



Thanks to the extraordinary commitment and expertise of AHLA leaders, the American Health Lawyers Association continues to thrive and serve as the essential health law resource in the nation. The Association's strong foundation reflects a history that is vibrant, meaningful and worth sharing. Finding a way to preserve AHLA's history was especially relevant in light of the Association's 50th Anniversary, which was celebrated throughout 2017.

This transcript reflects a conversation between AHLA leaders that was conducted via audio interview as part of the Association's History Project. More than 60 of AHLA's Fellows and Past Presidents were interviewed. A video documentary was also prepared and debuted on June 26 during AHLA's 2017 Annual Meeting in San Francisco, CA.

February 27, 2017

JD Epstein interviewing Paul DeMuro:

JD: I'm JD, of counsel to Greer, Herz, and Adams and it's my privilege today to be the interviewer of one of the most interesting men in the AHLA, Dr. Paul DeMuro. Would you introduce yourself, Paul?

Paul: Thank you JD. It's a pleasure to have this opportunity and I've known you for a long time and certainly to be interviewed by one of the biggest luminaries in the field, I'm Paul, I'm of counsel with Broad and Cassel law firm. And I'm also a voluntary associate professor appointment at the school of public health sciences at the University of Miami Miller School of Medicine. And appointment for a year as an associate professor in the college of pharmacy in the department of behavioral and social administrative pharmacy at Nova Southeastern University.

JD: That's it.

Paul: And I've been involved in healthcare law since 1979 where I was introduced to it by another luminary, Leonard Hummer who was with the Obert Grimes and Shriver firm at the time.

JD: And your career basically tracks what I think most people today would think of as health law, the beginnings through where we are today. So let's start with how you got interested in health law, why you got interested into it and how you progressed through from the East Coast and Len Homer at Ober Kaler to the West Coast.

Paul: Certainly I always when I went to law school I wanted to work for Exxon because I thought that was a company that would be around and you'd always have a job. At the time fortunately they were not hiring, at least I didn't see that they were hiring young associates, so I happened upon a firm in Baltimore, the Ober Firm, and starting with that firm first [inaudible 00:02:58] Homer had joined from Philadelphia, and he had developed a healthcare practice along with George Tyler and Bob Barton and Leonard was involved in a number of group appeals at the time and asked given my finance and accounting background whether I'd be willing to help out on those and that's how I got my start in the area and then did all sorts of healthcare work emanating from that, JD.

JD: And you moved from Ober Kaler to Latham Watkins in the '90s, was it Paul?

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1620 Eye Street, NW, 6th Floor • Washington, DC 20006-4010
(202) 833-1100 • Fax (202) 833-1105 • www.healthlawyers.org

- Paul: Well what I did was in '82 I saw that people in California seemed to be able to do more complicated and innovative deals, it's probably more like California was the wild west as opposed to a particular law firm. So in 1982 I hooked up with a small shop that was starting a boutique in the San Francisco Bay Area and did reimbursement corporate healthcare regulatory work and some litigation. And that firm was acquired by the McCutcheon Firm in 1989 and I spent a couple years there and then I joined Latham Warkins in 1993. Along the way I took the advice of the Ober Firm and pursued my CPA certificate. I got a masters in business administration with a concentration in finance from Cal Berkeley in 1986, worked on such areas as financially troubled hospitals, joint ventures, integrated delivery systems, physician practice management companies, internet deals, managed care, and along the way it seemed that every time I thought I was coming up with an interesting niche that would be special, everyone else seemed to also recognize those niches.
- JD: But it seems like you morphed into many different little niches from group appeals to PRB to troubled hospitals and everything in between, not I think probably more the generalist as well as the specialist. Would you [crosstalk 00:05:31]
- Paul: Certainly and as you know JD, when you were at the ... when you started the Wood Lucksinger Firm we as healthcare lawyers in the early years pretty much had to do everything. It was a cottage industry at the time. Many of our clients did not have in house counsel let alone general counsel, so we acted as general counsel for them, for all the consolidations. And as regulations or new laws came about we had to spend the time reading the thousand pages or whatever, including the ACA and learning how to best serve our clients. So we were generalists I think but we had a number of specialties as the specialties came to the forefront.
- JD: How has that changes, Paul, over the last ten years with the advent of more and more consolidation of industry and more and more in-house counsel?
- Paul: Well the AHCA has done a masterful job of training young and older lawyers in new fields to be able to provide better services to healthcare clients. So as hospitals, health plans, physician groups have been merged or been bought, the consolidation has resulted in much bigger entities which have general counsel staffs that by and large are larger than the health law departments of many firms. And as a result of that, and particularly the 2008 2009 downturn, the number of even fantastic lawyers in addition has gone in house and so we see that in-house counsel are looking for more specific expertise for firms not just traditional regulatory or corporate lawyers. I have clients who have an M&A lawyer on staff that can do the smaller deals and they have tons of regulatory lawyers.
- So with that I decided that with this health reform area was about to embark, I decided that I needed to learn something about informatics, which was the underpinnings for many of these things, and with that I decided to pursue my masters in biomedical informatics from Oregon Health and Science University School of Medicine starting in Fall 2010, and got that masters degree in 2012. And from there I was fortunate enough to be chosen as a post-doctoral fellow in part because of juris doctorate and had a scholarship to pursue a PhD in biomed informatics which I did for a little over three years and completed that in June of 2015.
- JD: And in all the firms that you have practiced at, how was the American Health Lawyers first, and obviously the American Society and Academy, and NHLA, how did you all use their education programs for your practice?

- Paul: Well the beauty of the NHLA and it's two predecessor organizations were that you had numerous volunteer lawyers working to prepare outlines, articles, and the like, and various other pieces. I sat on the ACO task force and had my little part of that to help educate lawyers across the board. I think while a person can develop certain degrees of expertise it's always good knowing what another person's slant or take on it was, but probably more importantly you could go the AHLA annual meeting or a substantive meeting on hospitals, physicians, and the like and in a couple days you could be pretty much up to speed, or reasonably knowledgeable on everything that happened in the last year and reasonably current. You might not be the expert on it, but you knew enough where to go for it when you were visiting with a client. And clients seem to have an expectation that you at least know everything or know where to find things, and the AHLA has been an incredibly invaluable resource for healthcare lawyers of all kinds as evidenced by the mushrooming of the membership and the programming, et cetera.
- JD: As you look out, you have been a very looking forward type of guy as you morph your practice. What do you see in the future in terms of the practice of health law?
- Paul: The practice of health law is going to be much more analytical. Lawyers are going to have to in the [inaudible 00:10:53] space, no longer going to be able to just have contracts where they attach an exhibit as to some of the business and analytical terms, the benchmarks or whatever. They're going to have to actually understand what's going to go in this agreements so they can write it up. And they're going to have to increasingly be able to put ... the appendix will say by way of example if this happens this would be how much money goes this way or that way. You also seeing that in the area of mobile medical devices and wearables and telemedicine, mobile health and social media, many of these areas require metrics, some of them more precise than others and we've always as healthcare lawyers been a second check I think by the business people as to whether the transaction or joint venture, whatever they're embarking on will work and we're going to have be facile and follow the changes.
- And that's the beauty I think of this industry and why it's hard to get bored. It's like the weather, in some areas it seems to change every other few months or years if not just by legislation and regulation by interpretation or court decision.
- JD: I think we've covered most of the areas we talked ... we were going to cover. I would like to give you an open question as to anything that I haven't asked you or any area that you'd like to talk about before we close off the interview.
- Paul: Well thank you JD, I think in closing I always like to say that we have an incredible degree of camaraderie with what I'll call the oldsters in healthcare in terms of our being able to bounce things off people, talk to them, we see them at meetings and all, and I would encourage the younger lawyers and members of the industry to continue to develop their networks over time. And AHLA provides the preeminent networking opportunity for all of us, and at the end of the day what we're trying to do which is part of health reform is provide better quality healthcare to people in this country in a more cost effective matter, and obviously the current system doesn't really work and we can't afford it. So I think society and the government's going to be looking to us and the members of AHLA to help find those solutions. And thank you very kindly for taking the time to interview me, JD. You're a star.

