

Thomas Beimers

Partner

Minneapolis

Washington, D.C.

Biography

Healthcare and life sciences industry clients with challenging regulatory compliance problems, especially False Claims Act (FCA) investigations, turn to Tom Beimers. Tom's service with the Department of Health and Human Services Office of Inspector General (HHS OIG), combined with extensive private practice litigation and investigations experience, helps clients navigate all phases of complex regulatory matters.

Sometimes FCA cases settle, and when they do Tom's experience with the HHS OIG Corporate Integrity Agreement (CIA) process, including negotiating and monitoring CIAs, ensures that clients negotiate and address implementation issues from a position of strength.

Tom enjoys advising healthcare and life sciences clients on regulatory compliance and healthcare fraud and abuse matters. He regularly provides strategic analysis regarding business arrangements and proposed transactions, including customer contracts, discount and rebate arrangements, business courtesies, consulting agreements, marketing programs, aggregate spend reporting, and charitable programs. Tom's experience with OIG and as an advisor to multiple life sciences and healthcare companies allows him to benchmark against industry standard practices and



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Practices

Health Law

Medical Device Law

Pharmaceutical and Biotechnology
Regulatory Law

Investigations

Industries

Life Sciences and Health Care

agency perspectives. This broad vantage point helps ensure that clients are simultaneously able to meet legal requirements and engage in competitive business arrangements.

Tom had a distinguished career in government before joining his previous international law firm. He served as senior counsel for HHS OIG, where he helped resolve major FCA cases involving off-label marketing, drug pricing, Anti-Kickback Statute violations, and Medicaid and Medicare reimbursement, and served as a monitor for manufacturers operating under CIAs. He was also a Special Assistant U.S. Attorney, serving as a prosecutor for the Department of Justice's Medicare Fraud Strike Force in Detroit, Michigan. In that role, he oversaw all phases of investigations into violations of criminal healthcare fraud laws, including jury trials.

Tom is a frequent national speaker and author on topics related to healthcare fraud and abuse, white collar criminal defense, and compliance matters.

Representative experience

Acts as lead defense counsel on False Claims Act matters involving allegations of Anti-Kickback Statute violations in medical device industry.

Routinely handles internal investigations involving matters such as off-label promotion, drug pricing, and Medicare and Medicaid reimbursement issues.

Served as interim compliance officer for global medical device manufacturer.

Has assisted clients with implementation of aggregate spend reporting required under CMS Open Payments Law (Physician Payments Sunshine Act).

Served as OIG monitor for several pharmaceutical industry Corporate Integrity Agreements.

Former prosecutor with joint DOJ/HHS Medicare Fraud Strike Force.

Areas of focus

False Claims Act and Qui Tam

Education and admissions

Education

J.D., University of Minnesota Law School, magna cum laude, 1998

B.A., Macalester College, Phi Beta Kappa, 1991

Bar admissions and qualifications

Minnesota

District of Columbia

Court admissions

U.S. Supreme Court

U.S. Court of Appeals, District of Columbia Circuit

U.S. Court of Appeals, 8th Circuit

U.S. Court of Appeals, 5th Circuit

U.S. Court of Appeals, 4th Circuit

U.S. Court of Appeals, 9th Circuit

Awards and rankings

- Healthcare: Health Insurers, *Legal 500 US*, 2017
- Healthcare: Service Providers, *Legal 500 US*, 2017

Latest thinking and events

- Hogan Lovells Publications
 - Medicare further expands payment for and coverage of telehealth and similar services *Health Alert*
- Hogan Lovells Publications
 - New anti-kickback prohibition in opioid bill creates tangled web of compliance obligations *Pharmaceutical and Biotechnology Alert*
- Hogan Lovells Publications
 - OIG gives the green light to another innovative warranty *Health Alert*
- Hogan Lovells Publications
 - HHS watchdog eyes anti kickback safe harbors for care coordination beneficiary incentives and cost sharing *Health Alert*
- Hogan Lovells Publications
 - Massachusetts anti-opioid law bans manufacturer copay assistance *Health Alert*
- Sponsorships and Speaking Engagements
 - Emerging Enforcement Issues Involving Managed Markets Activities