
PROFILE
OF
TIN KIN LEE



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PROFESSIONAL EXPERIENCE

Tin Kin Lee has been practicing law for over 30 years, of which over 25 years have been specialized in representing clients in the healthcare industry. Clients Mr. Lee has represented include some of the largest Medi-Cal managed care health plans in the State, multi-system hospitals (nonprofit and proprietary), community hospitals, mental health providers, physician practice management companies, large integrated medical groups, medical equipment leasing companies, ancillary service providers, independent practice associations and physicians.

In providing legal representation to his clients, Mr. Lee also works with various federal, state and local agencies on licensing and other regulatory matters, including the California Department of Health Care Services (DHCS), California Department of Managed Health Care (DMHC), California Department of Public Health (CDPH), California Department of Social Services (DSS), California Managed Risk Medical Insurance Board (MRMIB), and the Centers for Medicare & Medicaid Services (CMS).

Mr. Lee's practice includes providing legal representation and advice in all aspects of healthcare transactional and regulatory matters, including, without limitation, the following areas:

- Knox-Keene, DHCS, CMS and MRMIB licensing and regulatory issues.
- Fraud and abuse issues, including the application of the anti-kickback safe harbors, Stark II, Spier and the applicable regulations.
- Corporate practice of medicine.
- Antitrust issues -- e.g., analysis of antitrust safety zones in connection with group purchasing organizations, and integration issues in connection with physician contracting.
- Medicare and Medi-Cal reimbursement issues.
- Inurement and private benefit issues, including analysis of intermediate sanctions rules, etc.
- Managed care contracting issues.
- Hospital licensure issues involving CHOW applications, successor liability issues, etc.

Examples of transactional and regulatory matters for which Mr. Lee has provided legal representation include the following:

- Representation of Medi-Cal and D-SNP health plans, including Local Initiative and County Organized Health System (COHS) plans. Representation included negotiating Two-Plan model contract with the California Department of Health Care Services, obtaining Knox Keene licensure, and negotiating key provider and administrative services contracts.
- Representation of specialized health plans, including behavioral health and dental plans.
- Securing Knox Keene “restricted” licensure for Medicare Advantage lines of business.
- Representation of managed care health plans to obtain “shadow plan” Knox Keene licensure for purposes of quality improvement fee (“QIF”) implementation.
- Acting as corporate and regulatory counsel in connection with health plan acquisitions, including commercial, Medicare, Medi-Cal and Medi-Cal dental, and Healthy Families lines of business.
- Representation of a public entity Medi-Cal managed care health plan in connection with claims disputes with out-of-plan providers, reimbursement disputes with State Department of Health Services, and litigation involving the application of the State’s Two-Plan Model rules.
- Representation of a privately-held health plan in its sale of certain assets comprising multiple lines of business to purchasing health plan.
- Obtaining health care service plan licensure from the Department of Managed Health Care in connection with the implementation of the quality improvement fee (“QIF”) legislation.
- Representation of a congregate living health facility in connection with licensing and various regulatory issues involving the Department of Health Care Services and the Department of Social Services.
- Negotiation of the master services agreement with the State Department of Health Services on behalf of the statewide coalition of local initiative managed care plans.

- Representation of a multi-hospital system in connection with the formation of an outpatient-based integrated healthcare delivery system and the acquisition of medical practice assets of various physician groups.
- Representation of a general acute care hospital in connection with the formation of a management services organization to manage a mental health professional group providing professional services in a managed care setting.
- Representation of a general acute care hospital in connection with the restructuring of a cardiac catheterization laboratory.
- Organization of “captive” professional corporations and financing arrangements between network of surgery center physicians and a physician practice management company.
- Representation of a general acute care hospital in connection with its consolidation of clinical laboratory operations.
- Representation of a general acute care hospital in connection with its participation in a California-statewide hospital facility contracting network.
- Representation of various physician groups in connection with the formation of IPAs and integrated medical practice groups.
- Formation of technology joint venture based in Arizona between two hospital systems.
- Representation of a master limited partnership in connection with the permanent financing of a medical office building comprising over 60,000 square feet located in Glendale, California.
- Corporate restructuring of a public company hospital operator to spin off real estate assets into a REIT.
- Development of internet application service provider agreements and related documentation for medical practice management applications.
- Representation of purchasers and sellers of hospitals in connection with hospital licensure and real estate issues.

POSITIONS HELD

- Sheppard, Mullin, Richter & Hampton, LLC. Partner, Healthcare Practice Group.
- Manatt, Phelps & Phillips (Los Angeles, CA). Partner, Healthcare Department
- McDermott & Trayner (Pasadena, CA). Healthcare Practice Partner.
- Rogers & Wells (Los Angeles, CA).
- Melrod, Redman & Gartlan (Washington, D.C.).

PROFESSIONAL AFFILIATIONS

- Member, California State Bar (SBN 127200)
- California Association of Health Plans
- California Association of Dental Plans
- California Society of Healthcare Attorneys

EDUCATION

- **Columbia Law School**, Juris Doctor, 1986.
- **University of Southern California**, 1983. B.S., cum laude, Business Administration (Finance).

ADDITIONAL INFORMATION

- Author, "Silk Road: Opportunities for Foreign-Owned Healthcare Clinics in China." Published: Managed Healthcare, May, 1996; Australian Health Review, Vol. 19, No. 2, 1996.
- Author, "*Imbalance Of Power And The Use Of Balance Billing*," September 2004.
- Author, "*Status Of QIF Under FY 2006 Federal Budget*," November 2005.