

SHEEHAN PHINNEY

Katherine M. Hanna

Shareholder | Manchester, NH

Kate is the former Chair of the firm's Healthcare Practice Group, and was recently named as New Hampshire's Healthcare Lawyer of the Year for 2021 by *Best Lawyers of America*®. She serves as general and special counsel to hospitals, specialty hospitals, CCRCs, long-term care facilities, home health and hospice organizations, substance use disorder facilities, physician practices, dental practices, and individual practitioners, including physicians, dentists, APRN's, PA's and mental health counselors. Kate advises her healthcare clients on corporate, contracting, licensure, regulatory, credentialing, employment and patient care issues. She also assists providers in responding to government investigations regarding healthcare fraud and abuse, drug diversion, OSHA violations, and other compliance issues. As a former medical malpractice defense lawyer, Kate also provides her clients with risk management advice and litigation oversight. She frequently lectures on healthcare issues.

Kate is also a member of the firm's Government Relations Practice Group. She has had substantial experience in state and federal government, having served as Policy Director and Legal Counsel to Governor John Lynch, an elected Representative to the New Hampshire House of Representatives, and a Legislative Assistant in the United States Senate. Kate has been actively involved in drafting significant health care legislation, including the state's Advance Directives laws.

Key Matters

- Advises healthcare providers on day-to-day patient care issues, including consent to treatment, confidentiality of medical records, guardianships, and other matters
- Regularly drafts and negotiates employment agreements, shareholder agreements, admission and discharge agreements, and other contracts
- Represents professionals before the Board of Medicine, Board of Nursing, Board of Dental Examiners, Allied Health Board, and Board of Nursing Home Administrators
- Frequently drafts and reviews Medical Staff Bylaws and policies and procedures
- Advises Hospital Medical Staffs and practitioners on credentialing disputes and corrective action proceedings
- Negotiated favorable settlements with Medicare and Medicaid in alleged overpayment cases for hospitals, physician practices, and dental practices
- Represented a NH hospital in its corporate affiliation with a large healthcare system
- Represented a large NH nursing home before NH DHHS in its sale of beds, closure and transfer of residents
- Successfully represented physicians accused of over-prescribing opioids before the N.H. Board of Medicine-cases
- Successfully represented APRN before the N.H. Board of Nursing regarding diversion of opioids



Contact Information

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- Successfully represented two baccalaureate N.H. nursing education programs regarding continued approval by N.H. Board of Nursing
- Represented two large New Hampshire hospitals in constitutional litigation challenging the New Hampshire Medicaid Enhancement Tax resulting in a ruling that the enabling statute was unconstitutional and leading to a landmark settlement with the State of New Hampshire

Practice Areas

- Healthcare

Admissions

- New Hampshire Supreme Court
- U.S. District Court for the District of NH
- First Circuit Court of Appeals
- U.S. Supreme Court

Education

- J.D., Boston College Law School
- B.A., Mount Holyoke College, *cum laude*

Civic Involvement

- Member, New Hampshire Healthcare Decision-Making Committee
- Member, American Health Lawyers Association
- Former Board Member, NH Center for Public Policy Studies
- Past Chair, NH Judicial Selection Commission
- Past Vice Chair, NH Humanities Council
- Past Member, NH Supreme Court Professional Conduct Committee

SHEEHAN PHINNEY

- Prior Legal Counsel and Policy Director for Governor John Lynch
- Prior Representative to the NH House of Representatives

Awards

- Chambers USA, Healthcare (“Band 1” Attorney)
- Best Lawyers in America® 2021 Manchester Lawyer of the Year, Health Care Law
- Best Lawyers in America®, Health Care Law
- Two-time Recipient-NH Bar Association President’s Award for Distinguished Public Service
- 2015 -Dunfey-Kanteres Award, NH Democratic Party

Publications

- Secretary Of State’s Select Committee On 2020 Emergency Election Support Issues Report
- Attorney General Issues Opinion on Immunity for Health Care Workers
- Governor Sununu’s Emergency Order #9, issued on March 19th, 2020 regarding: Emergency Healthcare System Relief Fund
- NH Humanities Donor Spotlight
- Health Law: One Year In NH Healthcare Surrogacy Decision-Making Law
- New Hampshire Creates Board of Registered Medical Technicians: Compliance Obligations
- NH Legal Perspective: Healthcare decision making: Pending legislation fills gap
- The HIPAA Final Rule Is Here: Business Associates and Other Associated Businesses
- Licensing to begin of New Hampshire med techs
- Judicial Selection Commission; NH Bar Journal; June 2001