



Howard E. Bogard

Chief HIPAA Privacy Officer

Birmingham, AL
(205) 458-5416
hbogard@burr.com



"Howard has always provided exceptional service and valuable insight to guide our practice. He has been an important factor in the success of the organization over the years." – Client Quote from Chambers USA

Howard's practice involves corporate and regulatory health care matters, including Stark, Anti-kickback, and False Claims Act compliance, facility and professional licensure matters, HIPAA, physician practice formation, joint venture arrangements, mergers and acquisitions, private equity representation and transactions, certificate of need issues, Medicare and third-party audits and investigations, corporate compliance, and contract negotiations. Howard represents a variety of health care clients including hospitals, surgery centers, clinical labs, physician practices, medical staffs, academic medical centers, imaging centers, and other health care providers.

Howard serves as the firm's Health Care Practice Group Leader and HIPAA Privacy Officer. Howard loves the challenges that health care law brings and the impact the field can have on society in general. He enjoys distilling complex topics down for his clients. Detail-oriented, strategic, and responsive, no matter what size client, Howard seamlessly partners with his clients to enable better decision making.

Howard is the current President of the Alabama Bar Health Law section and is a regular writer for the *Birmingham Medical News*. Howard is also a frequent speaker on various health care topics both locally and nationally.

When he's not working, Howard spends time with family, exercises, camps, and travels as much as possible.

PARALEGAL/ASSISTANT

Legal Practice Assistant

Carol Jones
(205) 458-5163
cjones@burr.com

CAPABILITIES

Health Care

Health Care Compliance

Health Care Business, Governance & Transactional

Administrative & Regulatory

Business Formation

Government Investigations

Mergers & Acquisitions

Corporate Law

Private Equity & Venture Capital

EDUCATION

J.D., Emory University School of Law

B.A., University of Florida

LICENSED IN

Alabama

Howard E. Bogard

Howard earned his J.D. from the Emory University School of Law and his B.A. from the University of Florida.

Experience

- Represented a City in Mississippi in the successful sale of its hospital to a non-profit health system.
- Successfully represented a physician practice on a \$4M Medicare recoupment audit and reduced the repayment to \$3,000.
- Successfully represented a medical practice with an investigation of a multi-million dollar theft of pharmaceuticals by a shareholder physician.
- Successfully defended a hospital in a national kyphoplasty false claims investigation and qui tam lawsuit.
- Successfully represented a large home health agency in its acquisition of a competitor out of bankruptcy.
- Successfully represented a national, professional society in a million dollar breach of contract lawsuit.
- Represented a physician practice on a \$20M Medicare recoupment audit and reduced the repayment to \$0.
- Represented multiple physician practices in various specialties (orthopedics, ENT, primary care) in the sale of their practices to private equity.
- Represented a regional substance abuse company on several multi-million dollar strategic acquisitions.
- Private Equity Firm Acquires Majority Interest in Substance Abuse Disorder Treatment Provider
11.28.2022

Honors & Recognition

- Listed in *The Best Lawyers in America*® Health Care since 2006, Corporate Law, Litigation-Health Care, Mergers and Acquisitions Law since 2023
- Named, *Chambers USA*, Health Care (2017-2023)
- Listed in *The Best Lawyers in America*® in Health Care since 2010, "Birmingham Lawyer of the Year," Health Care (2011 & 2019)
- *Mid-South Super Lawyers*; Alabama, Mississippi, and Tennessee; Health Care since 2016
- *Birmingham Business Journal* "Who's Who in Health Care" (2007-2023)
- *Alabama Super Lawyers*, Health Care (2010-2022)

News

- Howard Bogard Named to BBJ's Who's Who in Health Care 2023
Media Mention, *Birmingham Business Journal*, 11.29.2023
- 58 Burr Attorneys Named to 2023 Mid-South Super Lawyers and Rising Stars List
Firm News, 11.28.2023

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- Best Lawyers® 2024 Honors 242 Burr Attorneys, Including 17 "Lawyers of the Year"
Firm News, 08.17.2023
- 61 Burr & Forman Attorneys Ranked in 2023 Chambers USA
Firm News, 06.01.2023
- Howard Bogard Discusses Private Equity Deals for Health Care Practices
Firm News, 08.16.2022

Speaking Engagements

- University of Alabama Health Law Seminar, Birmingham, AL, "Trends in Private Equity," Co-presenting with Michael White from Founders Advisors
Speaking Engagement, 11.04.2022
- Tennessee MGMA, Knoxville, TN, "Physician Practice Options for the Future – Stay Independent, Merge or Sell"
Speaking Engagement, 09.22.2022
- Alabama MGMA Conference
Speaking Engagement, 03.02.2022
- Speaker, MGMA Birmingham: Healthcare Law Update
Speaking Engagement, 11.18.2020

Articles

- Health Care E-Note March 2022
Articles / Publications, 03.16.2022
- Health Care E-Note January 2022
Articles / Publications, 01.25.2022
- *Birmingham Medical News*: Sweeping Medical Record Changes Proposed for Alabama Physicians
Articles / Publications, 12.29.2021
- CMS Issues COVID-19 Health Care Staff Vaccination Interim Final Rule
COVID-19, 11.05.2021
- *Birmingham Medical News*: The DOL's COVID-19 ETS For Healthcare Providers is Now Effective
Articles / Publications, 08.13.2021

Civic Activities

- Boy Scout Troop 1, Vestavia Hills, Alabama, Assistant Scout Leader (2008-2018)
- Cumberland Law School, Health Law Conference Planning Committee (2008-2022); Chair (2014)
- University of Alabama, Health Law Seminar Planning Committee (2010-2022)
- Kid One Transport, Board Member (2007-2012)

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- Community of Hope Health Clinic, Shelby County, Alabama, Board Member (2008-2010)

Professional Activities

- Alabama State Bar, Health Law Section, Past Treasurer, President (2018-2024)
- American Bar Association
- Birmingham Bar Association
- American Health Lawyers Association
- District of Columbia Bar