



Macy L. Flinchum

Associate

Research Triangle Park
+1.919.466.1259

macy.flinchum@klgates.com

OVERVIEW

Macy Flinchum is an associate in the firm's Research Triangle Park office. Macy's practice focuses on advising clients on a variety of regulatory and transactional issues within the health care industry. Her scope of work includes structuring provider arrangements and policies to comply with various regulatory requirements, including state and federal fraud and abuse laws, data privacy and security requirements, and the federal 340B Drug Pricing Program. In addition, Macy's practice covers complex transactions between health care providers, including pre-transaction due diligence and legal compliance reviews and post-transaction change of ownership filings and entity integration. She also regularly assists clients with various operational matters, including supply chain contracting, licensure and certification, and risk management issues.

In addition, Macy advises individual clients through the firm's Cyber Civil Rights Legal Project on a pro bono basis. Macy also helps produce the practice group's podcast, Triage: Rapid Legal Lessons for Busy Health Care Professionals.

PROFESSIONAL BACKGROUND

Macy was a summer associate in the firm's Research Triangle Park office in 2015. Prior to joining the firm, she assisted in-house counsel as a legal intern for a university athletic department in 2014 with various development and risk management issues, including HIPAA and FERPA compliance and advising student athletes on sports agency relationships.

PROFESSIONAL / CIVIC ACTIVITIES

- North Carolina Bar Association
- American Bar Association
- Wake County Bar Association
- American Health Lawyers Association
- North Carolina Society of Health Care Attorneys

EDUCATION

- J.D., University of North Carolina at Chapel Hill School of Law, 2016 (*North Carolina Law Review*)
- B.S., University of North Carolina at Chapel Hill, 2013

ADMISSIONS

- Bar of North Carolina

THOUGHT LEADERSHIP POWERED BY HUB

- 22 December 2020, The Tortoise and the Hare? HIPAA Joins the Regulatory Sprint to Coordinated Care (*Alerts/Updates*)
- 16 December 2020, CMS Finalizes Updates to the Stark Law to Reduce Regulatory Burdens and Provide Flexibility to Providers (*Alerts/Updates*)
- 16 December 2020, White Paper: CMS Finalizes Updates to the Stark Law to Reduce Regulatory Burdens and Provide Flexibility to Providers (*White Papers*)
- 19 November 2020, Research Community Alert – NIH Finalizes Updated Data Sharing Policy (*Alerts/Updates*)
- 8 October 2020, K&L Gates Triage: ACO Quality Reporting in 2021: Key Changes from the Medicare Physician Fee Schedule Proposed Rule (*Podcast*)
- 1 June 2020, COVID-19: Navigating The Path To Recovery - Planning for Life After 1135 Waivers & Other Regulatory Flexibility Ends (Part 2: The Stark Waivers) (*Alerts/Updates*)
- 16 April 2020, COVID-19: UPDATED HHS Delivers Initial \$30 Billion of CARES Act Provider Relief Funding Directly to Medicare (*Alerts/Updates*)
- 16 April 2020, COVID-19: UPDATED HHS Delivers Initial \$30 Billion of CARES Act Provider Relief Funding Directly to Medicare Providers and Suppliers and Quickly Updates Terms and Conditions (*Alerts/Updates*)
- 30 January 2020, K&L Gates Triage: 340B Update: CMS Issues Guidance for Avoiding Duplicate Discounts in Medicaid (*Podcast*)
- 10 January 2020, 340B Update: Safety Net Providers Fight Back Against Two-Tier Pricing Models (*Alerts/Updates*)
- 7 November 2019, A Starkly Different Landscape – A Deep Dive Into CMS' Recently Proposed Amendments to the Stark Law (*Alerts/Updates*)
- 4 November 2019, 340B Update: CMS Maintains Payment Reductions for 340B Drugs in CY 2020 OPPS Final Rule (*Alerts/Updates*)

- 1 October 2019, 340B Update: CMS Seeks Comments on Acquisition Cost Data Survey (*Alerts/Updates*)
- 6 August 2019, 340B Update: CMS Addresses Ongoing Litigation and Reimbursement Changes for 340B Drugs in CY 2020 OPSS Proposed Rule (*Alerts/Updates*)
- 25 April 2019, AdvaMed Code of Ethics Revisions Effective January 2020: Implications for Health Care Provider Interactions with Vendors (*Alerts/Updates*)
- 8 January 2019, 340B Update: D.C. District Court Overturns OPSS 340B Reimbursement Cut for CY 2018 (*Alerts/Updates*)
- 6 December 2018, CMS Proposes Changes to Medicare Advantage and Part D Drug Pricing (*Alerts/Updates*)
- 9 November 2018, CMS Issues Final Medicare PFS Rule for CY 2019 (*Alerts/Updates*)
- 2 November 2018, 340B Update: HRSA Accelerates Implementation of Long-Delayed 340B Pricing and Manufacturer Penalties Rule (*Alerts/Updates*)
- 27 September 2018, 340B Update: AHA Proposes Voluntary 340B Program Transparency Efforts (*Alerts/Updates*)
- 19 September 2018, 340B Update: Hospital Groups File (...and Refile) 340B Program Litigation (*Alerts/Updates*)
- 6 August 2018, CMS Issues Proposed Medicare PFS Rule for CY 2019 (*Alerts/Updates*)
- 30 July 2018, 340B Update: CMS Proposes Changes to OPSS Reimbursement for Nonexcepted PBDs (*Alerts/Updates*)
- 1 February 2018, Medicare Diabetes Prevention Program Enrollment is Now Open (*Alerts/Updates*)
- 7 November 2017, CMS Finalizes Changes in CY 2018 OPSS and PFS Final Rules (*Alerts/Updates*)
- 2 August 2017, CMS Proposes Substantial Payment Reductions in CY 2018 for Off-Campus Hospital Outpatient Departments Subject to the Site-Neutral Rule (*Alerts/Updates*)
- 26 July 2017, K&L Gates Triage: Emerging Themes for Emergency Departments: What to Know About Treating Psychiatric Patients Under EMTALA (*Podcast*)
- 25 January 2017, K&L Gates Triage: Section 603 Site-Neutral Payment: Transfers of PBDs (*Webinar*)
- 11 November 2016, CMS Finalizes Rule Establishing New Emergency Preparedness Requirements (*Alerts/Updates*)
- 9 November 2016, CMS Announces Final Rule Implementing Site-Neutral Payment Rule for Certain Off-Campus Hospital Outpatient Provider-Based Departments (*Alerts/Updates*)

AREAS OF FOCUS

- Health Care and FDA

REPRESENTATIVE EXPERIENCE

- Advised health system on contract pharmacy relationships under federal fraud and abuse laws and the 340B Drug Pricing Program
- Drafted and negotiated transaction documents for the acquisition of a physician practice by a health system
- Counseled various hospitals and health systems on a variety of reimbursement, licensure, and certification issues
- Drafted and negotiated various vendor arrangements for pharmaceutical products, medical devices, capital equipment, and physician staffing to comply with the Anti-Kickback Statute, HIPAA, and other federal and state laws for an academic medical center
- Assisted clients in developing and operationalizing new models of accountable health care, both under the Medicare Shared Savings Program ACO model, and through private Clinically Integrated Networks