



## Marguerite A. Massett, CHC

### PARTNER

P: 315.565.4537

F: 315.565.4600

[mmassett@hancocklaw.com](mailto:mmassett@hancocklaw.com)

### Practice Areas

- Healthcare

### Education

- George Mason University School of Law, J.D., 1992
- State University of New York at Cortland, B.S., *summa cum laude*, 1984

### Admissions

- Connecticut
- New York

Marguerite A. Massett is a partner in the Healthcare Department. She has concentrated her legal practice in the area of health law and health care policy since 1992. Ms. Massett regularly advises multi-provider health systems, hospitals, nursing homes, physicians, physician practices, nurses, laboratories and other health care professionals and organizations on diverse legal issues, including:

- Corporate restructurings
- Health care operations
- Regulatory compliance matters
- Reimbursement issues
- Physician-hospital contracting
- Physician recruitment
- Joint ventures
- Health care risk management (including utilization review, quality assurance, credentialing and physician corrective action proceedings)
- Third-party payor contract negotiations

Ms. Massett has counseled health care providers with respect to patient care issues such as informed consent, end-of-life decision-making, the disclosure of private medical information, and reporting of child abuse. She has overseen due diligence in major corporate restructurings and represented clients in the course of such transactions. Ms. Massett has represented hospitals in medical staff relations matters, such as physician corrective action and the revisions of medical staff bylaws.

Ms. Massett's health care-related regulatory compliance experience includes advising clients on:

- Antitrust matters
- Medicare and Medicaid fraud and abuse regulatory audits, self-disclosures and settlement negotiations with the Office of the New York State Medicaid Inspector General (OMIG), the Medicaid Fraud Control Unit of the New York State Attorney General's Office (MFCU), and the Office of the Inspector General of the United States Department of Health and Human Services (OIG)
- Tax-exempt financing compliance audits conducted by the Internal Revenue Service

Ms. Massett has a Certification in Healthcare Compliance (CHC) by the Compliance

Certification Board. Individuals who have received a CHC designation by the Compliance Certification Board have obtained a significant level of knowledge relating to healthcare industry regulations and compliance processes.

Prior to joining the Firm, Ms. Massett served as general counsel to a multi-hospital health care system and was in-house legal counsel to a national insurance and managed health care corporation. She was also a lobbyist and public policy advocate in Washington, D.C., specializing in health care delivery and financing issues.

### **Representative Matters**

- Represented a health care provider in a major compliance self-disclosure, including negotiating a joint settlement with the OMIG and the OIG.
- Represented numerous health care clients in regulatory audits, self-disclosures and settlements.
- Represented several major hospital systems in affiliation, disaffiliation, and corporate restructuring, which included overseeing due diligence issues. Most recently, Ms. Massett was lead counsel representing the former Rochester General Health Systems in its corporate restructuring with Unity Health System to form the Rochester Regional Health System.
- Represented a hospital in one of the first tax-exempt bond compliance audits in New York.
- Represented multiple clients in negotiations with the MFCU and OMIG.
- Represented multiple hospitals in medical staff matters including physician suspension, corrective action and disciplinary proceedings.
- Represented a hospital in a successful defense against a subpoena of quality improvement and peer review materials.
- Represented multiple hospitals in contract negotiations with third-party payors.
- Represented a hospital in a successful contract breach lawsuit against a major third-party payor.
- Represented sellers in the major restructuring of an outpatient diagnostic and treatment center.

### **Professional Credentials**

- Member, New York State Bar Association
- Member, American Health Lawyers Association
- Past Member, Onondaga County Bar Foundation, Board of Directors
- Past Member, Onondaga County Bar Association, Board of Directors

### **Honors & Recognitions**

- Certification in Healthcare Compliance, Compliance Certification Board

### **Press & Publications**

#### **Publications**

- [Healthcare and Labor & Employment Law Alert: Federal Court Permits Implementation of New York Vaccine Mandate Without a Religious Exemption CMS](#)

## Issues Vaccine Mandate Requiring Religious Accommodation

- [Healthcare and Labor & Employment Law Alert: Federal Judge Bars DOH From Interfering With Religious Exemptions to the Vaccine Mandate](#)
- [Healthcare Law Alert: Federal Vaccine Mandates: CMS to Issue Interim Final Regulations Expanding Federal Vaccine Mandate to Staff of Certain Medicare-Participating Providers and OSHA to Issue Emergency Rule for Employers with 100 or more Employees](#)
- [Healthcare Law Alert: NY's Disaster Emergency Ends. What's Next?](#)
- [Healthcare Law Alert: Governor Cuomo Signs Legislation Repealing Certain Health Care Immunities](#)
- [Healthcare Law Alert: Changes to Confidential Communications Under Part 2 Chemical Dependency Treatment Records](#)
- [Healthcare Law Alert: OIG Special Fraud Alert on "Educational" Stipends](#)
- [Healthcare Law Alert: Changes to the Office of Medicaid Inspector General \("OMIG"\) Mandatory Compliance Program and Certification Requirements](#)
- [Healthcare Law Alert: Health Care Related Waivers Scheduled to Expire in Accordance with Governor Cuomo's Executive Orders 202, 202.5 and 202.44](#)
- [Healthcare Law Alert: Compliance Date for Information Blocking Rule Extended to April 5, 2021](#)
- [Healthcare Law Alert – The CURES Act: What New York Health Care Providers Need to Know about Compliance and Enforcement of the Federal Information Blocking Rule](#)
- [Healthcare Law Alert: SAMHSA Publishes Changes to 42 CFR Part 2; Updates Under the CARES Act Still to Come](#)
- [Healthcare Legal Alert: HRSA Clarifies Important Terms Applicable to Provider Relief Fund Payments Issued to Providers](#)
- [Healthcare Legal Alert: NYSDOH Updates on Hospital Visitation and COVID-19 Testing Prior to Elective Procedures](#)
- [Healthcare Legal Alert: Update on Federal Provider Relief Fund Distributions Filing Deadlines and Requirements](#)
- [Healthcare Legal Alert: Onondaga County Executive Lifts Mandatory Quarantine for Asymptomatic Individuals Awaiting Covid-19 Test Results](#)
- [Healthcare Legal Alert: New York Department of Financial Services Makes Previous Health Care Insurer Guidance Mandatory](#)
- [Healthcare Legal Alert: Governor Ends Certain Changes to New York Health Regulations and Extends Others](#)
- [Healthcare Legal Alert: Expedited Medicaid Provider Enrollment Options in Response to Coronavirus Public Health Emergency](#)
- [Healthcare Legal Alert: HIPAA Waiver for Entities Operating COVID-19 Community-Based Testing Sites \("CBTS"\)](#)
- [Healthcare Legal Alert: Providers Advised to Understand and Prepare for the "Strings" Attached to the First \\$30 Billion in CARES Act Provider Relief Fund Distributions](#)
- [Healthcare Legal Alert: Executive Order No. 202.14 \(April 7, 2020\)](#)
- [Healthcare Legal Alert: Update: OIG Will Not Impose Administrative Sanctions for Certain Arrangements Falling Under CMS's Stark Blanket Waivers](#)

- Healthcare Legal Alert: Office of Civil Rights (“OCR”) Waivers and Guidance
- Healthcare Legal Alert: CMS Medicare Waiver Updates
- Health Law Alert: Onondaga County Executive Orders Mandatory Self-Quarantine While Awaiting COVID-19 Test Results CDC Issues Guidance on Healthcare Workers Returning to Work
- Health Law Alert: Medicaid Updates Telehealth/Telephonic Services Guidance
- Health Law Alert: Governor Cuomo Executive Order No. 202.10 (March 23, 2020)
- Health Law Alert: OCR Issues Guidance on Telehealth Remote Communications in Light of Coronavirus
- Health Law Alert: COVID-19 Guidance Update
- Health Law Alert: Governor Cuomo Executive Order No. 202 (COVID-19); NYSDOH Dear CEO Letter (EMTALA) (02.26.2020); OCR February 2020 Guidance
- Healthcare Law Alert – Another Large Stark/False Claims Act Settlement

### **Speaking Engagements**

- Hancock Estabrook Health Law Symposium 2018
- Hancock Estabrook Health Law Symposium 2017
- Central New York Biotech Accelerator, “Anti-Kickback and Stark Compliance”
- Hancock Estabrook Health Law Symposium 2015
- Healthcare Financial Management Association’s Region 2 Fall Conference, “Annual Legal and Compliance Update”
- Hancock Estabrook Second Annual Advisors to Small Business Symposium
- Hancock Estabrook Health Law Symposium 2014
- Hancock Estabrook Health Law Symposium 2013
- Hancock Estabrook Eighth Annual Labor & Employment Law Symposium