



→ Melissa R. Gertler

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Melissa Gertler is an associate in the Corporate Practice Group in the firm's Century City office.

Areas of Practice

Melissa advises public and private companies in mergers, acquisitions and divestitures and general corporate matters, primarily in the healthcare space. She represents a wide variety of clients including, medical groups, private equity funds, hospitals, health plans and behavioral health providers. Melissa's experience includes advising on corporate formations and structuring, governance and operational matters, drafting transactional documents, navigating corporate practice of medicine issues and managing due diligence investigations.

Honors

Ones to Watch – Healthcare Law, *Best Lawyers*, 2021, 2022

Articles

Healthcare Law Blog Posts

- "Elijah E. Cummins Lower Drug Costs Now Act: The Long and Winding Road to Drug Pricing Reform," September 23, 2021
- "The Infrastructure Investment and Jobs Act: Potential Impact on Healthcare Policy and Spending," August 24, 2021
- "Biden's American Rescue Plan Follows Trend Toward Outpatient Setting, Increase in ASC Investment," May 20, 2021
- "Medi-Cal Rx: California to Transition Medi-Cal Pharmacy Benefits to Fee-For-Service," January 11, 2021
- "CMS Announces New Geographic Direct Contracting Model: Letters of Interest Due by December 21, 2020," December 8, 2020
- "Eleventh Hour Rulemaking: HHS Eliminates Safe Harbor Protections for PBM Drug Rebates and Creates Two New Safe Harbors for Point-of-Service Discounts and PBM Fixed-Fee Arrangements," December 2, 2020
- "*Texas v. California*: SCOTUS Hears Oral Arguments About the Constitutionality of the ACA," November 17, 2020
- "Primary Care First: CMS's New Value-Based Approach to Primary Care," November 11, 2020

- "The Next in the Series of Executive Orders Affecting the Pharmaceutical Industry," September 17, 2020
 - "President Trump's Executive Order Mandating the Purchase of U.S. Drugs Evokes Criticism," August 18, 2020
 - "House Democrats Propose New Legislation to Bolster the ACA," June 26, 2020
 - "Going Virtual: Clinical Trials, Telemedicine, Electronic Medical Records, And All That." June 8, 2020
 - "Getting Ahead of California's Post-Pandemic M&A Surge: California Senate Bill 977 Seeks to Expand Attorney General Oversight of Healthcare Acquisitions and Affiliations involving Hospitals, Health Systems, Private Equity Groups, and Hedge Funds," May 28, 2020
 - "Will COVID-19 Prompt "Holdout States" to Reconsider Medicaid Expansion?" May 26, 2020
 - "The Expansion of Cardiovascular Procedures in the ASC Setting," May 11, 2020
 - "COVID-19: Medical Liability for Expanded Scope of Services," May 8, 2020
 - "CMS Issues COVID-19 Prevention Guidance for PACE Organizations," April 6, 2020
 - "Home Health Agencies and Dialysis Centers Take Note: CMS Provides Additional Guidance to Healthcare Providers to Stop the Spread of the Coronavirus," March 16, 2020
 - "CMS Announces Actions to Address the Threat of Coronavirus," March 6, 2020
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- "340B Program-Participating Hospitals Object to CMS's Proposed Cuts to 340B Program Reimbursement: CMS's Recent Information Collection Request," December 12, 2019
- "Global and Professional Options Direct Contracting Model RFA and LOI Now Active," November 27, 2019
 - "Adventist – St. Joseph Merger: AG Concludes Merger is Not in the Public Interest," November 14, 2019
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- "Merger of Adventist-St. Joseph Rejected by the California Attorney General," November 1, 2019
- Texas v. United States: DOJ Files a Brief in Support of Eliminating the ACA" href="https://www.sheppardhealthlaw.com/2019/05/articles/affordable-care-act-aca/update-texas-v-united-states-fifth-circuit/">"Update to *Texas v. United States*: DOJ Files a Brief in Support of Eliminating the ACA," May 6, 2019
 - "Years in the Making: The Health Resources & Services Administration Launches a Website to Increase Pricing Transparency in the 340B Program," April 24, 2019
 - "CMS Announces New Initiative for Value-Based Transformation of Primary Care," April 23, 2019
 - "HHS Proposes Rule to Eliminate Safe Harbor for PBM Drug Rebates," February 11, 2019
 - "Third Circuit Rejects State's Bid for Attorney's Fees in Hospital Merger Dispute," February 1, 2019
 - "340B Drug Pricing Program Litigation Update: Court Rejects CMS Drug Pricing Cuts," January 14, 2019
 - "Pathways to Success Update: CMS Issues Final Rule on Changes to the ACO Program," January 7, 2019
 - Texas v. United States: Texas Federal Court "Strikes Down" the ACA" rel="noopener noreferrer" href="https://www.sheppardhealthlaw.com/2018/12/articles/affordable-care-act-aca/texas-v-united-states-texas-federal-court-strikes-down-the-aca/">"Texas v. United States: Texas Federal Court 'Strikes Down' the ACA," December 19, 2018

- "Reforming America's Healthcare System Through Choice and Competition: The Trump Administration Recommends Healthcare De-Regulation," December 18, 2018
- "New California Law re HMO M&A," November 2, 2018
- "More Than 700 CEOs of Hospitals and Health Systems Write to Congress to Stop Cuts to the 340B Drug Pricing Program," October 10, 2018
- "When your Hospital-of-Choice is In-Network but, SURPRISE, your Anesthesiologist is Not: California's AB-72 and Other State Responses to the Surprise Billing Pandemic," June 20, 2017

Practices

Corporate

Healthcare

Industries

Healthcare

Education

J.D., University of California, Los Angeles, 2018

B.A., University of California, Berkeley, 2015, *high honors, Phi Beta Kappa*

Admissions

California