



## Gregory M. Fliszar Ph.D.\*

Shareholder

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Dr. Gregory Fliszar is a seasoned legal advisor focusing on the intricate realm of health law regulatory issues, with a sharp focus on provider/payor payment disputes within the health care sector, including those involving commercial and Medicare Advantage payors, Medicare and Medicaid, and matters regarding HIPAA and data privacy.

As a shareholder in Baker Donelson's Nashville office and a member of the Health Law Group, Greg brings over two decades of extensive experience representing a diverse array of health care entities. His clientele spans hospitals and health systems, mental/behavioral health providers, senior living providers, and home health and hospice organizations, among others.

Greg's experience shines particularly in deftly handling reimbursement-related disputes between health care providers and payors, including Medicare Advantage and other managed care organizations and government payors, with an emphasis on Medicare. He has represented hospitals, health systems, behavioral health providers, and hospice providers in payment disputes against payors including commercial health insurers and managed care organizations, Medicare managed care organizations, Medicaid managed care organizations, Medicare, and Medicaid.

He also counsels health care organizations with compliance and other issues related to the federal 340B drug program, HIPAA, and other data privacy laws and regulations.

In the realm of privacy and compliance, Greg is known for his adeptness in crafting robust HIPAA and other compliance programs and providing compliance advice tailored to the unique needs of providers, HIPAA business associates, and liability insurers alike. Further, he offers invaluable counsel on breach analysis and response strategies and requisite reporting protocols, safeguarding his clients against potential legal pitfalls.

Before joining Baker Donelson, Greg held esteemed positions, including vice chair of the Health Care and Life Sciences Group at a prominent international law firm and Associate General Counsel at Universal Health Services. His multifaceted background as a clinical psychologist working in various inpatient and outpatient settings, and as a clinical instructor of psychiatry at the MCP-Hahnemann School of Medicine in Philadelphia, imbues his legal practice with a profound understanding of the health care landscape from both clinical and legal perspectives.

### Representative Matters

- Serves as outside general counsel to a behavioral health provider.
- Served as outside HIPAA/privacy counsel for a multi-state senior living company.
- Represented a multi-hospital health system in a dispute against a national health insurer related to improper inpatient denials, Diagnosis-Related Group (DRG) downgrades, and other underpayments resulting in an eight-digit settlement and favorable contract changes going forward.
- Represented multi-hospital health system in a dispute against a national health insurer related to untimely claims appeals determinations resulting in a favorable settlement and operational changes by insurer to address the untimely appeals going forward.
- Represented a multi-hospital health system in a dispute against a national Medicare Advantage MCO related to improper denials and downgrades of inpatient claims.

- Represented an academic children's medical center in a dispute against a Medicaid MCO involving denials and downgrades of inpatient admissions resulting in an eight-digit settlement.
- Represented a large, multi-state health system in a federal sequestration-related reimbursement matter, obtaining favorable settlement and contract changes going forward.
- Represented a large academic health system before the Provider Reimbursement Review Board (PRRB) relating to the disallowance of the costs incurred for its allied health program.
- Represented multiple health systems before the PRRB and in federal district and appellate courts to challenge Medicare disproportionate share hospital (DSH) payments.
- Represented an academic children's hospital against a national health insurer for improperly denying and downgrading payments for behavioral health services resulting in a favorable settlement.
- Represented a multi-state hospital system in 340B underpayments.
- Represented a national hospice provider before a state Medicaid appeals board in multiple appeals relating to Medicaid underpayments for services provided, resulting in a significant number of denials being reversed and paid with interest.



## Professional Honors & Activities

- Member – American Bar Association
  - Vice Chair, Health Law & Policy Coordinating Committee, Health Law Section
  - Vice Chair, Emerging Issues in Healthcare Law Conference, Health Law Section
  - Former Vice Chair, Nursing and Allied Health Professions Task Force, Health Law Section
  - Former Chair, Substance Abuse and Mental Health Disorders Interest Group, Health Law Section
  - Former Co-chair, National Joint Opioid Task Force
- Member – American Health Lawyers Association
- Member – Pennsylvania Bar Association
- Member – Philadelphia Bar Association
- Selected to Rising Stars by Pennsylvania Super Lawyers in Health Care (2005, 2006, 2010, 2011)



## Publications

- "HHS Previews Guidance Addressing Implementation of 340B Rebate System" (May 2025)
- "Noteworthy GME Payment Policies in CMS FY 2026 IPPS and IPF Proposed Rules" (May 2025)
- "Trump's Executive Order Targets 340B Drug Pricing Program" (April 2025)
- "HHS and HRSA Defend 340B Discount Model Against Pharma Rebate Plan" (April 2025)
- "2025 Medicare Physician Fee Schedule: Payment and Overpayment Policies" (December 2024)
- "Medicaid Managed Care," Chapter in Thomson Reuters *Health Law Handbook*, 2018 Edition (June 2018)



## Speaking Engagements

- "Navigating the 340B Maze: Payment Implications and Strategies for Providers Related to Medicare Advantage," South Carolina Hospital Association Webinar (January 2025)
- "Understanding 340B," webinar with BESLER (April 2024)
- "Reimbursement Disputes: Hot Topics and Best Practices" (December 2023)
- "The Long and Winding Road – The Saga of the Unlawful 340B Drug Underpayments," BESLER – The Hospital Finance Podcast (May 2023)
- "Hot Reimbursement Issues: How to Get Paid for the Services You Have Provided," Pennsylvania Bar Institute's Health Law Institute (March 2023)
- "Errors in Clinical Practice: Disciplinary Action or Criminal Prosecution?," ABA Physicians Legal Issues: Healthcare Delivery & Innovation Conference (September 2022)
- "A Look Inside a DEA Investigation and Prosecution of Opioid Prescribing and the Controlled Substances Act: The Opioid Odyssey and the Aftermath of Bad Decisions," ABA webinar (May 2022)

- "Hot Reimbursement Issues from the Perspective of Providers and Health Plans," Pennsylvania Bar Institute's Health Law Institute (March 2022)
- "Cyber Ethics: The Crossroads of Cybersecurity and Ethics," Pennsylvania Bar Institute's A Day on Health Law Health Webinar (October 2020)
- "Pandemic Musings on the Courts, Insurance, and Health Law: How the Legal, Health, and Insurance Communities in France, Italy, and the US are Coping," International Association of Lawyers (May 2020)
- "Cybersecurity and Healthcare – HIPAA Obligations and Concerns for Covered Entities and Business Associates," International Association of Lawyers Seminar (June 2019)
- "Medicaid Managed Care: Past, Present, and Future," Pennsylvania Bar Institute's 25th Annual Health Law Institute (March 2019)
- "Updates to the Provider Reimbursement Review Board Rules," BESLER Podcast (November 2018)
- "Sustaining HIPAA Compliance in an Evolving Analytical Environment," Q1 Life Science Data Privacy and GDPR Alignment (July 2018)
- "Crisis in Our Emergency Departments: Providing Better Health Care to Mental Health Patients," ABA Health Law Section's Emerging issues in Healthcare (February 2018)
- "Cybersecurity," ABA Health Law Year in Review Regional CLE (February 2017)



## Education

- University of Pittsburgh School of Law, J.D., 2001, summa cum laude
  - Class valedictorian
  - Order of the Coif
  - Research editor – *University of Pittsburgh Law Review*
- Texas Tech University, Ph.D. in Clinical Psychology, 1994
- Texas Tech University, M.A. in Clinical Psychology, 1991
- University of Notre Dame, B.A. in Psychology, 1988



## Admissions

- Tennessee, pending
- Pennsylvania
- U.S. Court of Appeals for the Third and Ninth Circuits
- U.S. District Court for the Eastern District of Pennsylvania

\* Baker Donelson professional admitted to the practice of law in Pennsylvania; Tennessee bar application pending.