

POSITION DESCRIPTION

 MAJOR, LINDSEY & AFRICA

MAJOR, LINDSEY & AFRICA | 1 SOUTH WACKER DRIVE, SUITE 1750, CHICAGO IL 60606 | 312-372-1010

September 2017



Mercy Health
Cincinnati, Ohio 45237
<https://www.mercy.com/>

Mercy Health (“Mercy Health” or the “System”) has retained Major, Lindsey & Africa (“MLA”) on an exclusive basis to conduct a search for an Associate General Counsel - Regulatory (“Counsel”) to be located at the Company’s headquarters in Cincinnati, Ohio. Mercy Health is an equal opportunity employer. Interested candidates should submit their resume (in MS Word) to Michael Sachs at msachs@mlaglobal.com and to Mindy Crandus Sircus at msircus@mlaglobal.com. Please do not contact Mercy Health directly; all resumes sent to Mercy Health will be routed to MLA for handling and will result in delay.

ASSOCIATE GENERAL COUNSEL - REGULATORY

Overview:

Mercy Health seeks an Associate General Counsel with expertise in health care law matters, to be responsible for advising on matters involving transactions with hospitals, physicians, and other healthcare providers, and the federal and state fraud and abuse laws, including the federal Anti-Kickback statute and the Stark Law, Medicare and Medicaid reimbursement and payment rules, HIPAA, and EMTALA, among others. The successful candidate will also provide strategic guidance and input on regional physician and hospital transactions and system initiatives.

The System:

Mercy Health is the largest health system in Ohio and one of the largest health systems in the United States, employing approximately 34,000 employees in Ohio and Kentucky. With more than \$6 billion in assets, Mercy Health operates about 450 health facilities, including 23 hospitals, eight senior living communities, five hospice programs and seven home health agencies. For more information, visit www.mercy.com.



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Compensation:

Competitive in the market and commensurate with experience.

Experience:

The successful candidate will have at least seven (7) years of extensive healthcare regulatory law experience in a major law firm, governmental entity or integrated healthcare system with a thorough understanding of healthcare related statutes and regulations, interpretations, court cases, and regulatory and other governmental analysis (including those pertaining to the Stark Law, Fraud and Abuse/Anti-Kickback Prohibitions, Tax Exemption Principles and Intermediate Sanctions). **Recent law firm or governmental experience is strongly preferred.** The successful candidate will have a passion for serving the needs of others.

Relocation:

Yes. This is a national search.

Bar Admission:

Must be licensed to practice law in the state of Ohio or another state.

System Overview

Mercy Health is the largest health system in Ohio and one of the largest health systems in the United States, employing approximately 34,000 employees in Ohio and Kentucky. With more than \$6 billion in assets, Mercy Health operates about 450 health facilities, including 23 hospitals, eight senior living communities, five hospice programs and seven home health agencies. Its accountable care organization, Mercy Health Select, is one of the top 10 ACOs in the country for Medicare Shared Savings, generating more than \$15 million in savings in 2014.

In keeping with its mission, Mercy Health provides nearly \$1 million per day in community benefit services. During 2016, Mercy Health provided \$347 million in community benefit, supporting programs that help more people access the healthcare they need and programs that improve the health of communities. Mercy Health strives to be an outstanding employer; to have trusting, fair and just relationships with all employees; and to increase the diversity and inclusion of its health system. Five Catholic organizations co-sponsor Mercy Health, and are deeply



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committed to their compassionate, people-oriented approach to healthcare: the Sisters of Mercy, South Central Community; the Sisters of Mercy, Mid-Atlantic Community; the Sisters of the Humility of Mary; the Franciscan Sisters of the Poor; and Covenant Health Systems.

Mercy Health has received several awards, the highlights of which include:

- Having been named one of 2016's Most Wired healthcare systems in a survey recently released by the American Hospitals Association's (AHA) Health Forum.
- Having been recognized by Premier Inc. with the Supply Chain Innovation Award for introducing innovative, high-impact supply chain improvement ideas to the healthcare industry.
- Having Becker's Hospital Review named Mercy Health - Clermont Hospital, Mercy Health – Fairfield Hospital and Mercy Health – Defiance Hospital to the 2016 list of 100 Great Community Hospitals. Clermont and Fairfield were the only two Cincinnati-area hospitals to make the list.
- Having been named a recipient of IDG's CIO Magazine of the 2015 CIO 100. The 28th annual award program recognizes organizations around the world that exemplify the highest level of operational and strategic excellence in information technology (IT). Mercy Health earned the honor for its deployment of CarePATH, its electronic medical record system.

About Cincinnati

Mercy Health is located in Cincinnati, Ohio, which is itself located on the Ohio River. Cincinnati is the third largest city in Ohio. Cincinnati is known for its 19th-century architecture, including Findlay Market, which has food and craft vendors. The Cincinnati Museum Center encompasses history, science and children's museums in the art deco Union Terminal. Works spanning 6,000 years are on display at the Cincinnati Art Museum. Cincinnati is home to two major sports teams, the Cincinnati Reds, the oldest franchise in Major League Baseball, and the Cincinnati Bengals of the National Football League.

Position Information

The Associate General Counsel – Regulatory will report to the Vice President and Associate General Counsel. For this role, Mercy Health is seeking an individual who is a values based leader, defines the concept of servant leadership, has strategic agility, is committed to the development of others, can lead change and transition, and who possesses strong oral, written and one-on-one communication skills.



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Functions & Responsibilities

It is expected that all of the essential functions and responsibilities identified below will be performed in a manner that reflects the values of Mercy Health, which are: Excellence, Human Dignity, Justice, Compassion, Sacredness of Life and Service.

The Associate General Counsel – Regulatory is responsible for advising Mercy Health on matters involving transactions with hospitals, physicians, and other healthcare providers and federal and state fraud and abuse laws, including the federal Anti-Kickback Statute and the Stark Law, Medicare and Medicaid reimbursement and payment rules, HIPAA, and EMTALA, among others. The successful candidate will provide strategic input and support to Mercy Health leaders and the Mercy Health Law Firm on healthcare regulatory matters involving physicians, hospitals, and other healthcare providers and will provide tools and support for effective physician and hospital arrangements. The Mercy Health Law Firm prides itself on providing excellent customer service and on the strong working relationships fostered among the Mercy Health Law Firm members, as well as with other support services, and the System's operational and clinical teams.

The successful candidate must balance legal risk with business objectives, understand business and community needs assessments, keep up with the ever-changing regulatory environment, and communicate any major changes therein, provide education and training on healthcare regulatory legal issues and processes, build strong regional relationships, coordinate responses to government inquiries/investigations on healthcare regulatory matters, provide guidance on how to structure projects in a compliant way, proactively identify legal issues and risks after understanding of business objectives, coordinate with other Mercy Health support services (compliance and risk) where appropriate, and perform other duties as assigned.

Qualifications & Skills

- Juris Doctorate Degree or its equivalent from an accredited law school.
- Must be licensed to practice law in the state of Ohio or another state.
- Seven or more years of extensive healthcare regulatory law experience in a major law firm, governmental entity or integrated healthcare system required. **Recent law firm or governmental experience is strongly preferred.**
- Exceptional organizational skills, including the ability to manage diverse assignments and projects, exercise judgment and decision making in prioritization of multiple deadlines, and to organize and maintain extensive files.
- Dynamic, self-starter with strong negotiating skills.
- Strong business acumen and understanding of healthcare environment.
- Ability to work both independently and to be a strong team player.



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- Ability to adhere to deadlines and work on multiple, simultaneous assignments.
- Excellent oral, written and one-on-one communication skills.
- Ability to address multiple priorities in a fast paced, dynamic environment.
- Ability to relate well with others at various levels, to build and foster relationships, and the ability to educate and train others.
- Strong computer skills in Microsoft Word, Excel, PowerPoint, and Outlook.
- Excellent analytical and problem solving abilities.
- Willingness to take on new projects and commitments, as well as of subject matter area expertise for the system.
- Thorough understanding of healthcare related statutes and their regulations, interpretations, court cases, and regulatory and other governmental analysis (including the Stark Law, Fraud and Abuse / Anti-Kickback Prohibitions, Tax Exemption Principals and Intermediate Sanctions).
- Passion for serving needs of others.
- Demonstrated commitment to building strong teams.

Mercy Health is an equal opportunity employer.

Process

Submit a resume in Microsoft Word format with a letter describing your interest and relevant skills addressed to:

Michael Sachs
Partner
msachs@mlaglobal.com

Mindy Crandus Sircus
Managing Director
msircus@mlaglobal.com

You may be required to complete additional documents to be considered for this position.