park office in 2012.

ACHIEVEMENTS

- Recognized in *Best Lawyers: Ones to Watch for Health Care Law*, 2022

PROFESSIONAL / CIVIC ACTIVITIES

- North Carolina Bar Association, Member
- American Health Lawyers Association, Member

- North Carolina Society of Health Care Attorneys

SPEAKING ENGAGEMENTS

- *Financial Analysis: Best Practices for Health Care Organizations*, AHLA's Speaking of Health Law, 28 November 2023
- *Changes to the Medicare Physician Fee Schedule: How Are Provider Compensation Programs Responding?*, AHLA's Speaking of Health Law, 25 May 2022

EDUCATION

- J.D., University of North Carolina at Chapel Hill School of Law, 2013 (*with honors; Vol. 91 Symposium Editor, North Carolina Law Review*)
- B.A., University of North Carolina, 2009 (*highest distinction; Phi Beta Kappa*)

ADMISSIONS

- Bar of North Carolina

THOUGHT LEADERSHIP POWERED BY HUB

- February 2021, Ninth Annual "Under the Wire" CLE Webinar
- 16 December 2020, CMS Finalizes Updates to the Stark Law to Reduce Regulatory Burdens and Provide Flexibility to Providers
- 16 December 2020, White Paper: CMS Finalizes Updates to the Stark Law to Reduce Regulatory Burdens and Provide Flexibility to Providers
- 28 September 2020, K&L Gates Triage: Updates to Mental Health Parity in California and Nationwide
- 7 November 2019, A Starkly Different Landscape – A Deep Dive Into CMS' Recently Proposed Amendments to the Stark Law
- 17 September 2019, CMS Proposes Rules to Implement SUPPORT Act Coverage and Reimbursement of Opioid Treatment
- 9 November 2018, CMS Issues Final Medicare PFS Rule for CY 2019
- 6 September 2018, OCR Clarifies Confusion Related to Authorizations for Ongoing and Future Research Purposes
- 3 August 2018, CMS Issues Proposed OPPI Rule for CY 2019

- 20 March 2018, Increased Scrutiny of Patient Assistance Programs: Enforcement Overview and Considerations
- 11 May 2017, K&L Gates Triage: Revising, Repealing or Replacing the ACA - Part II
- 15 December 2015, CMS Finalizes Two New Exceptions and Other Modifications to the Stark Law
- 31 July 2015, The “Cross-Your-Fingers-And-Hope-It-Goes-Away” School of Statutory Interpretation”: Recent D.C. Circuit Opinion Orders HHS To Reconsider Stark Law Ban On “Per-Click” Lease Payments
- 24 July 2015, Potential Stark Changes Ahead

NEWS & EVENTS

- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch
- 5 March 2021, K&L Gates Names 31 New Partners Across Global Platform

AREAS OF FOCUS

- Health Care and FDA