

# PUBLICATION

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## **Baker Donelson Comments on CMS's Proposed Changes to the Stark Regulations**

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On September 8, 2015, Baker Donelson submitted substantive comments to CMS's recently proposed changes to the Stark regulations contained in its 2016 Physician Fee Schedule proposal. Among other things, we feel that many of the proposed changes will be very favorable for our clients, such as expanding the recruitment exception to cover recruitment of non-physician practitioners and liberalizing some of the technical writing and other requirements of various exceptions. We also asked CMS to address certain related issues, such as what we believe was an improper Stark analysis by the Fourth Circuit Court of Appeals in the recent *Tuomey* opinion. A copy of the comments, which provides a fuller explanation of the above and other issues, is available [here](#).

If you have any questions regarding CMS's proposed changes, please contact the authors of this alert or a member of the Health Law team.