



## **Beth Christian** Shareholder

Red Bank

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### **Practice Areas**

Health Care

Medical Fraud & Abuse

### **Education**

St. John's University Law School  
J.D., 1982

Union College - New York  
B.A., 1978  
*magna cum laude*

### **Bar Admission**

New Jersey

New York

U.S. District Court, District of  
New Jersey

U.S. District Court, Southern  
District of New York

U.S. District Court, Eastern  
District of New York

U.S. Court of Appeals, Third  
Circuit

U.S. Court of Appeals, Second  
Circuit

Beth's practice is devoted to Health Care Law and legal issues facing Health Care facilities licensed professionals and non-profit organizations. She has over twenty five years of experience counseling clients on legal issues facing the modern health care and non-profit communities.

In the area of health care law, Beth specializes in regulatory and transactional issues. She counsels clients and drafts transactional documents in the areas of practice formation; professional practice acquisitions and asset sales; employment and management contracts, clinical co-management agreements, telemedicine agreements, contracts with vendors and other transactional matters. She regularly counsels clients on the requirements of the Emergency Medical Treatment and Labor Act ("EMTALA"); the Medicare conditions of participation and the accreditation requirements of The Joint Commission, and has assisted numerous hospitals, skilled nursing facilities and other health care providers in preparing plans of correction in response to federal, state and Joint Commission deficiency findings. She advises clients on operational issues such as certificate of need and licensure; corporate compliance; fraud and abuse; the Stark, anti-kickback and New Jersey physician self-referral laws; joint venture formation; real estate leases; tax exempt organizations; professional licensure; medical staff privileging issues and peer review activities. She has been recognized as a leading New Jersey health care lawyer by *Chambers USA: America's Leading Lawyers for Business (2010)*.

She also counsels clients and drafts policies regarding numerous patient care issues such as informed consent, advance directives, patient transfer and HIPAA issues. Beth advises clients on business structures including choice of entity, bylaws, joint ventures and consolidation.

Beth has assisted numerous entities in applying for and obtaining tax-exempt status from the Internal Revenue Service. She has worked with religious bodies with regard to the integration and consolidation of congregations, including the preparation and negotiation of integration and consolidation agreements and the provision of consultation and advice regarding consolidation issues. Beth has been certified by the American Health Lawyers Association Alternate Dispute Resolution Service as a mediator.

Firm clients include hospitals, nursing homes, ambulatory care facilities, behavioral health providers, physicians and physician groups, laboratories, hospices, home health agencies, ambulance and invalid carriers, pharmacies, industry associations, synagogues, churches, private schools, and individual practitioners such as pharmacists, nurses, chiropractors, dentists, physical therapists, professional counselors, social workers, respiratory care practitioners and dieticians.

Beth is the co-author of The New Jersey Healthcare Law Blog, a blog dedicated to providing Federal and State healthcare news, laws, regulations, and upcoming events pertaining to the healthcare field.

#### Articles/Publications

- "The New Frontier: Expansion of Non-Physician Practitioner Scope of Practice," *New Jersey Lawyer*, April 2016
- "CMS Finalizes Changes to Medicare Enrollment Rules," *New Jersey Healthcare Law Blog*, December 10, 2014
- "OIG Issues Advisory Opinion Re: Municipal Payment for Medical Transportation Services," *New Jersey Healthcare Law Blog*, October 15, 2014
- "Appellate Division Holds That Applicants For A Professional License Need Not Exhibit An Intent To Deceive In Order To Have Their License Application Denied Due To Misrepresentation," *New Jersey Healthcare Law Blog*, October 7, 2014
- "OIG Proposes New Safe Harbors and Other Regulatory Changes," *New Jersey Healthcare Law Blog*, October 3, 2014
- "Hospital Looking to Buy Your Practice? Beware Of The Antitrust Angle," *NJ Physician Magazine*, August 2014
- "OIG Issues Unfavorable Advisory Opinion to Specialty Pharmacy For Support Service Payments," *New Jersey Healthcare Law Blog*, August 18, 2014
- "OIG Issues Special Fraud Alert Concerning Laboratory Payments to Referring Physicians," *New Jersey Healthcare Law Blog*, June 25, 2014
- "Appellate Division Holds that Nurse who Refused Flu Vaccine was Improperly Denied Unemployment Benefits," *New Jersey Healthcare Law Blog*, June 10, 2014
- "OIG Publishes Op-Ed Suggesting Mandatory Random Drug Testing For Health Care Professionals," *New Jersey Healthcare Law Blog*, March 13, 2014
- "Legislature Expands Codey Law Exception for Lithotripsy Referrals," *New Jersey Healthcare Law Blog*, March 24, 2014
- "Hospital Pays \$2 Million After Making a Voluntary Disclosure of Its Improper Administration of Physician Income Guarantee Payments," *New Jersey Healthcare Law Blog*, January 9, 2014
- "CMS Issues Proposed Emergency Preparedness Regulations," *New Jersey Healthcare Law Blog*, January 8, 2014
- "Legal Q&A," *New Jersey Tech News*, December 2013
- "Recent Appellate Division Decision Represents Importance of Employee Background Checks," *New Jersey Healthcare Law Blog*, August 26, 2013
- "New Jersey Department of Health Unveils Its New POLST Form," *New Jersey Healthcare Law Blog*, February 22, 2013
- "February 4, 2013 Regulatory Developments," *New Jersey Healthcare Law Blog*, February 14, 2013
- "OIG Issues Detailed Co-Management Agreement Advisory Opinion," *New Jersey Healthcare Law Blog*, January 16, 2013
- "OIG Provides Guidance Regarding Provision of Electronic Interface to Physicians," *New Jersey Healthcare Law Blog*, January 7, 2013
- "OIG Offers Additional Guidance on Hospital Relationships with Physicians," *New Jersey Healthcare Law Blog*, January 4, 2012
- "Legal Q&A," *New Jersey Tech News*, July 2012

- "CMS Announces Payment Cuts For Failure to Meet Meaningful Use Requirements," *New Jersey Healthcare Law Blog*, December 19, 2014
- Beth Christian Quoted in SJ Magazine On The Topic Of Blogging
- "Looking Ahead, Think Consolidation," *The Gold Cross*, Winter 2009
- "Legal Q&A," *New Jersey Tech News*, December-January 2009
- "Merging Flocks" *New Jersey Law Journal*- March 2009
- "Avoiding the EMTALA Financial Squeeze: Real World Lessons Learned" *Garden State Focus* -January/ February 2005
- "HHS Publishes Final EMTALA Regulations," September 2003
- "American Health Lawyers Association 2003 Year in Review" *American Health Lawyers*
- "Your Provider Number = Your Responsibility" *Garden State Focus*-June 2001
- "American Health Lawyers Association 2002 Year in Review" *American Health Lawyers*

#### **Professional Activities**

- Chair of Health and Hospital Law Section of the New Jersey State Bar Association - 2011-2012
- Member and Past Chair of the New Jersey State Bar Association Health and Hospital Law Section
- Member of the American Health Lawyers Association
- Member of the American Health Lawyers Association Women's Leadership Council
- Member of the Burlington County Community Health Advisory Group
- Contributor to Jersey Bites

#### **Press Mentions**

- "Practical Takeaways: Tips from the AHLA Women's Leadership and Young Professionals Councils," *AHLA Connections* October 2015
- "Measles and the Workplace, a Q&A," *New Jersey 101.5*, February 6, 2015
- "Getting In Line Co-management Arrangements Create Opportunities For Service Line Quality, Cost Improvement," *Better Thinking for Better Health*, August 29, 2013
- "Health Care Clients Can Profit From Expertise Experience and Insight," *Commerce Magazine*, March 2011
- "Mommy Blogging," *SJ Magazine*
- "Doing Business as an Independent Contractor-Is It for You?" *Prime Woman Magazine*-Spring 2008

#### **Honors/Awards**

- Named as a *New Jersey Super Lawyer*, 2012-2017
- Ranked in *Chambers USA* under Healthcare Law, 2010-2017
- Departmental Award for Excellence, Office of the General Counsel, U.S. Department of Health and Human Services
- Selected for inclusion in *Best Lawyers in America*

- Distinguished Service Award, New Jersey Bar Association Health Law Section

#### **Seminars/Presentations**

- "New Jersey Regulatory Update," *NJ Institute for Continuing Legal Education Health & Hospital Law Symposium*, October 2015
- "The Implications of the ACA on Small Businesses," GH&C Seminar, March 2015
- EMTALA: Minimizing Hospital Liability-HCCS Expert Webinar, January 29, 2015
- "Acute and Post-Acute Relationships in an ACO World: The Devilish Details," *American Health Lawyers Association ACO Task Force Webinar*, May 22, 2014
- New Jersey Regulatory Update, *NJ Institute for Continuing Legal Education 2013 Health Law Symposium*, Seton Hall Law School, November 1, 2013
- New Jersey Regulatory Update, *NJ Institute for Continuing Legal Education 2012 Health Law Symposium*, Seton Hall Law School, October 19, 2012
- Alignment Through Employment Relationships: Assessing and Monitoring Arrangements with Referral Sources, New Jersey Bar Association Health Law Section, April 19, 2012
- "New Jersey Senior Executive Educational Program", St. Luke's Warren Hospital, March 19, 2012
- Legal Issues in College Health, "New Jersey Immunization Requirements and Issues," New Jersey College Association, Rider University, March 14, 2012
- New Jersey Regulatory Update, *NJ Institute for Continuing Legal Education Health & Hospital Law Symposium*, Seton Hall Law School, November 11, 2011
- Interpreting the Language in Your Payor Contracts, *Medical Society of New Jersey*, May 13, 2011
- Employment Contracts Presentation-Underwood Memorial Hospital Family Practice Residency Program, March 2011
- New Jersey Regulatory Update, *NJ Institute for Continuing Legal Education Health & Hospital Law Symposium*, November 11, 2010
- Ethics Panel, *New Jersey Counselor's Association Annual Conference*, April 2010
- "Exit Strategies for Your Business," *New Jersey Association of Women Business Owners Conference*, May 7, 2008
- "Legal Issues for Practitioners in Private Practice," *New Jersey Counseling Association Annual Conference*, April 28, 2008
- "The Ins and Outs of Non-Profit Organizations," August 2006 and February 2007, sponsored by Burlington County College
- "HIPAA Review," *JSAHR Legal Seminar*, sponsored by the Jersey Shore Association for Human Resources, November 20, 2003

#### **Other Professional and Personal Information**

Prior to joining the firm, Ms. Christian served for seven years as an Assistant Regional Counsel in the Office of the General Counsel, US Department of Health and Human Services. She served as a member of the Dickinson College Parents Council and has done admissions outreach work for

Dickinson College and Union College. She also serves as the Burlington County Editor of Jersey Bites ( [www.jerseybites.com](http://www.jerseybites.com)), a New Jersey-based food blog that has been featured in the New York Times.