



E. Bahati Mutisya

Of Counsel

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Bahati Mutisya represents health care providers in legal proceedings and helps them navigate complex regulatory requirements. Her clients include hospitals, behavioral health providers, hospice providers, and assisted living facilities.

Bahati Mutisya has experience with Medicaid and Medicare regulations and audits, including defending clients who have received recoupment and termination notices from those programs. She represents providers before managed care organizations and the North Carolina Office of Administrative Hearings on issues related to licensure, pre-payment review, and post-payment review. In addition, Bahati advises psychiatric hospitals on compliance with state and federal rules related to caring for the mentally ill and guardianship and represents hospitals in involuntary commitment hearings in district court. She also provides guidance to providers regarding compliance with various health care laws including HIPAA, 42 CFR Part 2, EMTALA, and the federal False Claims Act.

Bahati is an adjunct professor teaching health care compliance in the Master of Studies in Law program at Wake Forest University School of Law. Her course covers health care compliance topics and laws, progressing from the basics of a compliance program to specific issues facing the health care industry.

Outside of health care, Bahati has counseled private businesses and local governments in regulatory issues and civil litigation. She has significant experience representing clients before governing bodies and elected officials. Bahati has also assisted municipalities with land use regulation, advised real estate developers on compliance with local zoning laws, and defended developers in real property litigation.

Bahati clerked for The Honorable Anna Blackburne-Rigsby, who is currently the Chief Judge of the District of Columbia Court of Appeals. She also served as a law clerk at the U.S. Department of Justice (DOJ), Executive Office for Immigration Review, and as a law clerk at the DOJ, Civil Division, Office of Immigration Litigation. Prior to attending law school, Bahati taught calculus supplemental instruction sessions for freshman calculus students at Carnegie Mellon University in Doha, Qatar.

Professional Honors & Activities

- Listed in Best Lawyers: Ones to Watch® in America for Health Care Law (2023 – 2026)
- Member – Raleigh Housing Authority Board of Commissioners (2019 – present)
- Member – Meals on Wheels Wake County, Board of Directors (2020 – present)
- Member – North Carolina Pro Bono Honor Society (2018)
- Member – American Health Law Association
- Member – Alpha Kappa Alpha Sorority, Inc.

Publications

- "Texas Court Issues Injunction on 2024 HIPAA Reproductive Privacy Rule" (December 2024)
- "Temporary Regulatory Relief for North Carolina Health Care Providers Responding to Helene" (October 2024)
- "'Let's Stay Together'
Managing The Changing Relationships Between Hospitals and Skilled Nursing Facilities" (April 2024)
- "Bridging the Gap: Key Changes in the Part 2 Final Rule" (February 2024)

- "Electronic Visit Verification: What Personal Care Services and Home Health Care Services Providers Need to Know" (June 2023)
- "HHS to Provide Roadmap for Behavioral Health Integration," *Payment Matters* (November 2022)
- "CMS Proposed Rule Aims to Increase Access to Behavioral Health Providers," *Payment Matters* (August 2022)
- "Federal Agencies Announce Enforcement of Vaccine Rules as Supreme Court Prepares to Hear Arguments in Legal Challenges" (December 2021)
- "Fifth Circuit Reversal of Nationwide Stay Leaves Enforcement Status of CMS Vaccine Mandate Uncertain," republished January 7, 2022, in *Westlaw* (December 2021)
- "Federal Courts Pause Enforcement of CMS Vaccine Mandate Nationwide" (December 2021)
- "Ten States Challenge CMS' COVID-19 Vaccine Mandate" (November 2021)
- "International Corporate Liability: A Solution for the Exploitation of Migrant Workers in Qatar," *Wake Forest Journal of Law & Policy* (2015)



Speaking Engagements

- "Medicaid Audits in North Carolina Managed Care: The Next Episode," Association for Home and Hospice Care of North Carolina (February 2024); Benchmarks NC (April 2024)
- "Emerging Legal and Compliance Trends for Home Health, Hospice, Palliative Care & Home Health Providers," Association for Home and Hospice Care of North Carolina Leadership Conference (October 2023)
- "Emerging from the Emergency: Legal and Regulatory Challenges in the Post-PHE Era," Association For Home & Hospice Care's (AHHC) 51st Annual Convention & Exposition (April 2023)
- Panelist – "Guardianships, Powers of Attorney and Health Care Power of Attorneys," North Carolina Assisted Living Association (May 2022)
- Panelist – "Legal and Regulatory Panel: How the Industry Can Prepare for and Adapt to the Changing Legal and Regulatory Environment," Association for Home & Hospice Care of North Carolina 2022 Annual Convention & Expo (May 2022)



Education

- Wake Forest University School of Law, J.D., 2015
 - Editor-in-chief, *Wake Forest Journal of Law & Policy*
- Carnegie Mellon University – Tepper School of Business, B.S.B.A., 2011



Admissions

- North Carolina, 2016
- District of Columbia, 2017