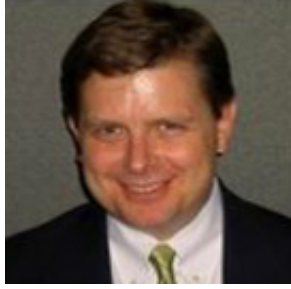


Robert W. Liles, J.D., M.B.A., M.S.



Managing Member

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Practice Concentration and Experience:

Robert W. Liles has worked in health care since 1984, first in hospital administration and later in health law (as a federal prosecutor and as defense counsel). This has provided a unique perspective on the challenges faced by health care providers. Robert focuses his practice on fraud defense, internal audits / investigations and compliance and regulatory matters. He has represented a wide variety of health care providers in administrative and civil proceedings and in connection with internal compliance reviews. Robert has achieved an "AV" rating by Martindale-Hubbell, the highest rating that may be awarded to an attorney. He has also been rated "10.0" (out of a possible 10.0) by AVVO, a nationwide attorney rating service.

Robert first began working in health care management after receiving a Master's Degree in Health Care Administration. He subsequently attended law school and was hired after graduation as an Assistant United States Attorney (AUSA) in the Southern District of Texas (SDTX). While serving as an AUSA, Robert worked out of the Houston office of the U.S. Attorney's Office and primarily handled False Claims Act matters and cases. He was later promoted to serve as Chief of the Financial Litigation Unit for the SDTX.

Shortly after the passage of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Robert was asked to serve as the first "**National Health Care Fraud Coordinator**" for the Executive Office for U.S. Attorneys (EOUSA), a component of the United States Department of Justice (DOJ). He was detailed to Washington, DC where he advised AUSAs around the country on civil and criminal health fraud statutes, schemes, investigative tools, privacy concerns, and compliance issues. He was instrumental in writing and implementing DOJ guidance on the judicious use of the False Claims Act. Robert was subsequently promoted and served as Deputy Director for Legal Programs at EOUSA. While with DOJ, Robert was recognized and given numerous awards by the agency for his efforts, one of which was a "Director's Award," the highest award that can be bestowed by EOUSA.

Since entering private practice, Robert has continued to build on his health care background and experience. He has represented physicians, home health agencies, hospices, durable equipment suppliers and third-party billing companies around the country in a wide variety of regulatory, audit and compliance projects. He has also represented physicians and other health care providers in connection

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with government investigations, overpayment audits by Zone Program Integrity Contractors (ZPICs), Supplemental Medical Review Contractors (SMERCs), Recovery Audit Contractors (RACs) and reviews by Special Investigative Units (SIUs) working for private payor plans.

Robert is a nationally-recognized speaker and educator on health law regulatory issues. He has taught and lectured at regional and national conferences, seminars and webinars to federal and state prosecutors, investigators, auditors, industry representatives, providers and suppliers on a variety of regulatory issues. Notably, while a federal prosecutor, Robert was asked by the Department of Health and Human Services, Office of Inspector General (HHS-OIG) to accompany several of their staff members overseas to train Ukrainian prosecutors and investigators on how to handle allegations of health care fraud and abuse. Robert also regularly taught HHS-OIG agents and investigators at the Federal Law Enforcement Training Center (FLETC), on Jekyll Island. Recent issues covered in training courses he has taught have included the current audit initiatives being pursued by ZPICs, SMERCs, RACs, responding to adverse administrative actions (such as Medicare suspension, revocation or exclusion actions), conducting a GAP analysis, and developing an effective Compliance Plan.

Robert currently serves as outside General Counsel for the *American Medical Billing Association* and is recommended by numerous health care related associations to their members. Several years ago, Robert was asked by *Practice Management Institute*, one of the nation's oldest health care administration educators, to develop the curriculum for a non-hospital program for Certified Medical Compliance Officers. This certification program has been widely lauded by participants and is believed to be the most comprehensive, targeted compliance certification program currently available to small and mid-sized health care provider organizations. The course was recently approved for physician Continuing Medical Education (CEU) credit.

Robert's health care management education / background and his extensive experience working in the area of health law provide a real-world perspective when advising health care providers and durable medical equipment suppliers on enforcement and regulatory compliance issues.

Recent Matters Handled Include:

- Represented home health and hospice agencies in connection with ZPIC audits and HHS-OIG investigations.
- Worked with a variety of providers and suppliers to develop and implement an effective Compliance Plan. Conducted training for clinical and non-clinical staff on statutory and regulatory requirements to be followed.
- Represented providers and suppliers in connection with post-payment audits conducted by ZPICs, RACs, Medicaid Integrity Contractors (MICs) and Medicaid Fraud Control Units (MFCUs) around the country. Diligently reviewed (and when appropriate), challenged the validity of the statistical methodology used to extrapolate alleged damages in an overpayment case. Trained providers and suppliers around the country on how to best respond when their practice, clinic, agency or organization has been subjected to a ZPIC and / or RAC post-payment audit.
- Represented a variety of health care providers and suppliers that have been placed on prepayment audit status by the ZPIC assigned to their zone of the country.
- Advised a variety of specialty health care providers in the areas of home health, pain management, psychiatry, hospice, internal medicine, oncology, podiatry, ambulance services, cardiology, physical/occupational and speech therapy, physiatry, and durable medical equipment, in fraud,

overpayment and compliance matters.

- Directed internal audit of non-profit corporate operations, policies and procedures to better ensure statutory and regulatory compliance.
- Conducted internal investigation of alleged malfeasance of corporate employees. Provided recommendations for the implementation of safeguards to better prevent improper employee conduct.
- Worked with corporate clients to properly incorporate privacy provisions into the client's overall effective compliance strategy.
- Provided assessment and advice to corporate clients on proposed business models, addressing both the prohibition against improper self-referrals, Federal/State Anti-Kickback Act concerns, and violations of Federal/State False Claims Act provisions.
- Represented individual and corporate health care providers in ongoing litigation under the False Claims Act, addressing concerns raised by DOJ and State prosecutors.
- Managed large document productions on behalf of corporate clients in response to Grand Jury, DOJ and Federal agency subpoenas. Advised investors and investment companies with respect to health care sector issues and the possible impact of health care fraud enforcement activities.
- Successfully represented home health agency in having a Medicare suspension action lifted.
- Working with our Liles Parker team, we have successfully represented health care providers and suppliers in having an improper Medicare revocation action lifted.

Education:

- South Texas College of Law, Houston, Texas (J.D., 1992)
- Trinity University, San Antonio, Texas (M.S. in Health Care Administration, 1985)
- Trinity University, San Antonio, Texas (Master's in Business Administration, 1984)
- University of the South, Sewanee, Tennessee (B.S. in Economics, 1982)

Professional Affiliations:

- Member, American Health Lawyers Association (AHLA)
- Member, Christian Trial Lawyers Association
- Member, Health Care Compliance Association (HCCA)
- Member, American Association of Professional Coders (AAPC)
- Member, National Alliance of Medical Auditing Specialists (NAMAS)
- Professional Associate Member, American Association of Physicians and Surgeons (AAPS)

Recent Awards:

- America's Most Honored Professionals: Top 1% 2016 (April 2016).

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- Rated "AV Preeminent" Highest Possible Peer Review Rating in Legal Ability and Ethical Standards (2003 -- 2016).
- Top Rated Lawyers in Washington, DC & Baltimore (as Published in the *Wall Street Journal* -- Based on Martindale-Hubbell Ratings)(December 2015).
- Top Rated Lawyer in Health Care for Ethical Standards and Legal Ability (Awarded by Martindale-Hubbell)(March 2015).

Federal Admissions:

- U.S. Supreme Court
- District of Columbia District Court
- Maryland District Court
- Texas Northern District Court
- Texas Southern District/Bankruptcy Court
- Texas Western District Court

State Admissions:

- District of Columbia
- State of Texas

Presentations and Speaking Engagements (Partial Listing):

- 16th Annual Health Care Business Summit, MedAssets, Las Vegas, NV **"Regulatory Risks: The Anti-Kickback Statute, Stark and the False Claims Act" (2016).**
- Long Term Care and the Law, American Health Lawyers Association, Orlando, FL **"Tactical Approaches to Claim Audits and Recovery Risks in Home Health and Hospice" (2016)**
- 15th Annual National Medical Billing Conference, American Medical Billing Association, Las Vegas, NV **"Provider Exclusions, HIPAA Changes and Legal Issues with ICD-10" (2015).**
- Cutting Edge Home Health Leadership Summit, Dixon Healthcare Solutions, Maui, HI, **"Defending Your Medicare and Other Government Claims"** (2015).
- West Virginia State Medical Association -- Winter Conference, Charleston, WV, **"Physician Compliance Challenges – Regulatory Risks Areas to be Considered by Your Practice"** (2015).
- Private Duty Conference, Dixon Healthcare Solutions, Las Vegas NV, **"Understanding HIPAA and other Privacy Issues Affecting Your Private Duty Agency"** (2015).
- National Conference, Practice Management Institute, San Antonio, TX, **"Compliance and the Physician Practice: A Glimpse of the Future"** (2015).
- National Webinar Series, Exclusion Screening **"Don't Forget, The OIG Is Not the Only Game in Town!"** (2015).
- National Webinar Series, American Medical Billing Association, **"Using an Overseas Billing Company and /or Using the Cloud to Store Your Data: What are the Risks and Benefits of these Practices?"** (2015).
- Home Health Conference, Dixon Healthcare Solutions, Las Vegas NV, **"Employment Law Issues Impacting Home Health Agencies"** (2015).
- Home Health Conference, Dixon Healthcare Solutions, Las Vegas, NV **"Preparing and Responding to Various Medicare Claims Audits"** (2015).
- Doctor's at Renaissance Conference Center, **"South Texas Takedown -- How to Stay within the Four Corners of the Law"** (2015).
- APPNA, Arlington, VA, **"Top 10 Steps You Can Take to Improve Compliance and Stay Out of Trouble with the Government"** (2015).
- Private Duty Conference, Texas Association of Home Care and Hospice, San Antonio, TX, **"Risky**

- **Business. . . Avoiding Legal Pitfalls to Protect Your Business and Bottom Line**" (2014).
- Regulatory Educational Group Services, McAllen, TX, **"Top 10 Steps You Can Take to Improve Compliance and Stay Out of Trouble with the Government"** (2014).
- NSCHBC Annual Conference – San Juan, PR, **"Be Careful Before Moving to Cloud Computing: A Contrarian View of the Inevitable"** (2014).
- NAMAS Annual Conference, Asheville, NC, **"Enhanced Provider Exclusion Rules and the Impact on Your Screening Obligations"** (2014).
- NAMAS Annual Conference, Asheville, NC, **"When to Disclose – Legal Obligations and Options"** (2014).
- Fall Conference -- Jefferson IPA, Dallas, TX, **"Risky Business: Avoiding Program Integrity Pitfalls Currently Facing Your Health Care Practice"** (2014).
- National Webinar Series, Practice Management Institute, **"Human Resource / Employee Relations Risks"** (2014).
- National Webinar Series, American Medical Billing Association, **"Identifying Risks and Modifying Your Compliance Plan to Take These Risks Into Account"** (2014).
- Rio Grande Valley Healthcare Fraud and Compliance Conference, **"Overview of Health Care Compliance and Relevant Statutory Provisions Now Facing South Texas Providers"** (2013).
- Physician Practice Conference & Annual Business Meeting, West Virginia Medical Association, **"Red Hot Compliance Update -- 2013"** (2013).
- National Webinar Series, American Medical Billing Association, **"Social Media Concerns for Providers and Billers"** (2012).
- National Webinar Series, American Medical Billing Association, **"HIPAA, HITECH and Emerging Risk Areas for 2012"** (2012).
- Fifth Annual Medical Coding Conference, Coding Con, Orlando FL, **"Building an Effective Anesthesia Compliance Program"** (2012).
- Revenue Cycle Management 2011, Decision Health, Atlanta, GA, **"Responding to Unannounced Audits"** (2011).
- Annual Conference, Practice Management Institute, **"Federal Compliance Panel Addresses Compliance Risks"** (2011).
- National Webinar Series, Practice Management Institute, **"Reading the Tea Leaves -- Issues of Concern Covered in HHS-OIG's 2012 Workplan"** 2011.
- National Webinar Series, American Medical Billing Association, **"Returning Overpayments to the Government"** (2011).
- National Webinar Series, Decision Health, **"What to do When the Auditor Knocks"** (2011).
- Medical Coding, Billing and National Conference, CodingCon, Las Vegas NV, **"Impact of Healthcare Reform on Healthcare Entities"** (2011).
- Annual Conference, American Medical Billing Association, Las Vegas, NV, **"Third-Party Billing Company Compliance Concerns"** (2011).
- Practice Management Institute, Dallas, TX, **"Compliance Officer Certification Course"** (2011).
- Practice Management Institute, Las Vegas, NV, **"Compliance Officer Certification Course"** (2011).
- Practice Management Institute, San Diego, CA, **"Compliance Officer Certification Course"** (2011).
- Practice Management Institute, Alexandria, VA, **"Compliance Officer Certification Course"** (2011).
- National Webinar Series, American Medical Billing Association, **"Health Care Reform and Third-Party Billers"**(2010).
- South Texas Home Health Conference, The Forum, McAllen, TX, **"Responding to ZPIC Audits and Investigations"** (2010).
- Annual Conference, Practice Management Institute, San Antonio, TX **"Medicaid Integrity Contractors: The Newest Challenge Faced by Providers"** (2010).
- Annual Conference, Practice Management Institute, San Antonio, TX, **"Responding to an Audit"**

- **by Medicaid Integrity Contractor”** (2010).
- Webinar, Rocky Mountain Chapter – American Medical Billing Association, **“Current Issues Facing Third-Party Billing Companies”** (2009).
- Annual Convention, Practice Management Institute, Las Vegas, NV, **“Medicare Audits: How to Respond to a RAC Review”** (2009).
- 9th Annual AMBA National Conference, Las Vegas, NV, **“RAC, PSC and ZPIC Audits -- How to Respond if Your Practice is Audited”** (2009).
- 21st Annual PAHCOM Conference, Phoenix, AZ, **“Current Risks Faced by Physician Practices”** (2009).
- National Conference, Practice Management Institute, San Antonio, TX, **“Responding to PSC and RAC Audits”** (2009).
- Medical Billing and User Conference, CodingCon, Orlando, FL, **“Issues Facing Third-Party Billing Companies”** (2009).
- National Conference, Practice Management Institute, Las Vegas, NV, **“A New Breed CMS Auditor: PSCs and RACs”** (2008).
- Regional Conference, Practice Management Institute, Anaheim, CA, **“A New Breed of CMS Contractors: PSCs and RACs”** (2008).
- Regional Conference, Decision Health, Atlanta, GA, **“Keynote Speaker: Post-Election Legislative Initiatives”** (2008).
- Regional Conference, Decision Health, Atlanta, GA, **“Provider-Vendor Relationships: How to Stay on the Right Side of the Red Line”** (2008).
- Fall Health Care Conference, Practice Management Institute, San Antonio, TX, **“RACs and PSCs: Addressing Audits by CMS Contractors”** (2008).
- Central Illinois Chapter Meeting, American Medical Billing Association, Chicago, IL, **“Issues Facing Third-Party Companies”** (2008).
- National Conference, American Medical Billing Association, Las Vegas, NV, **“Issues Facing Third-Party Billing Companies”** (2008).
- Semmelweis Annual Conference, Washington, DC, **“History and Current Status of the False Claims Act”** (2007).
- Annual Convention, Medical Association of Billers, Las Vegas, NV, **“Compliance Violations and Penalties”** (2007).
- Chapter Conference for Medical Office Professionals, American Medical Billing Association, Largo, MD, **“Health Care Fraud: Audits and Investigations”** (2007).
- Semmelweis Society Annual Conference -- Washington, DC, **“Bad Faith Peer Review Concerns”** (2006).
- Prosecuting Chiropractic Fraud Cases, NCHAA, Harrisburg, PA, **“Chiropractic Fraud Issues”** (2006).
- Health Care Fraud Issues Faced by Medical Group Managers, MGMA, Washington, DC, **“Health Care Fraud Update”** (2006).
- Annual Conference, American Medical Billing Association, Las Vegas, NV, **“Keynote Speaker: Health Care Compliance”** (2006).
- Medical Practice Coding & Compliance Summit, Practice Management Institute, San Antonio, TX **“Health Care Fraud: Issues and Concerns from a Legal Perspective”** (2006).
- Intensive Session in Trial Advocacy Skills, National Institute of Trial Advocacy, Washington, DC, **“Trial Advocacy Skills”** (2003).
- Health Privacy, American Academy of Pediatric Dentistry, **“HIPAA Privacy: An Essential Element of an Effective Compliance Strategy”** (2003).
- Webinar, Ohio Hospital Association, **“Handling Overpayments — Selected Issues and Considerations”**(2003).
- Intensive Session in Trial Advocacy Skills, National Institute of Trial Advocacy, Washington, DC, **“Trial Advocacy Skills”** (2002).
- Trinity University and the Greater San Antonio Hospital Council, San Antonio, TX, **“How to**

- ***Respond to a Federal Investigation of Your Hospital or Medical Practice*** (2002).
- Greater New York Chapter of the American Corporate Counsel Association, New York NY, ***How to Respond to a Federal Investigation of Your Company*** (2002).
- Member Teleconference, Ohio Hospital Association, ***New Leadership: What to Expect from DOJ and HHS-OIG*** (2001).
- Health Care Fraud Enforcement Issues and Considerations, Georgia Podiatric Association, Atlanta, GA, ***2001 Podiatric Coding & Practice Management Summit*** (2001).
- Member Teleconference, Healthcare Financial Management Association, ***Health Care Fraud Enforcement Efforts This Year and Beyond*** (2001).
- Annual Meeting: Legislative Update, Academy of Managed Care Pharmacies, ***Pharmaceutical Legislative Initiatives*** (2001).
- Ukrainian Prosecutors and Interior Ministry of Interior Law Enforcement Officials, Sponsored by the Department of Health and Human Services, Office of Inspector General, Kharkov, Ukraine, ***Civil and Criminal Health Care Fraud Enforcement*** (multiple sessions covering various aspects of this topic)(2000).
- Evaluator Team Leader Training, Executive Office for U.S. Attorneys, ***Priority Prosecution Areas*** (2000).
- ABA Health Care Fraud Conference, ***Priority Prosecution Areas*** (2000).
- Midwest Regional Nursing Home Fraud and Abuse Conference, ***Moderator, Nursing Fraud and Abuse Enforcement Panel*** (1999).
- Basic Health Care Fraud Enforcement, Federal Law Enforcement Training Center, Glynco, GA, ***Civil & Criminal Health Care Fraud Statutes*** (1999).
- Advanced Health Care Fraud, National Advocacy Center, Executive Office for U.S. Attorneys, ***Qui Tams*** (1999).
- National Level Health Care Fraud Working Group, Executive Office for U.S. Attorneys, ***False Claims Act and National Project Developments*** (1998)
- National Civil Chiefs Seminar, National Advocacy Center, Executive Office for U.S. Attorneys, ***Use of the False Claims Act in Civil Health Care Matters*** (1998).
- Basic Affirmative Civil Enforcement Seminar, Executive Office for U.S. Attorneys, ***Use of the False Claims Act*** (1998).
- Texas Statewide Financial Litigation Conference, ***Health Care Fraud Collection Issues*** (1997).
- Basic Health Care Fraud Prosecution Team Training, Executive Office for U.S. Attorneys, ***Investigative Techniques & Issues*** (1997).
- Affirmative Civil Enforcement, Executive Office for U.S. Attorneys, ***Role of Auditors & Investigators*** (1997).