



Katherine Bowles
Attorney

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Admissions

State Bar of California
Central District of California
Southern District of California
Eastern District of California
Court of Appeals for the Ninth Circuit

Affiliations

American Health Lawyers Association
California Lawyers Association, Health Law
Committee
Los Angeles County Bar, Healthcare Law
Section

Education

Pepperdine University School of Law, J.D.,
cum laude
University of Pennsylvania, B.S.N., *magna*
cum laude

PROFILE

Kate Bowles draws upon her in-depth litigation experience and background as a Registered Nurse to bring deep industry knowledge and expertise when representing healthcare providers. Focusing on investigation and enforcement of Medicare/Medi-Cal Fraud and Abuse, Stark Law, Anti-Kickback Statute, business and reimbursement litigation, and white-collar defense, Kate uses her first-hand understanding of the challenges faced by hospitals, surgery centers and individual providers to achieve exceptional results.

Diversity of Provider Clients

Kate's experience encompasses all aspects of healthcare, including traditional healthcare systems and emerging groups in the outpatient sector, such as surgery centers, telehealth providers and substance use treatment facilities. Kate handles trial, mediation and arbitration of disputes with a variety of payors from commercial to employer to Government. Representing a diversity of providers allows Kate to effectively evaluate the motivations of various players within the healthcare industry and take advantage of emerging trends.

Focus on Prevention

Kate also brings to her practice a focus on compliance and prevention of disputes and regularly works with attorneys in Nelson Hardiman's transactional, regulatory and finance departments to provide a full-service approach to healthcare provider clients. Payors are becoming increasingly focused on whether healthcare providers have a robust and functioning compliance program – and if not – ensuring that one is put in place following litigation through Corporate Integrity Agreements (CIAs). In this era, it is ever-more important for healthcare providers take a “big picture” approach to preventing litigation.

Life Outside the Firm

The perseverance and resolve in Kate's healthcare law practice is reflected in her time volunteering to teach students in healthcare and legal programs about key “law and policy” drivers that have a real, practical effect on their anticipated practice area. Kate is an avid traveler, runner, yogi and enjoys being outdoors and raising her two daughters.

Accolades

Katherine has been recognized by Super Lawyers Southern California “Rising Star” 2018 – 2020 and by Super Lawyers Top Women Lawyers 2018 – 2020 . Katherine was recognized by The Best Lawyers in America “Ones to Watch ” for Healthcare Law 2021.

EXPERIENCE

False Claims Act Successfully defended nationwide hospital system in multiple suits concerning healthcare fraud, including federal claims resulting from allegations of improper hospital admission through the emergency room in contravention of Medicare regulations and a separate matter involving allegations of providing unlicensed and unnecessary care for substance use disorders. In a matter involving another hospital system, successfully undermined whistleblower's theory of the case concerning improper 5150 inpatient psychiatric holds to clear patients from local skilled nursing facilities and rehabilitation centers. health/substance abuse.

Stark and Anti-Kickback Obtained dismissal from civil conspiracy complaint and cleared client as a potential target of a criminal investigation of a large-scale workers' compensation scheme involving over 70 parties, including California hospitals, device companies, pharmacies, marketers, and physicians.

California Hospital Pricing and Billing Advice Created a proprietary checklist of key billing and pricing authorities for 5-hospital systems in California, which can be implemented by hospital administrators to help identify and resolve areas of non-compliance.

Reimbursement Disputes Regularly represent healthcare providers in negotiating overpayment, recoupment and underpayment allegations, including all the way through trial with large-scale commercial insurance payors.

Ambulatory Surgery Center (ASC) Compliance Regularly advise and perform transactional work for surgery centers, surgeons and anesthesia providers to ensure compliance issues ranging from Stark, Anti-kickback, Corporate Practice of Medicine Concerns and Labor/Employment concerns.

Unfair Competition Litigation Successfully defended owner and four surgeons affiliated with a Southern California multi-specialty surgery center group in a lawsuit concerning a purported breach of confidentiality agreements, unfair competition and kickback allegations lodged by a competing surgery center. In a separate matter involving two surgery centers in Northern California, successfully defended anesthesia providers from enforcement of non-competition agreements purportedly signed with the prior anesthesia group at those centers.

Coronavirus (COVID-19) Resources Provided multiple clients with tools and documents needed in response to emergency rule changes put in place by the Government and commercial payors.

Provider Acquisitions Represent healthcare providers including physician practices, home health agencies and others in the course of acquisitions, mergers, joint ventures and other arrangements.

Workers' Compensation Handle large-scale workers' compensation lien resolutions to ensure compliance with recent updates in California Labor Code requirements and provide ongoing legal advance with respect to claims handling, settlements, and collection of liens.

White Collar Criminal Defense Obtained case dismissal on behalf of Medi-Cal physician overseeing another physician on probation from the Medical Board of California – physician client was fully cleared of all wrongdoing. In a separate matter, represented former marketer through successful plea in body-brokering allegation concerning substance use treatment.

Provisional and Post-Judgment Remedies Represent large Southern California Medi-Cal hospital in connection with pre- and post-judgment collections efforts, including two successful negotiations and settlements in 2020. In a separate matter, successfully prevented temporary restraining order (TRO) and writ of possession from being entered against former administrator of substance use treatment facility in response to allegations of property theft and misappropriation of trade secret information.

Substance Use Treatment Industry Represent substance use treatment disorder facilities, outpatient treatment programs and sober living homes in connection with Government investigations and civil wrongful death litigation.

DEA Controlled Substances Regulatory and Compliance Advice Engaged with physician medical director at radiology facility to implement DEA-compliant policies and procedures for dispensing and treating patients with controlled substances and to put in place a system of auditing for compliance on a going forward basis.

Cannabis Class Action Litigation Obtained favorable outcome for physician accused of providing medical marijuana prescriptions without adequate evaluation of patients' underlying conditions.

