ArentFox Schiff LLP
Attorneys

Thomas E. Jeffry, Jr.

COUNSEL

Tom counsels health care provider clients on business and regulatory compliance matters, including providing advice on investigations, corporate integrity programs, and transactions.



Industries

Health Care
— Board Governance
— Government Investigations
— Health Privacy, Security & HIPAA
— Telemedicine & eHealth
Long Term Care & Senior Living
— Health Care Advisory & Strategic Transactions

Practices

Privacy & Data Security

Education

University of the Pacific, McGeorge School of Law, JD, 1986

Northwestern University, BS, 1979

Offices

Los Angeles
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Tom brings over 30 years of experience to help health industry clients successfully address their business challenges and navigate through their regulatory compliance issues. Tom represents hospital systems and other types of providers, with joint ventures and strategic affiliations, corporate governance and reorganizations, the development and construction of health facilities, mergers and acquisitions, as well as drafting and negotiating contracts.

Tom also handles regulatory matters, including Stark, federal and state fraud and abuse, licensing, corporate practice prohibitions, health information technology, privacy and data security, Medicare and other payor issues, and matters related to clinical research.

He has extensive experience in corporate governance, nonprofit tax and antitrust issues related to integrated delivery systems, health information technology, bioethics, privacy and security, and HIPAA regulations. Tom also represents health care clients under investigation by or subject to administrative proceedings by state or federal agencies.

Client Work

Tom's representative matters include:

- Hospital corporate governance, management arrangements and operations;
- Merger and Acquisitions/Affiliations of hospital, health systems, medical groups/provider networks, and California Health Care Districts;
- Conducted compliance investigations related to HIPAA breaches, Stark, billing and coding alleged violations, investigator misconduct, medical waste disposal, medical office building leases, and physician agreements for hospitals and community clinics;
- Prepared Corrective Action Plans and Voluntary Disclosures for hospitals;
- Developed Physician-Hospital Affiliations including:
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Radiology outpatient Joint Venture;

- Integrated outpatient services provided through hospital outpatient clinics or hospital sponsored foundations;
- Accountable Care Organizations;
- Physician recruitment arrangements;
- Co-Management agreements;
- On Call arrangements; and
- Hospital-based specialist services agreements.

- Creation or reorganization of community clinics, specialty medical groups (emergency, orthopedic, cardiology and oncology), non-profit and government hospitals, and telehealth ventures; and
- Assisted two separate hospitals in the development and operation of hospital sponsored graduate medical education programs including the preparation of PLAs, Master Affiliation Agreement, faculty and resident agreements compliant with ACGME requirements.

Previous Work

Prior to joining ArentFox Schiff, Tom was a partner at a large international law firm in the health law department. Previously, he served as city attorney for Jackson, California, and as county counsel for Alpine County, California. Prior to becoming a lawyer, Tom worked for a major medical specialty society as its communications director.

Professional Activities

Tom is an active member of the American Bar Association, the American Health Lawyers Association, and the Health Care Compliance Association. He previously served as the vice chairman of the California Medical Association Foundation.

As a former co-chair of the Policy Advisory Group for the Workgroup on Electronic Data Interchange (WEDI), Tom worked with a coalition of stakeholders to provide input to the initial HIPAA Privacy Rule.

Publications, Presentations & Recognitions

Tom was recognized as a “Pro Bono Champion” by the American Health Lawyers Association’s Public Interest Committee for his dedication and commitment to providing pro bono services in the health law field. He was also recognized for his work with the 2015 Special Olympics World Summer Games.

Since 2014, Tom has been recognized as a Southern California *Super Lawyer* and a *Best Lawyer in America* for Health Care Law. He has also been ranked in *Chambers USA*. Tom is the author of numerous articles and is a regular speaker.

Publications and presentations include:

- “The New World of Employed Physicians, Foundations, Exclusive Services, and Unions”, Medical Staff Leaders and the Law Conference, April 12, 2024
- “Hot Topics: Examining New Developments and Persistent Questions,” Costa Mesa and San Francisco Medical Staff Leaders and the Law Conferences, February 28 and March 6, 2020
- “False Claims Act and Peer Review: What to Expect in 2019,” Costa Mesa and San Francisco Medical Staff Leaders and the Law Conferences, February 1 and March 1, 2019
- “How Medical Staffs Should Approach Social media, Texting and Telemedicine,” Costa Mesa and San Francisco Medical Staff Leaders and the Law Conferences, February 2 and March 2, 2018
- “Ethical Issues for Healthcare Lawyers,” Los Angeles County Bar Association, December 14,

2017

- Moderator, Bisnow's 5th Annual Los Angeles Healthcare Forum, Los Angeles, CA, December 2, 2015
- "HIPAA: Risks and Enforcement Concerns," *Practicing Law Institute's Health Care Litigation and Risk Management Answer Book 2015*
- "Webinar on the Importance of Protecting Your Health Care Organization Against a Cybercrime Attack!," October 23, 2014
- "Closing the Deal in the Healthcare M&A Sector: Tips for Clients and Attorneys," Chapter in "Navigating Health Care Transactions – Leading Lawyers on Conducting Due Diligence and Developing Effective Deal Strategy for Health Care Clients," *Aspatore Inside the Minds Series*, July 2013
- Moderator, Bisnow's Orange County Healthcare Real Estate Summit, Newport Beach, CA, May 31, 2013
- "HIPPA Enforcement: OCR on the Doorstep," 9th Annual Healthcare Law Compliance Symposium, Los Angeles, CA, October 4, 2012
- "An Overview of Recent Challenges to Hospital Transactions: Is the FTC Really More Aggressive?" *Becker's Hospital Review*, May 1, 2012
- "Invasion of the RACs, Stories and Strategies from the Front Line," American Health Lawyers Association In-House Counsel Program, June 27, 2010
- "Compliance Corrective Action Plans: Why and How," Health Care Compliance Association West Coast Regional Conference, June 18, 2010
- "Structuring, Implementing and Monitoring Service Contracts: A Team Sport of Compliance, Quality, Legal, and Human Resources," Health Care Compliance Association Compliance Institute, April 19, 2010
- "The HITECH Act and You: Things to Know to Maximize the Benefits and Minimize the Pain," HITECH: Is Your Hospital Ready for this Opportunity? presented by the Hospital Association of Southern California, California Hospital Association, and ArentFox Schiff LLP, January 2010
- "New Privacy Laws Impacting the Health Care Work Place, California Hospital Association Labor and Employment Law" seminar, November 2009
- "Doing Business With (or as) a Distressed Company," California Society for Health Care Attorneys Fall Seminar, November 2009
- Red Flag Rules Compliance Deadline Approaches: Providers should focus on identity theft prevention program implementation, February 9, 2009
- "When Does the Medicare Secondary Payer Rule Prevent Medicare Coverage of Clinical Trial 'Complications'?" *Health Lawyers News*, March 1, 2008
- "Charities' Support of Commercial Clinical Research," Taxation of Exempts, Sept./Oct. 2007
- FTC Delays Enforcement of Red Flag Rules to May 1, 2009, October 23, 2008
- New California Laws Strengthen Patient Privacy, October 3, 2008
- FTC Releases Restrictive New Prerecorded Telemarketing Rules: Prior written, signed agreements, automated opt-out mechanisms to be required, HIPAA exempt, August 25, 2008
- Health Care Providers: Don't Miss the Red Flags, August 19, 2008
- "Health Care Regulatory and Compliance Update," Co-hosted with Hospital Association of Southern California, May 20, 2008
- AIRI Annual Meeting on Increasing Revenue Streams, September 1, 2007
- Clinical Trials Coverage – Dashed Expectations, But Stay Tuned, July 13, 2007
- Hospital Association of Southern California Healthcare Regulatory Compliance Update, May 1, 2007
- California Association of Health Plans on Managing the Press after an Incident, March 1, 2007
- "Pay for Performance," Healthcare Financial Management Association, March 1, 2007
- "Financial Incentives and Gainsharing: Pay for Performance and Gainsharing Legal Issues," The Second National Pay for Performance Summit, Los Angeles, California, February 15, 2007
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13th Annual HIPAA Summit on EHR Acquisition, Implementation and Monitoring legal issues, September 1, 2006

- Health Care Compliance Association 12th Annual Compliance Institute on joint ventures in imaging centers, April 1, 2006
- “PFP and Financial Incentives and Legal Issues: Basic Legal Issues in Implementing Healthcare Incentives and Pay for Performance Programs,” National Pay for Performance Summit, Los Angeles, California, February 7, 2006
- 3rd National Conference on Medical Affairs on Implementation of Medicare Part D, December 1, 2005
- AIRI 44th Annual Meeting on Legal Issues Affecting Research Institutes, September 1, 2005
- Gainsharing Opportunities Expand for Physicians and Hospitals, June 22, 2005
- 10th Annual Health Care Compliance Association on HIPAA and Research, June 1, 2005
- Los Angeles County Bar Association on Physician Practice Revenues, April 1, 2005
- Healthcare Information and Management Systems Society-Southern California Chapter Meeting on Sarbanes-Oxley, October 1, 2004

Life Beyond the Law

An active volunteer in his community, Tom is a member and former past president of a local Rotary Club and embraces the motto of “Service Above Self.” He has a passion for landscape, architectural and human interest digital photography. As an amateur savory chef, Tom enjoys preparing food in his kitchen and paring with one of the wines he collects.

Bar Admissions

California

Court Admissions

Supreme Court of the United States

US Court of Appeals, 9th Circuit

US District Court, Northern District of California

US District Court, Central District of California

US District Court, Eastern District of California