

Fisher Broyles

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Practice Areas: Health and Pharmacy Law

Bar Admissions: Florida

Education: University of Florida, J.D., 2005; Vanderbilt University, B.A., 2001

Experience: Buchanan, Ingersoll & Rooney, P.C.; Carlton Fields Jordan Burt, P.A.

Radha Bachman represents a diverse array of health care entities including hospitals and health systems, physician groups, management service organizations, ambulatory surgery centers, and post-acute care providers.

As the daughter and sister of physicians, she is uniquely aware of the intersection between clinical, business and legal objectives in health care. Radha is one of only 128 attorneys in Florida to be board certified in Health Law by The Florida Bar. Radha has been selected as a Florida Super Lawyer in the practice of health care law and is a frequently sought after speaker on topics involving substantive legal issues facing the healthcare industry as well as diversity and mentorship in the legal profession.

On behalf of hospital and senior living clients, Radha provides counsel regarding system operations, joint venture and transaction structuring, physician employment and contracting, federal and private payor issues, HIPAA, licensing matters, and tax exempt issues. She also represents physicians and physician organizations of all sizes in structuring and executing deals with third party investors and private equity organizations, provider-to-provider mergers and acquisitions, corporate document preparation, Medicare revalidations, and general contract review. Radha is experienced in state and federal licensure, enrollment and permit filings and represents clients with the preparation of necessary applications through final approval.

Radha's expertise extends to state and federal health care regulatory matters. She regularly helps health care clients develop legally compliant relationships, taking into account the myriad governmental and payor requirements. On behalf of her clients, Radha has participated in the Stark Self-Disclosure Protocol and interacted with CMS to achieve favorable settlements for clients under the protocol.

After receiving her law degree, Radha spent six months as an education fellow at a matriculation school in rural India. As a fellow, she developed and directed an intensive spoken English workshop for

elementary school teachers and implemented long-term methods for advancing computer literacy among village students. Radha is conversant in Gujarati, the state language of Gujarat, India.

Representative Transactions

- Lead counsel in purchase of community pharmacy
- Healthcare licensure counsel for purchaser of portfolio of assisted living communities located in Maryland, Pennsylvania and Indiana
- Healthcare licensure counsel for purchaser of Skilled Nursing Facility in Texas
- Special Healthcare Counsel to Assignee in Assignment for the Benefit of Creditors filed by Laser Spine Institute and related entities
- Special healthcare counsel to international real estate brokerage firm
- Healthcare regulatory counsel to Buyer of Florida-based substance abuse treatment facility
- Acted as lead counsel in licensure change of ownership filings for Skilled Nursing and Assisted Living Facilities located in Texas
- Lead counsel in purchase transaction involving three affiliated licensed home health agencies in Florida
- Healthcare regulatory counsel for private equity acquisition of multi-state, multi-location physical therapy company
- Lead counsel in development (corporate formation through “go-live”) of single specialty MSO
- Lead counsel in Medicare ZPIC audit for physician practice through three stages of appeal
- Successfully represented health care provider defendant in qui tam lawsuit from initial notice phase through voluntary dismissal
- Acted as lead counsel in licensure change of ownership filing for Assisted Living Facility in Alabama
- Acted as lead counsel in licensure change of ownership filing for Personal Care Home in Georgia
- Acted as lead counsel in the sale of an anesthesiology physician practice
- Successfully obtained a declaratory statement from the Florida Office of Insurance Regulation regarding Personal Injury Protection (“PIP”) billing matter for licensed Health Care Clinic
- Successfully prepared applications and obtained licensure for Health Care Clinics
- Successfully negotiated settlement with AHCA regarding a licensed entity’s failure to submit a change of ownership application timely
- Acted as lead counsel for preparation of AHCA change of ownership applications and all related health care license change applications for 5-location assisted living facility provider
- Represented a 168-bed hospital in a membership substitution transaction whereby ownership and control of the hospital was transitioned to a regional health system
- Represented physicians and other health care providers in the review and negotiation of practice sales and acquisitions and employment relationships
- Acted as lead counsel in the purchase and sale transaction of an ambulatory surgery center by gastroenterologists and ophthalmologists
- Assisted physician in navigating hospital’s Disruptive Physician Policy and related medical staff disciplinary action

- Conducted full compliance and regulatory compliance audit for anesthesiology physician practice

Professional Recognition

- Chambers USA Up and Coming (2019, 2020)
- Selected for inclusion in Florida Super Lawyers (2016-2020)
- Selected for inclusion in Florida Super Lawyers Rising Stars (2015)
- Board Certified in Health Law by the Florida Bar (2012 to Present)
- #1 Health Care Lawyer, 2017 & 2018 Tampa Bay Magazine

Professional and Civic Activities

- The Florida Bar
 - Continuing Legal Education Committee (2017-2019)
 - Health Law Board Certification Committee (2014 – Present)
 - Chair (Present)
 - Vice Chair (2018-2019)
 - Health Law Section, Executive Council (2013 – Present)
 - Secretary (Present)
 - Co-Chair, Representing the Physician Seminar (2019)
 - Chair, CLE Committee (2018-2019)
 - Chair, Young Lawyers Division (2013-2014)
- American Health Lawyers Association
 - Vice Chair, Educational Programming, Physicians Organizations Practice Group (2019-2020)
 - Member, Diversity + Inclusion Council (2018)
 - Member, Women's Leadership Council (2014-2017)
- Adjunct Professor, Stetson College of Law
 - Fall 2019 Course: Healthcare Payments Systems and Reimbursement
- TGH Foundation Circus/Disney on Ice Committee (2014 – 2019)
- South Asian Bar Association of Florida, Past President, Tampa Division (2009-2010)
- Health Care Compliance Association
- Hillsborough County Bar Association

Presentations & Teaching Experience

- Moderator and Panelist, "Navigating the COVID-19 Pandemic and the Government Response - An AVLS Legal Townhall," American Vein and Lymphatic Society Webinar Series (April 23, 2020)
- Panelist, "Moving Mountains 2020 Women's Forum: A Conversation on Women's Empowerment and Entrepreneurship," IndoUS Chamber of Commerce Tampa Bay, Tampa, FL (February 12, 2020)

- Co-Panelist, “Telemedicine: Identifying the Exposure and Managing the Risk,” American Society of Health Care Risk Management Annual Meeting, Baltimore, MD (October 15, 2019)
- Co-Presenter, “Risk Management and Compliance Programs in the Office Setting,” Florida Society of Health Care Risk Management Annual Meeting Pre-Conference Workshop, Tampa, FL (August 15, 2018)
- Speaker, “Landlords, Software, Payors, Oh My! Top Ten Issues in Healthcare Contracting,” American Academy of Audiology 2018 Annual Conference, Nashville, TN (April 18, 2018)
- Guest Speaker, Advize Health Legal Podcast (January 5, 2018)
- Co-Presenter, Under the Looking Glass: Understanding the Rules for Public Actors, Public Records and Public Provider Payments in the Post-ACA, Post-MACRA World, American Health Lawyers Association Webinar Series (November 6, 2017)
- Speaker, “Landlords, Software, Equipment, Oh My! Top Ten Issues in Healthcare Contracting,” Professional Association of Healthcare Office Managers 29th Annual Meeting, Clearwater, FL (October 18, 2017)
- Panelist, “Asking for More: Navigating Difficult Conversations Around Performance, Compensation, and Opportunity,” American Health Lawyers Association Educational Webinar (March 22, 2017)
- Speaker, “Medical Practice Consolidation and Snowflakes – No Two Practices or Opportunities Are Alike,” Representing the Physician 2017, The Florida Bar Health Law Section, Orlando, FL (February 3, 2017)
- Moderator, “An Expert Perspective – A CMS Conversation on MACRA,” Carlton Fields Webinar (November 17, 2016)
- Co-Presenter, “Taking Liberties With Webster: The Feds’ Ever-Expanding Definition of ‘Referral’ under the AKS after U.S. v. Patel,” The Florida Bar Health Law Section, Eat and Educate Webinar Series (September 8, 2015)
- Speaker and Mentor, “Surviving the Chaos: Due Diligence Preparedness Tips for Sellers of Healthcare Businesses,” Healthbox Miami Studio, Miami, FL (June 19, 2015)
- Speaker, “Checklists for Purchase and Sale of a Medical Practice,” Representing the Physician 2015, The Florida Bar Health Law Section, Fort Lauderdale, FL (January 16, 2015)
- Panelist, “Diversity in the Legal Profession,” South Asian Bar Association 2014 Diversity Leadership Forum & Annual Meeting (November 14, 2014)
- Moderator, “What’s Your Elevator Speech? Key Tips and Strategies for Health Care Attorneys to Help ‘Market’ and Distinguish Themselves Now and Throughout Their Careers,” AHLA Webinar (October 24, 2014)
- Speaker, “Emerging Trends in Telemedicine and HIPAA/HITECH,” 2014 Shriners Hospitals for Children Annual Healthcare IT Symposium, Las Vegas, NV (October 16, 2014)
- Panelist, “Who moved my PractCheese! How to deal with change in the Healthcare business!,” TiE Tampa Bay, Safety Harbor, FL (August 1, 2014)
- Co-Presenter, “Public Health Systems and Public Records Laws – Managing Information, Expectations, and FMV When Transacting Business in the Public Eye,” American Health Lawyers Association Webinar (April 16, 2014)
- Panelist, “Navigating Change Under the Affordable Care Act,” Florida Healthcare Businesswomen’s Association, Stetson University Law School, Tampa, FL (March 26, 2014)

- Moderator, “What’s Health Law Got to Do With It?” HCBA Health Care Law Section, American Health Lawyers Association, Tampa, FL (January 30, 2014)
- Speaker, “Disability Compliance for Healthcare Providers: Navigating the Landmines,” CLE Presentation, Hillsborough County Bar luncheon (November 13, 2013)
- Speaker, “‘Interpreting’ ADA Compliance for Healthcare Providers: Recent Settlements,” Florida Society of Health Care Risk Management and Patient Safety Webinar (October 10, 2013)
- Speaker, “HIPAA STRIKES AGAIN: What the 536-Page Omnibus Rule Means for You and Your Organization,” Florida Society of Health Care Risk Management and Patient Safety, 2013 Annual Conference, Orlando, FL (August 8, 2013)
- Speaker, “The CMS Self-Referral Disclosure Process – Practices and Pitfalls,” CLE Presentation, Hillsborough County Bar luncheon (February 8, 2012)
- Speaker, “Law Firm Compliance with HIPAA’s Ugly Stepsister: The HITECH Act,” CLE presentation, Hillsborough County Bar luncheon (April 14, 2010)

Publications

- Co-Author, “Humana Bundles Up; Files Suit to Recover Hundreds of Millions in Risk Corridor Payments From Uncle Sam,” Carlton Fields Client Alert (November 7, 2017)
- Co-Host, “A Conversation on CMS’ Emergency Preparedness Compliance for Healthcare Providers,” Carlton Fields Podcast (October 6, 2017)
- Co-Author, “A Category 5 Compliance Problem: Hurricane Irma Gives Providers a Stark Reminder of Emergency Preparedness Realities,” Carlton Fields Client Alert (September 19, 2017)
- Co-Author, “Repeal of the McCarran Ferguson Act: On Ramp or Speed Bump Along the Highway of Health Care Reform,” American Health Lawyers’ Association’s Connections Magazine Vol. 21, Issue 5 (May 26, 2017)
- “Trump Administration Proposes Insurer-Friendly Rule Modifying Exchanges under the ACA,” Carlton Fields Client Article (Feb. 15, 2017)
- Co-Author, “The Affordable Care Act: On the Fast Track to Repeal,” Carlton Fields Web Alert (January 2017)
- Moderator, “An Expert Perspective – A CMS Conversation on MACRA,” Carlton Fields Webinar (November 17, 2016)
- Co-Author, “MACRA: Top 10 FAQs,” Carlton Fields Web Article (October 10, 2016)
- “CMS Extends and Expands Freezes on New Home Health Agencies in Four States,” Carlton Fields Client Alert (August 1, 2016)
- “Accountable Care Organizations: Have They Already Come and Gone?,” Hillsborough County Bar Association Lawyer Magazine, Vol. 26, No. 5 (May-June 2016)
- “New Patient Transparency Requirements for Hospitals and ASCs,” Carlton Fields Web Alert (June 2016)
- “Record Mega-Settlements May Attract More Whistleblowers,” Expect Focus, Vol. IV (Fall 2015)
- Co-Author, “Kane v. Healthfirst and the 60-day Repayment Rule,” Carlton Fields Web Article (August 2015)

- Co-Author, "U.S. Attorney Predicts \$600 Million in Recoveries for Health Care Fraud in Central Florida Over Next Two Years." Carlton Fields Client Alert (July 2015)
- Co-Author, "Georgia Office of Insurance Issues Escrow Requirement Reminder to Continuing Care Communities," Carlton Fields Web Article (February 2015)
- "Leadership is Top Priority among AHLA Women Members," AHLA Connections (January 2015)
- Co-Author, "HIPAA: Deadlines Pass and Definitions Change," Expect Focus, Vol. IV (Fall 2014)
- "Advance Preparation for Medicare Revalidation Requests: Good Decision for the Bottom Line," Florida Medical Business (November/December 2013)
- "Patient Privacy or Public Protection? Government Attempts to Address Mental Health Issues While Protecting Patient Communications," Health Lawyers Weekly, AHLA, Vol. XI, Issue 47 (December 2013).
- "Compliance 101: Recent settlements should compel provider review of ADA auxiliary aid compliance," Compliance Today (December 2013)
- HFMA Releases Provider-Patient Financial Communications Best Practices
- Author, "Law Firm Compliance with HIPAA's Ugly Stepsister: The HITECH Act," The Florida Bar Health Law Section, Fall 2010 Newsletter (Fall 2010)
- Lead Author, Health Care Risk Management's Legal Review & Commentary Monthly Insert (2008-2012)