

JAMES SALING

Counsel



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James Saling joined Waller in 2017 with nearly a decade of experience advising hospitals, health systems, academic medical centers, outpatient services providers and other healthcare entities in transactional and regulatory matters. Known for his steadiness under pressure, James focuses on overcoming potential compliance or commercial obstacles to close deals that help clients achieve their strategic objectives. Whether he is negotiating joint ventures between healthcare providers, developing integrated delivery systems, or structuring incentive compensation and risk-sharing arrangements, his transactional acumen is complemented by his experience with federal and state healthcare laws and regulations. Clients value his ability to structure financial arrangements and transactions in compliance with the Anti-Kickback Statute and the Stark Law as well as his insight into Medicare certification and reimbursement; state licensure regulations; and corporate practice of medicine and dentistry issues.

James has devoted much of his practice to physician practice acquisitions and integration, hospital-physician affiliations and joint ventures, including those with ambulatory surgery, imaging and cancer centers, independent diagnostic testing facilities (IDTFs), and block lease and clinical co-management arrangements, and under-arrangement relationships. This experience includes the development of hospital outpatient departments and free-standing facilities, the acquisition of existing facilities, counseling clients in developing new service lines, strategic planning and governance issues, and restructuring facility operations for compliance reasons.

Additionally, James has represented multi-billion dollar private equity firms in the investment in and acquisition of various healthcare and specialty providers nationally. He works closely with private equity and venture capital firms and their due diligence teams to quickly identify healthcare regulatory issues, especially with regard to investments in physician and dental practice management companies.

Hospital system clients – investor-owned and tax-exempt – rely on James' experience with strategic expansion and restructuring including syndications, acquisitions and mergers. As a response to healthcare reform and continued market consolidation, he has assisted clients in a number of innovative affiliation transactions such as the representation of insurance companies in physician practice acquisitions.

Education

- J.D., Georgetown University Law Center, 2005
- Articles Editor, *Georgetown Law Journal*, 2004-2005
- LL.M., Georgetown University Law Center, Taxation, 2007

- B.A., University of Arkansas, Political Science, 2002

Bar Admissions

- Florida
- Tennessee

Experience

- Served as lead regulatory counsel to a private equity client in its \$57 million acquisition of an eating disorder treatment facility
- Served as lead regulatory counsel on a private equity acquisition of a dental practice management company
- Served as lead counsel to a national healthcare company in numerous acquisitions of Florida pain clinics
- Served as lead counsel on the acquisition of a New York ambulatory surgery center
- Served as lead counsel of a Florida hospital's acquisition of a vascular surgery practice
- Served as lead counsel in establishing a "super group" of physicians and its relationships with a management service organization (MSO), pharmaceutical group purchasing organization (GPO) and infusion pharmacy management company
- Led efforts to obtain Florida healthcare clinic licensure for an advanced urgent care center in the face of intense scrutiny by the Florida Agency for Health Care Administration
- Served as lead counsel on the acquisition of an ophthalmology physician practice in New Jersey
- Assisted an insurance company in its acquisition of a large multi-specialty physician practice

Professional

- Member, American Health Lawyers Association
 - Former Member, AHLA Young Professionals Council, 2013-2016
 - AHLA Pro Bono Champion, 2014 and 2015
- Member, Florida Bar Association

Prior Experience

- Attorney, The Florida Healthcare Law Firm, Delray Beach, Fla.
- Partner, McDermott, Will & Emery, LLP, Miami
- Associate, Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, Jackson, Miss.
- Associate, Fried, Frank, Harris, Shriver & Jacobson, Washington, D.C.
- Extern, United States Department of Justice, Tax Division, Washington, D.C.

Articles

- "Representing Hospitals and Health Systems," Edited by James Saling, Hospital/Physician Alignment Chapter, American Health Lawyers Association
- "The Move to Self-Reporting Continues: Self-Referral Disclosure Protocol," By James Saling, The Florida Healthcare Law Firm Newsletter and Blog

- "The Final Overpayment Rule and Practical Steps for Compliance," By James Saling, The Florida Healthcare Law Firm Newsletter and Blog
- "Alternative ASC Anesthesia Models," By James Saling, EndoEconomics Magazine
- "Florida Medical Record Disclosure Law Preempted by HIPAA," By James Saling, McDermott, Will & Emery LLP – On The Subject
- "Corporate Governance Toolkit," Co-authored by James Saling, AHLA Business Law and Governance Practice Group
- "Health Reform Act Contains New Requirements for Tax Exempt Hospitals," By James Saling, American Bar Association – Health eSource, Volume 6, Issue 11
- "The Appropriate Role of the Service with Respect to Tax Exempt Organizations," Co-authored by James Saling, AHLA Practice Group on Tax and Finance & Corporate Governance Task Force

Events

- "Practice Acquisition Trends," Presented by James Saling, Joint Meeting of the Seminole County Medical Society and Orange County Medical Society
- "Antitrust Concerns in the Formation and Operation of Provider Networks," Presented by James Saling, Joint Meeting of the Seminole County Medical Society and Orange County Medical
- "Update on King v. Burwell," Presented by James Saling, South Florida Hospital and Healthcare Association
- "Ethical Challenges in Healthcare," Presented by James Saling, South Florida Healthcare Executive Forum, February 2015