



Lourdes M. Martinez

Partner/Director

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PRACTICE

Compliance and White Collar Defense
Health Care
HIPAA Compliance

EDUCATION

St. Johns University School of Law
(J.D., 1992)
University of Scranton
(B.S., Chemistry and Business, 1988)

BAR ADMISSIONS

New York
New Jersey
Connecticut

COURT ADMISSIONS

Supreme Court of the United States
U.S. District Court for the Eastern
District of New York
U.S. District Court for the Southern
District of New York
New York Supreme Court, Appellate
Division
U.S. District Court for the District of New
Jersey
New Jersey Supreme Court

HONORS AND AWARDS

Best Lawyers in America® - Health Care
Law (2020-2021)
Super Lawyers – New York Metro
(2019-2020)
Top 50 Most Influential Women in
Business for 2013, Long Island Business
News (October 18, 2013)
Honored by Long Island Business News
as among "Long Island's Top 50 Most
Influential Women in Business" (May
2009)

PROFESSIONAL ASSOCIATIONS

New York State Bar Association
(Committee of the Health Law Section)
Nassau County Bar Association
Hispanic National Bar Association
American Health Lawyers Association
Healthcare Compliance Association

Lourdes M. Martinez is a Partner/Director at Garfunkel Wild, P.C., which she joined in 1998. She is a Co-Chair of the firm's Compliance and White Collar Defense, and a member of the HIPAA Compliance and Health Care Practice Groups.

Ms. Martinez's practice includes: defending clients in criminal, civil and regulatory government actions; assisting clients in implementing both fraud and abuse and HIPAA compliance programs; and advising clients on a wide array of compliance, regulatory and business matters.

Ms. Martinez has defended clients in federal False Claims Act cases, quality of care cases, physician licensing matters and federal, state and other third-party audits. Her clients include both for-profit and not-for-profit skilled nursing facilities, hospitals, home health agencies, physicians and other providers.

Ms. Martinez frequently writes and lectures on regulatory defense and compliance issues. Her published works include articles written for the New York Health Law Update and the New York State Bar Association's Health Law Journal. In addition, Ms. Martinez was a contributing author to the Legal Manual for New York Physicians, published by the New York State Bar Association in conjunction with the Medical Society of the State of New York.

Prior to joining Garfunkel Wild, P.C., Ms. Martinez was an Assistant District Attorney in the Kings County District Attorney's Office, where she prosecuted hundreds of felony cases from inception through trial and served as Special Counsel to the Crimes Against Children Bureau. Ms. Martinez has also taught Civil Trial Practice at St. John's University School of Law as an Adjunct Professor.

Ms. Martinez is admitted to practice law in New York, New Jersey and Connecticut. She is a member of the American Health Lawyers Association, the Healthcare Compliance Association, the Nassau County Bar Association, and serves on the Committee of the Health Law Section of the New York State Bar Association.

Ms. Martinez received her law degree from St. John's University School of Law in 1992 and is a graduate of the University of Scranton, where she received a B.S. in Chemistry and Business in 1988.

Speeches and Events

- DOJ Compliance Guidelines/Phase 3 Requirements for SNFs. GNYHCFA Autumn Seminar, Uniondale, NY, November 4, 2019
- HIPAA & Compliance Updates. Presentation and Panel Participation. HFMA Hudson Valley New York Chapter. Suffern, NY, September 19, 2019
- Legal Update. Mid-Year Reimbursement and Update Seminar. HFMA Metropolitan New York Chapter. Elmhurst, NY, September 13, 2019
- HIPAA & Release of Information Regulatory Update. Long Island Health Information Management Association, Annual Educational Seminar, Melville, NY, April 10, 2019
- GNYHCFA Seminar Panel, Uniondale, NY, March 6, 2019
- Compliance, HIPAA & Legal Updates. HFMA Metropolitan New York Chapter, Uniondale, NY, September 17, 2018
- Compliance, HIPAA & Legal Updates. HFMA Hudson Valley New York Chapter, Suffern, NY, September 13, 2018
- Legal Aspects of Healthcare/Release of Information, HIMANYC 2018 Annual Meeting, New York, NY, May 4, 2018
- Conducting and Responding to Facility Investigations from a Legal Perspective, GNYHCFA Spring Seminar, Uniondale, NY, March 27, 2018
- Long Term Care Check-Up/Facility Investigations/Legal Perspectives. GNYHC Facilities Association, Spring Seminar, Uniondale, NY, March 27, 2018
- Webinar: NJ Pharma Comp Regs. HFMA, New Jersey Chapter, March 13, 2018
- Webinar, New Jersey Adopts New Regulations Restricting Provider Relationships with Pharmaceutical Manufacturers, HFMA New Jersey Chapter, March 13, 2018
- Legal Aspects of Healthcare/Release of Information, LIHIMA (by NSHC), Hauppauge, NY, February 28, 2018
- Drug Diversion Issues, Fairfield County Medical Association, Norwalk, CT, December 7, 2017
- Long Term Care Update, GNYHCFA. Uniondale, NY, October 31, 2017
- Healthcare Executives Club: The Latest Issues in Corporate Compliance. Mineola, NY, October 23, 2017
- Garfunkel Wild PC, Webinar: Emergency Preparedness for Nursing Homes. Albany, NY, September 19, 2017
- Mid-Year Accounting and Reimbursement Update Seminar, HFMA Metropolitan New York Chapter, HFMA Finance Committee. Uniondale, NY, September 15, 2017
- Long Term Care Requirements – What You Need To Know, GNYHCFA, Uniondale, NY, March 16, 2017
- Legal Update, Mid-Year Accounting and Reimbursement Update Seminar, Metropolitan New York Chapter of HFMA, East Elmhurst, NY, September 23, 2016
- Compliance Update, NYHIMA 81st Annual Conference, Huntington, NY, June 8, 2016
- Hot Topics, HCCA's Regional Annual Conference, New York, NY, May 13, 2016
- OIG's Work Plan for 2016, HCCS Webinar, November 18, 2015
- OIG Work Plan 2015, Compliance Center for Competitive Management, Audio Conference, March 10, 2015
- HCCS Expert Webinar: Highlights of the OIG's 2015 Work Plan, Health Care Compliance Strategies Webinar (November 13, 2014)
- Compliance Update - Where to Focus Limited Resources, Metropolitan New York Chapter of HFMA Seminar, Hofstra University Club, David S. Mack Hall, Hempstead, NY, July 24, 2014
- The 2014 OIG Work Plan - Key Focus Areas, HCCS Webinar, February 12, 2014
- Best Compliance Practices for the Medicare and Medicaid Electronic Health Record Incentive

- Programs, Health Care Compliance Association's Upper Northeast Regional Compliance Conference, May 17, 2013
- When You Need and Don't Need Legal Representation for OMIG, Joseph A. Levi 52nd Annual Institute presented by the Metropolitan New York Chapter of Healthcare Financial Management Association, March 11, 2011 (Panel Member)
 - What Would You Do? Case Studies in Compliance and Internal Audit, sponsored by the Metro New York Chapter of Healthcare Financial Management Association, (New York, NY) February 4, 2011
 - Compliance Update at the Professional Development Conference sponsored by the New York Association of Homes and Services for the Aging, (Saratoga Springs, NY) October 26, 2010
 - Charting New Territory: New Requirements for Disclosing Overpayments to Governmental Agencies and Examining When to Appeal Adverse RAC Determinations, 34th Annual Institute sponsored by The New Jersey Chapter of Healthcare Financial Management Association in cooperation with The Metropolitan Philadelphia Chapter of Healthcare Financial Management Association, October 21, 2010 RAC Audits Are Here: Examining Appeals and Self-Disclosures, New Jersey Hospital Association/Health Research & Educational Trust of New Jersey Educational Program (Princeton, NJ) July 13, 2010
 - Section 2803-D Reporting Requirements, New York Association of Homes and Services for the Aging Spring Training Institute and Exhibition, (Saratoga Springs, NY) May 26, 2010
 - Fraud and Abuse in Long Term Care Programs, New York State Bar Association's 2010 Long Term Care Conference (New York, NY) May 14, 2010
 - Voluntary Disclosures: The Benefits and Risks of Self Reporting, Health Care Compliance Strategies Webinar, March 30, 2010
 - OMIG & HIPAA: HITECH Seminar, Pharmacists Society of the State of New York (Getzville, NY) March 18, 2010
 - Restoration of License after Revocation or Disciplinary Surrender and Interview and Informal Settlement Conference Procedures, NYSBA Continuing Legal Education Program entitled "Representing Licensed Professionals Before the Office of Professional Medical Conduct & the Office of Professional Discipline," (New York, NY) November 5, 2009
 - The Deficit Reduction Act: Its Impact and Latest Updates, Health Care Compliance Strategies Webinar, January 18, 2008
 - Nursing Home Compliance, New York Association of Homes and Services for the Aging Spring Institute, Saratoga Springs, NY, May 22, 2007
 - Dealing with Government Voluntary Disclosures, Corporate Compliance Agreements, and Corporate Integrity Agreements, CHA Corporate Compliance Conference, April 19, 2007
 - Compliance Update for Nursing Facilities and Home Health Facilities, Healthcare Financial Management Association, February 16, 2007
 - Legal Aspects of Health Information: Compliance Update, Long Island Health Information Management Association, January 3, 2007
 - Compliance Programs and the DRA: Are You Ready for January 1, 2007? Intercounty Health Facilities Association, Inc., December 7, 2006
 - New Laws, New Requirements: The DRA, HIPAA and the Practice of Pharmacy, Pharmacy Society of New York, November 30, 2006
 - The Medicare Appeals Process, Healthcare Financial Management Association Annual Institute Recovery Audit Contractor (RAC) Panel, March 2006
 - STARK II / PHASE II: New Exceptions, Reporting, Enforcement and Penalties, April 2004
- Publications**
- Co-authored chapter entitled "Fraud and Abuse" in the Legal Manual for New York Physicians (Fifth and Sixth Edition)
 - New Jersey Legislature Mandates Hospital Trustee Training, Health Care Compliance Association Healthcare Compliance Today, August 2007

- What Every Compliance Officer Needs To Know About The Deficit Reduction Act of 2005, Healthcare Compliance Today, December 2006
- Disclosure to Law Enforcement, Health Information Compliance Insider, July 2006
- Substandard Quality of Care Used as a Basis for False Claims Act and Criminal Liability in Nursing Homes, NYSBA Health Law Journal, Winter 2002
- Contributing Author to the New York Health Law Update on a variety of health care legal issues