

## Thomas Beimers

Partner

Minneapolis

Washington, D.C.

### Biography

Health care and life sciences industry clients with challenging regulatory compliance problems, especially False Claims Act (FCA) investigations, turn to Tom Beimers. Tom's service with the Department of Health and Human Services Office of Inspector General (HHS OIG), combined with extensive private practice litigation and investigations experience, helps clients navigate all phases of complex regulatory matters.

Sometimes FCA cases settle, and when they do Tom's experience with the HHS OIG Corporate Integrity Agreement (CIA) process, including negotiating and monitoring CIAs, ensures that clients negotiate and address implementation issues from a position of strength.

Tom enjoys advising health care and life sciences clients on regulatory compliance and health care fraud and abuse matters. He regularly provides strategic analysis regarding business arrangements and proposed transactions, including customer contracts, discount and rebate arrangements, business courtesies, consulting agreements, marketing programs, aggregate spend reporting, and charitable programs. Tom's experience with OIG and as an advisor to multiple life sciences and health care companies allows him to benchmark against industry standard practices and



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### Languages

English

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### Practices

Health Law

Medical Device and Technology  
Regulatory

Pharmaceuticals and Biotechnology  
Regulatory

Investigations, White Collar, and  
Fraud

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### Industries

agency perspectives. This broad vantage point helps ensure that clients are simultaneously able to meet legal requirements and engage in competitive business arrangements.

Tom had a distinguished career in government before joining his previous international law firm. He served as senior counsel for HHS OIG, where he helped resolve major FCA cases involving off-label marketing, drug pricing, Anti-Kickback Statute violations, and Medicaid and Medicare reimbursement, and served as a monitor for manufacturers operating under CIAs. He was also a Special Assistant U.S. Attorney, serving as a prosecutor for the Department of Justice's Medicare Fraud Strike Force in Detroit, Michigan. In that role, he oversaw all phases of investigations into violations of criminal health care fraud laws, including jury trials.

Tom is a frequent national speaker and author on topics related to health care fraud and abuse, white collar criminal defense, and compliance matters.

## Representative experience

Acts as lead defense counsel on False Claims Act matters involving allegations of Anti-Kickback Statute violations in medical device industry.

Routinely handles internal investigations involving matters such as off-label promotion, drug pricing, and Medicare and Medicaid reimbursement issues.

Served as interim compliance officer for global medical device manufacturer.

Has assisted clients with implementation of aggregate spend reporting required under CMS Open Payments Law (Physician Payments Sunshine Act).

Served as OIG monitor for several pharmaceutical industry Corporate Integrity Agreements.

Former prosecutor with joint DOJ/HHS Medicare Fraud Strike Force.

Life Sciences and Health Care

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## Areas of focus

False Claims Act and Qui Tam

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## Education and admissions

### Education

J.D., University of Minnesota Law School, magna cum laude, 1998

B.A., Macalester College, Phi Beta Kappa, 1991

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## Bar admissions and qualifications

Minnesota

District of Columbia

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## Court admissions

U.S. Supreme Court

U.S. Court of Appeals, District of Columbia Circuit

U.S. Court of Appeals, Eighth Circuit

U.S. Court of Appeals, Fifth Circuit

U.S. Court of Appeals, Fourth Circuit

U.S. Court of Appeals, Ninth Circuit

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## Awards and rankings

- Healthcare: Health Insurers, *Legal 500 US*, 2017
- Healthcare: Service Providers, *Legal 500 US*, 2017

## Latest thinking and events

- Sponsorships and Speaking Engagements
  - Emerging Enforcement Issues Involving Managed Markets Activities
- News
  - OIG denies proposed manufacturer-sponsored copay support program for Medicare beneficiaries
- News
  - Expanded access to telehealth services during the COVID-19 pandemic
- News
  - Stark Law waivers, HHS-OIG announcement offer health care providers greater flexibility during COVID-19 pandemic
- News
  - HHS-OIG launches portal for COVID-19 related questions about its enforcement authorities
- Insights
  - OIG clears manufacturer-sponsored travel and lodging support in limited circumstances