

ANDREA FERRARI

Senior Counsel

Andrea Ferrari is a member of Hancock Daniel's corporate healthcare group, where she focuses on issues related to transactional and enterprise compensation planning, governance and review, particularly issues related to fair market value and commercial reasonableness. Although her past experience encompasses a multitude of regulatory, transactional, governance and investigation matters, she is known especially for her work in recruitment and retention of highly compensated thought leader physicians and executives; and incentive payment distributions through ACOs and clinically integrated networks to advance value based care initiatives. She has worked extensively with clients navigating the intersection of regulatory and financial considerations in clinical research, including agreements for funding and support services and the related issues of contracting and compliance; transactional due diligence for compensation compliance; and navigating the intersection of compensation and antitrust issues. Andrea's expertise also includes recruitment, compensation and procurement governance for "essential" hospitals such as public, rural, academic and pediatric hospitals.

Prior to Joining Hancock Daniel, Andrea was Principal and General Counsel for a national healthcare solutions provider with a family of affiliated companies. In that role, she assisted both internal and external clients in transactional due diligence, investigations, litigation and enterprise-level compliance programs. Previously, she was a partner in the corporate practice group and healthcare industry team for a national law firm, and for fourteen years prior, she was with a well-known national healthcare valuation and consulting firm that was later incorporated into a global advisory firm. She rose to partner in that firm and led service lines focused on value-based care (including clinically integrated networks, ACOs hospital quality and efficiency programs and gainsharing); clinical research services; and provider recruitment and retention for shortage areas. She previously practiced in the corporate and healthcare practice group of a global AMLaw 100 firm, as associate counsel for a public health system and special taxing district that provided rural, public health and trauma care; and in the in-house department of a major urban academic medical center. Prior to becoming an attorney, she coordinated clinical trials and patient safety/quality research for seven years, and had a stint in life sciences consulting, where a major project was pricing for a well-known globally sold prescription medication.

Practice Areas

ACOs and Bundled Payments
Antitrust
Association General Counsel
Clinically Integrated Networks & Organizations
Compliance
Corporate Governance
Fraud & Abuse
Healthcare Investigations & Enforcement Actions
Long Term Care and Post-Acute Care
Mergers & Acquisitions
Physician Services
Reimbursement
Risk Management
Tax-Exempt Status

Licensure

Florida

Academic Credentials

Smith College, BA
Boston University School of Public Health, MPH
Boston University School of Law, JD

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Andrea's practice experience is national in scope and includes providing transactional, operational, governance, and dispute resolution support for a broad array of non-profit, for-profit, and governmental clients, including hospitals and health systems, physicians and physician groups, clinical laboratories, specialty pharmacies, life sciences companies, healthcare valuation and consulting firms, management services organizations and corporate and governmental boards. She has assisted clients with structuring, documenting, managing, and reviewing compensation and payment arrangements involving healthcare providers, often with attention to requirements and implications of the Stark Law, Anti-kickback Statute, False Claims Act, non-profit tax regulations, antitrust laws, Foreign Corrupt Practices Act and/or the various state laws concerning billing, payments, and corporate practice of medicine. Her work has included assisting clients with mergers and acquisitions, affiliations, joint ventures, public-private partnerships, enterprise-level compliance programs, and healthcare workforce recruitment and management arrangements, including incentive compensation, professional services and employment arrangements that exceed \$1 million in annual compensation. Her work has also included outside general and special counsel services for healthcare clients, focusing on their contracting and compensation practices.

In addition to assisting clients in significant transactions, investigations, litigation, and enterprise compliance planning, Andrea utilizes her public health training to assist clients with post-pandemic population health strategies, including protocols for health services staffing and compensation, emergency preparedness and response, and the promotion of health equity.

Andrea brings to her work broad and deep healthcare industry experience that gives her helpful perspective on issues of compensation and business valuation and their intersection with legal and regulatory requirements. Her combined experience helps her to issue spot and provide practical, strategic and problem-solving advice with a mind to addressing both business goals and regulatory compliance issues. She has had the privilege to work with and be trusted by some of the largest health systems, physician groups, and life sciences companies in the United States, as well as numerous Fortune® 500 and Fortune® 100 companies.

Andrea is frequently called upon as an author, speaker, instructor and subject matter expert on topics related to fair market value and commercial reasonableness and their role in healthcare regulatory compliance, investigations and litigation. She has authored nearly one hundred continuing legal education (CLE) publications, presentations and on related topics for national organizations such as the American Health Law Association, American Bar Association, state bar associations, American Association of Provider Compensation Professionals, Health Care Compliance Association, Thomson Reuters and Lexis.

Andrea is a member of the Florida Bar and National Association of Certified Valuators and Analysts (NACVA), and a former licensed Healthcare Risk Manager and Clinical Research Coordinator. She is a longtime member of the American Health Law Association, in which she has served in numerous leadership roles, including chairing the Fair Market Value Affinity Group and the Public Hospitals and Health Systems Affinity Group. She currently serves on the Development and Advancement Council.

Associations and Professional Memberships

American Health Law Association (AHLA)

American Bar Association (ABA), Health Law Section

American Association of Provider Compensation Professionals

Florida Association of Women Lawyers

Women Leaders of the Healthcare Industry Foundation National

Association of Certified Valuator and Analysts