

**ALSTON  
& BIRD** | Legislative &  
Public Policy



**HIMSS** **22**

# About Alston & Bird's Health Care Practice

- A national healthcare practice with 100+ attorneys actively involved in the healthcare industry across the full spectrum of legal disciplines. One of the largest healthcare practices in the country.
- Signature strength: our ability to master complex representations that draw on the coordinated expertise of our regulatory, compliance, privacy, public policy, transactional, corporate governance, securities, FDA, biotechnology, intellectual property, government investigations, and litigation practitioners.
- Our expansive client base of for-profit and nonprofit clients includes the nation's largest clinical laboratories, precision medicine companies, hospitals, healthcare service providers, academic medical centers, industry trade associations, medical device and pharmaceutical manufacturers and distributors, health plans, managed care companies, medical billing and clearinghouse companies, physician groups, and companies specializing in medical information technology, e-health, and biotechnology, as well as investment banks, private equity firms, venture capital firms, and other institutions that finance the healthcare industry.
- Three of the top 10 Fortune 500 companies rely on Alston & Bird for counsel on health care-related matters.
- Chambers USA 2021 ranks our Healthcare Group among *The Elite*.
- In *U.S. News-Best Lawyers*® "Best Law Firms," the healthcare practice has been nationally ranked Tier 1 since 2017.

# We Know Digital Health and Telemedicine



- Alston & Bird works with clients on the forefront of the digital transformation, information exchange, and delivery of health care.
- We have a wealth of experience with business, regulatory, and policy issues in the telemedicine and telehealth areas.
- We have helped health systems and hospitals with telehealth-related issues, including overcoming reimbursement, licensure, and compliance challenges.
- We have also counseled global and national pharmaceutical and medical device manufacturers and distributors, as well as smaller companies and health IT startups.
- For more on our Digital Transformation of Health Care, and a series of *Healthy Byte* videos, please click here: <https://www.alston.com/en/resources/digitalhealth/digital-transformation-of-health-care>

# We Know Policy and the Law



- **Policy-driven approach** backed by issue and legal expertise
- **Bipartisan, bi-cameral**, with experience in the administrations and offices of both parties
- **Extensive experience** representing large complex clients, trade associations, and coalitions
- **Collaborative, team-based** style taps into our full range of relationships and policy expertise
- **Capacity** to deliver a broad scope of services
- **Track record** of achieving regulatory and legislative success
- **Technical expertise** beyond the policy group, of more than 100 health care attorneys with experience in the full range of related areas

# We Know the Legislative and Regulatory Process



**First:**

*We  
Listen.*

**Then:**

- **Analyze** client interests
- **Educate** on trends
- **Advise** on and implement steps
- **Develop** policy
- **Monitor** activity
- **Draft** legislative language

# We Know How to Accomplish Client Goals

**Continuous communications:**  
Fully inform clients about legislative and regulatory activities that may impact them.

<b>Advocating</b>	Supporting at the Federal level.
<b>Facilitating</b>	Enabling in-person meetings between staff or high-level officials.
<b>Advocacy Materials</b>	Preparing of advocacy materials on proposed legislation and regulations.
<b>Drafting</b>	Composing amicus curiae briefs, position papers and policy statements.
<b>Strategizing</b>	Managing legislative and regulatory initiatives.
<b>Monitoring</b>	Detecting legislative and regulatory developments.
<b>Briefing</b>	Educating clients on the impact of legislative and regulatory proposals.
<b>Developing</b>	Executing coordinated response to adverse legislative and regulatory proposals.

# We Know How to Accomplish Client Goals



Understanding your public policy priorities and crafting innovative solutions.



Developing an outreach and education strategy.



Executing the outreach strategy.



Enhancing your profile and “brand.”

# Elinor A. Hiller

**ALSTON  
& BIRD**



Elinor draws on her experience working with policymakers at CMS and in Congress to advise clients on complex regulatory and legislative matters.



Served as the  
CMS  
administrator's  
senior advisor for  
Medicare



Former director  
of the Medicare  
Parts C and D  
Analysis Group  
in the Office of  
Legislation



Worked closely with  
staff for the Senate  
Finance, House Ways  
& Means, and House  
Energy & Commerce  
Committees

## Counsel

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Elinor focuses her practice on regulatory and legislative issues concerning health care payers, providers, and manufacturers. She represents clients across the health care industry on policy matters, focusing on Medicare Advantage and Part D, Medicare fee-for-service payment rules, interoperability and price transparency, and federal insurance oversight.

**Bar Admissions**  
District of Columbia  
Massachusetts (Inactive)

**Education**  
Georgetown University  
(J.D., 2007)  
Wellesley College  
(B.A., 2004)

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full biography



# Jane B. Lucas



Jane brings more than a decade of federal government service, including senior positions in the White House, Department of Health and Human Services, and Senate leadership.



White House  
special assistant  
to the President  
for legislative  
affairs



10 years in the  
Senate working  
for Republican  
Whip John  
Thune (R-SD)



Senior advisor to  
the Secretary of  
Health and  
Human Services



Works with  
businesses and  
trade  
associations

## Counsel

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**Bar Admissions**  
District of Columbia  
South Dakota

**Education**  
Georgetown University  
(J.D., 2014)  
South Dakota State University  
(B.A., 2007)

Jane develops and executes legislative and regulatory solutions on behalf of health technology companies, health care systems, payors, and providers, and works directly with policymakers to navigate roadblocks and carry proposed solutions across the finish line.

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full biography

# Amy S. Mushahwar

**ALSTON  
& BIRD**



As both a lawyer and former technologist, Amy helps clients unravel complex privacy and cyber issues to fully understand their legal and regulatory risks.



20 years of experience in technology focusing on data security, risk, privacy, and emerging technologies



Former chief information security officer (CISO)



Advises on compliance with numerous privacy laws, such as the CCPA, TCPA, COPPA, GLBA, and FCRA.

## Partner

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**Education**  
The George Washington University  
(M.A., 2006)  
American University  
(B.A., 2002)

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Amy advises clients on proactive data security practices, data breach incident response, and regulatory compliance. She handles security incidents and has interacted with federal and state agencies and forensic service providers, overseen investigations, and designed post-incident response notification and remediation plans. She also provides compliance support on applicable security laws, PCI-DSS, and security audit standards such as NIST.

# James Paluskiewicz



JP brings a wealth of experience from the U.S. House of Representatives and in industry to advocate on behalf of health care clients.



Former chief counsel on the House Energy and Commerce Committee, Health Subcommittee



Sole policy staffer overseeing Medicare Parts B and D and health information technology.



Adjunct professor at GW's Graduate School of Political Management and Milken Institute School of Public Health

## Senior Policy Advisor

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JP advises health care clients on legislative and public policy matters before Congress, the Administration, and other government agencies. He devises strategies for effective outreach and messaging to assist health care clients in navigating complex legislation and regulation.

**Education**  
The George Washington University  
(M.A., 2006)  
American University  
(B.A., 2002)

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# Sean Sullivan



Through deep involvement in the health IT community, Sean forms valuable connections with clients by keeping them aware of relevant issues concerning corporate practice of medicine, fraud and abuse, HIPAA, and reimbursement issues.

## Partner

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Leader of the firm's digital transformation of health care initiative



"One to Watch"  
by *The Best Lawyers of America*®



Former U.S. Army JAG soldier and officer defense attorney

Sean assists health care technology companies in avoiding liability by ensuring regulatory compliance in operations; investigating, disclosing, and resolving potential noncompliance; defending government investigations; and providing regulatory support to litigation and transactions.

Bar Admissions  
Georgia

Education  
Georgia State University  
(J.D., 2007)  
Emory University  
(B.A., 2004)

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# The Extended Team



- [Joyce Gresko](#) advises clinical laboratories and other health care clients on regulatory and legislative matters, including coding, program integrity, CLIA-compliance, and Medicare and Medicaid reimbursement.
- [Michael Park](#) is a former counsel to then-Finance Committee chair and Ranking Member Charles Grassley (R-IA).
- [Hon. Earl Pomeroy](#) (D-ND) is a former nine-term U.S. Representative and Ways and Means Committee member.
- [Mark Rayder](#) is a former advisor to three members of Congress and a former associate staff member to the House Commerce, Justice, State, and Judiciary Appropriations Subcommittee.
- [Bob Siggins](#) is former senior House Democratic chief of staff to Rep. Pomeroy and a health policy specialist.
- [Carolyn Smith](#) is a former associate deputy chief of staff of the Congressional Joint Committee on Taxation.
- [Peter Swire](#) served as one of five members of President Obama's Review Group on Intelligence and Communications Technologies and was chief counselor for privacy at the OMB under President Clinton.
- [Tim Trysla](#) is the former senior policy advisor to the CMS administrator.
- [Marilyn Yager](#) is a former deputy assistant to President Clinton, advising on health and budget issues.
- [Brian Lee](#) is a former consultant for a health care policy research and management firm who offers solution-driven guidance and strategies to health care clients for regulatory and legislative issues.

