



SCOTT C. PALECKI

PARTNER

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PROFILE

Scott C. Palecki is a partner in the firm's healthcare law practice group, practicing extensively in the areas of business and healthcare. He has devoted his professional career to the representation of clients in the healthcare industry. Scott's clients span the spectrum of healthcare providers, including hospitals and health systems, rural and governmental hospitals, ambulatory surgery centers, nursing facilities, home health and hospice businesses, laboratories, and nearly every type of organization related to health care. He also works with physicians and physician practices assisting in myriad complex legal questions. Scott previously served as the practice group leader of the firm's healthcare practice group.

In addition to his in-depth private practice experience, Scott served as general counsel to a large national ambulatory surgery center and surgical hospital development and management company. In his prior role, Scott was responsible for all legal services. During his tenure with the organization, he guided the company and its healthcare facilities through the regulatory complexities of the pandemic, coordinated national lobbying efforts, and helped procure pandemic-related relief. He is a nationally recognized proponent of value-based care and its expansion to the Center for Medicare and Medicaid Services (CMS) and the CMS Innovation Center.

Scott has developed long-standing relationships with healthcare clients and provides guidance and counsel on matters relating to operational, regulatory, reimbursement and compliance issues, including the Stark law, fraud and abuse, and physician compensation. He also provides counsel related to Medicare and Medicaid certification and reimbursement, managed care and individual and facility licensure, and has handled numerous matters concerning medical staff bylaws, peer review, and credentialing matters. Scott has handled many health care and corporate transactions including the development and syndication of numerous hospitals and ASCs throughout the United States, purchase and sale of hospital systems and critical access hospitals, ASCs, physician practices, and other ancillary health care businesses. Finally, Scott has assisted in several critical access hospital "replacement" projects.

Prior to serving as a general counsel, Scott has been recognized by Chambers USA as a leading healthcare and business attorney in the United States for his transactional practice and health-care related work. He was named by Best Lawyers® as the 2016 Kansas City, Kansas, Health Care "Lawyer of the

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Year” and the 2013 Wichita Health Care Law “Lawyer of the Year,” and selected by peers for inclusion in *The Best Lawyers in America*® in the area of Health Care Law 2009-2018. He is rated “AV” by Martindale-Hubbell Law Directory, its highest rating for lawyers who have obtained a reputation among their peers for exemplary professional expertise, experience and stature and has been selected by his peers for inclusion in the *Missouri & Kansas Super Lawyers*® List.

Scott is a member of the American Health Lawyers Association, and the Kansas Association of Hospital Attorneys (former President). Scott is also a former Adjunct Professor at Washburn University School of Law where he taught Health Law for several years. He continues to frequently lecture on a variety of health law issues to clients, associations, and to other lawyers and groups.

Scott, his wife Kristin, and their five boys live in the Kansas City area.

Education

- Washburn University School of Law (J.D., *cum laude*, 1996)
- Washburn University (B.A. in Public Administration, *summa cum laude*, 1992)

Admissions

- Kansas (1996)
- Missouri (1997)
- U.S. District Court for the District of Kansas (1996)
- U.S. Tax Court (1998)

PRACTICE AREAS

- Healthcare
- Long-Term Care
- Taxation
- Mergers & Acquisitions
- Business & Corporate Law

INDUSTRIES

- Healthcare
- Long-Term Care

PROFESSIONAL MEMBERSHIPS, AFFILIATIONS, AND HONORS

- Kansas Bar Association, Health Law Section, President, 2004-2005

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- The Missouri Bar
- Topeka Bar Association
- Wichita Bar Association
- American Health Lawyers Association
- Kansas Association of Hospital Attorneys (Board of Directors and Current Secretary of the Board)
- Former Adjunct Professor, Washburn University Law School, Healthcare Law
- Recognized by Best Lawyers® as the 2016 Kansas City, KS Health Care Law “Lawyer of the Year”
- Recognized by Best Lawyers® as the 2013 Wichita Health Care Law “Lawyer of the Year”
- Selected by peers for inclusion in *The Best Lawyers in America*® in the area of Health Care Law, 2009-2018
- Selected by peers for inclusion in *Missouri & Kansas Super Lawyers*® List, 2011-2012 (a Thomson Reuters business)
- Selected by peers for inclusion in *Missouri & Kansas Super Lawyers*® Rising Star List, 2008- 2009, 2013 (a Thomson Reuters business)
- Identified in *Chambers USA America's Leading Lawyers* in the area of Corporate/M&A Law, 2012-2014

PRESENTATIONS

2023

- Stark Law 101 - Back to the Basics (Foulston Siefkin LLP, Kansas Health Law Institute)
- Malpractice/Risk within ASC's (2023 Midwest ASC Conference)
- Everything Ethics, Everywhere, All at Once (Foulston Siefkin LLP, Corporate Counsel Series: Ethics 2023)

2017

- Ethics Minefields Created by the Yates Memo (Foulston Siefkin Kansas Ethics Seminar for Corporate Counsel)
- Trump/Repeal and Replace? The Future of Health Care (Foulston Siefkin LLP, Kansas Health Law Institute)
- MIPS, APMs, and other MACRAnyms: The Future of Quality (Foulston Siefkin LLP, Kansas Health Law Institute)
- Physician Compensation Arrangements: Those that Violate Stark, Those That Don't, and Those That Are Debatable (Foulston Siefkin Kansas Health Law Institute)

2016

- Alternate Payment Arrangements (Foulston Siefkin LLP, Kansas Health Law Institute)

2015

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- Transforming American Healthcare from a pee-for-services System to a Pay-for Value Delivery Model (Foulston Siefkin LLP, Kansas Health Law Institute)
- Update on Payment and Reimbursement Issues Including an Update on Bundled Payment Initiatives (Foulston Siefkin LLP, Kansas Health Law Institute)

2014

- Living in the Real World: Case Studies on How to Handle Potential Overpayments and False Claims (Foulston Siefkin LLP, Kansas Health Law Institute)
- Update on Payment and Reimbursement Issues Including an Update on Bundled Payment Initiatives (Foulston Siefkin LLP, Kansas Health Law Institute)

2013

- Health Reform – What's Next – Panel (2013 KBA Health Law Institute)
- Dealing With Fraud and Abuse Issues in Today's Health Care Climate (KAHCE, KAHCE Annual Meeting and Education)
- Keep Your Friends Close...Physician-Hospital Collaboration (Foulston Siefkin LLP, Health Law Institute)

COMMUNITY INVOLVEMENT

- Active volunteer youth football, baseball and basketball coach for various organizations