



William R. Thomas

Partner

willthomas@parkerpoe.com

t 803.253.8658



Will Thomas represents a variety of health care clients in litigation, regulatory, and transactional matters, which have the tendency to blend together and overlap. He is the leader of Parker Poe's Health Care Industry Team. Prior to entering the practice of law in 1999, Will worked as an administrator in an academic medical center and in a physician's office, so he is uniquely familiar with both the operational and legal aspects of health care. Early in his legal career, Will served as a law clerk to Judge Terry Wooten, U.S. District Court Judge.

Will's clients include general acute care hospitals (for profit, not-for-profit, and governmental), individual physicians and physician practices, urgent care centers, nursing homes, rehabilitation hospitals, psychiatric hospitals, ambulance companies, group homes, radiation therapy centers, and ambulatory surgery centers, just to name a few. Will typically interacts with in-house counsel, risk managers, CEOs, COOs and other health care administrators when providing day-to-day operations counsel, in addition to his regulatory, transactional, and litigation roles. Additionally, Will spent several years of practice defending pharmaceutical companies in multi-district OTC and prescription drug litigation.

Will's practice includes:

Litigation

- Defending negligence, wrongful death, and survival claims
- Breach of contract actions
- Hospital management agreements
- Noncompetition agreements
- Drug litigation
- Certificate of Need litigation before Administrative Law Courts
- Representing hospitals and physicians in employment litigation matters
- Reimbursement disputes for both physicians and hospitals
- Representing physician practices in a variety of litigation and regulatory matters
- Medical staff disputes for both physicians and hospitals



COLUMBIA OFFICE



PRACTICE AREAS

Product Liability & Mass Tort
False Claims Act
Investigations & Whistleblower Defense



EDUCATION

University of South Carolina
JD, *cum laude*, 1999
Medical University of South Carolina
MHA, 1996
Washington and Lee University
BA, 1993



ADMISSIONS

South Carolina, 1999



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- HIPAA litigation involving private causes of action (breach of privacy)
- Qui tam and false claims litigation for both hospitals and physicians
- Representing pharmacies in a variety of litigation matters
- Peer review disputes
- Appearing in Probate Court on guardianship matters involving incompetent patients

Transactional

- Asset purchase agreements for hospitals and physicians
- Establishing physician practices/concierge medicine
- Drafting and advising physicians on employment and recruiting agreements
- Drafting and advising hospitals on employment and recruiting agreements
- Shareholder buy-in and buy-out agreements for a variety of provider entities
- General health care contracting matters
- Physician separation agreements
- HIPAA related agreements
- Compliance plans and Corporate Integrity Agreements

Regulatory

- Stark/Anti-kickback/Civil Monetary Penalties
- CMS Reimbursement
- RAC Audits
- Telemedicine
- Antitrust
- HIPAA compliance
- Representing providers in all aspects of Certificate of Need prior to the contested case
- Representing providers in actions involving the SC LLR professional boards, such as pharmacy, medicine and nursing



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- Representing physicians and hospitals in drug diversion investigations
- Representing providers in matters involving SC DHEC Division of Health Licensing

REPRESENTATIVE EXPERIENCE

- Represented clients on Certificate of Need matters, Stark and anti-kickback analysis, fraud and abuse issues, false claims defense, medical staff issues, medical practice sales and acquisitions, analyzing, reviewing, and preparing a variety of health care contracts, hospital-physician contractual disputes, and day-to-day counsel concerning operational and regulatory issues for hospitals.
- Represented clients in HIPAA and privacy litigation
- Practiced extensively in pharmaceutical drug litigation
- Mediated, arbitrated and tried cases in addition to operational and transactional work.
- Handled a 10-day arbitration for a national health care client, which resulted in a \$2.2 million judgment, including attorneys' fees
- Obtained a favorable settlement in a multimillion-dollar breach of contract case for a hospital client
- Prevailed in a nine-day Certificate of Need trial in which South Carolina DHEC's adverse decision was overturned
- Shepherded dozens of Certificate of Need applications from the drafting stage to the approval stage
- Successfully negotiated with state and federal health care agencies who have fined clients for regulatory compliance violations

HONORS

- *The Best Lawyers in America* in Health Care Law, 2019-2020; Health Care Litigation, 2020
- *Columbia Business Monthly's* "Legal Elite" in Health Care Law, 2013-2019



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- Martindale-Hubbell AV® Preeminent™ in Health Care Facility Licensing; Health Care Corporate Law; Health Care Privacy; Health Care Reimbursement; Health Insurance Portability and Accountability Act (HIPAA); Health Law; Physicians Contracts; Physicians Licensing; Health Care Licensing; Health Care Contracts; Health Care Compliance

MEMBERSHIPS

- South Carolina Biotechnology Industry Organization (SCBIO), Board of Directors, 2019-present
- American Health Lawyers Association
- Richland County Bar Association, Executive Committee, 2008-2012; President, 2011; Treasurer, 2003-2008