



## Gregory R. Smith

### Partner

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#### PRACTICE

Compliance and White Collar Defense  
Health Care

#### EDUCATION

Hofstra University School of Law  
(J.D., with distinction, 1999)  
SUNY Plattsburgh  
(B.A., 1993)

#### BAR ADMISSIONS

New York

#### COURT ADMISSIONS

New York Supreme Court, Appellate  
Division

#### PROFESSIONAL ASSOCIATIONS

American Health Lawyers Association  
New York State Bar Association  
Health Care Compliance Association

With a broad regulatory and transactional background, Gregory Smith routinely counsels clients on a wide range of health care matters. Mr. Smith's practice is focused on compliance and regulatory issues, and includes extensive experience with federal and state anti-referral laws, including the federal Stark law, Anti-Kickback Statute and Civil Monetary Penalties Law.

Mr. Smith has guided a broad range of providers through the voluntary self-disclosure process at the federal and state level, including disclosures of potential Stark law, Anti-Kickback and Civil Monetary Penalties Law violations. Mr. Smith also routinely represents providers appealing Medicare, Medicaid and commercial audits, and has successfully challenged the government's use of statistical sampling and extrapolation. Mr. Smith has also negotiated numerous settlements with a variety of federal and state agencies.

Mr. Smith frequently works with providers to design and implement compliance programs that meet New York State requirements, conducts compliance training, and works closely with compliance officers to ensure that compliance issues are investigated and addressed appropriately. Mr. Smith regularly counsels clients on a wide variety of state and federal regulatory issues, including Medicare and Medicaid reimbursement guidelines, documentation and coding practices, state corporate practice of medicine prohibitions, fee-splitting, federal and state exclusion rules, the federal Anti-Markup Rule, professional misconduct rules, and conflicts of interest.

Mr. Smith received a J.D., With Distinction, from the Hofstra University School of Law in 1999, and a B.A. in English from the State University of New York at Plattsburgh in 1993.

#### Speeches and Events

- Greater New York Health Care Facilities Association "Focusing on Quality and Compliance" seminar, Uniondale, NY (March 6, 2019)
- Federal and State Stark and Anti-Kickback Laws "Decision Tree," New York State Bar Association Health Law Section, Fall Meeting (October 26, 2018)
- Sunshine Act and Conflict of Interest, Healthcare Financial Management Association "Year End Audit Update and Trending Topics for Physicians and Hospitals" seminar, Fishkill, NY (November 21, 2013)

## **Publications**

- Co-author, An Uncertain Future: Examining Two Proposals for Health Care Reform, AHLA Connections, March 2017
- Co-author, Chapter 1 of the LUGPA Practice Management Playbook, entitled Legal and Economic Issues in Forming a Group Practice, 2017
- The Sunshine Act: How to Ensure the Accuracy of Your Disclosures, Medical Economics, March 20, 2014
- Key Provisions of the Patient Protection and Affordable Care Act, Journal of the American College of Radiology, January 2011
- Looking Ahead: 2010 OIG Work Plan, Journal of the American College of Radiology, February 2010