



Sam Orbovich

SHAREHOLDER

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Services

Aging & Disability Providers

Government Contracts & Grants

Health Care Fraud & Compliance

Health Law

Litigation

Internal Investigations

Sam advises, litigates and speaks on the many issues arising under the state and federal laws governing health care providers, including Medicaid, Medicare, the Vulnerable Adults Act and licensing regulations.

With over thirty years of experience in legal issues facing Medicaid and Medicare providers, Sam is an effective advocate and trusted adviser to skilled nursing facilities, HCBS waiver group homes, medical equipment vendors, home health agencies and assisted living facilities, as well as other licensed health professionals. Sam has successfully represented providers before civil trial and appellate courts and federal and state administrative agencies. Clients turn to Sam to help unravel the complexity of state and federal regulations, and to achieve or maintain compliance with those complicated laws. Sam often serves as a general counsel to many of his health care clients, who rely on his legal abilities and advice to determine the most appropriate and cost-effective way to handle challenging situations.

Experience

- Successfully sought and obtained a federal court temporary restraining order blocking \$55 million in cuts to home and community-based waived service providers, and then resolved the litigation by negotiating a settlement.
- On behalf of residential providers and home care agencies, won reversals of state maltreatment determinations that erroneously placed culpability on the provider for serious injuries and death resulting from falls, bed-rail entanglements, medication errors and other circumstances.
- Successfully reversed or negotiated civil money penalties, immediate jeopardy determinations and other survey sanctions imposed by CMS against skilled nursing facilities participating in the Medicaid and Medicare programs.

Credentials

Education

- Capital University Law School, J.D., 1978
- Denison University, B.A., 1974

Admissions

- Minnesota, 1982
- Ohio, 1978
- U.S. District Court for the District of Minnesota, 1982
- U.S. Court of Appeals for the Eighth Circuit, 1985

Recognition

- *Best Lawyers in America*, Health Care Law, 2024
- North Star Lawyer, Minnesota State Bar Association, 2015, 2017-2019, 2022

Civic & Professional

Professional Activities

- MSBA, Chair, Administrative Law Governing Council, 2012-2013
- ARRM, Board of Directors, 2013
- 1995 Vulnerable Adults Act, Reform Initiative Working Group

Community

- Lyndale Congregational UCC, Stewardship Council, 1995-2005

News

Firm News | 08.17.2023

Fredrikson Attorneys Recognized in The Best Lawyers in America© 2024

Firm News | 06.26.2023

Fredrikson Attorneys Recognized as North Star (Pro Bono) Lawyers

Legal Updates

Legal Update | 04.06.2020

Staffing Alternatives for Community Residential Settings: Leasing Employees from Day Training and Habilitation Programs During the COVID-19 Outbreak

Legal Update | 01.22.2018

Commissioner of DHS Rejects DHS \$369,979 Extrapolated Overpayment

Legal Update | 05.23.2017

Minnesota Court of Appeals Rejects "Arbitrary and Capricious" Abuse Ruling by DHS

Legal Update | 04.05.2017

Perhaps the Maltreatment Sky is Not Falling, After All

Legal Update | 08.01.2011

Commissioner Reverses Vulnerable Adults Act Neglect Finding In Nursing Home Stairwell Death

Publications & Presentations

Co-Presenter, *No Sir! Navigating a SIRS Audit*, LeadingAge Minnesota Institute & Expo, February 10, 2023

Co-Presenter, *Terminations, Discharges & Relocations*, Care Providers of Minnesota Annual Convention & Exposition, November 2022

"Why Can't I Work Here Anymore?: Fighting Employee Disqualifications," Care Providers of Minnesota, November 2017

"Avoiding Assisted Living Facility Deficiencies and Setbacks," Care Providers of Minnesota, November 2017

"Avoiding Legal Issues That May Impede Innovative Change," ARRM Annual Conference, June 2017

"The New Requirements of Participation and Minnesota's VAA: Protecting Seniors from Abuse, Neglect and Exploitation," LeadingAge Minnesota Institute, February 2017

"My Licensing Board Wants to Meet with Me?," LeadingAge Minnesota Institute, February 2017

"The Return of the Nursing Facility Rate Appeal," Care Providers of Minnesota, November 2016

"How to Communicate with Government Surveyors & Investigators," Care Providers of Minnesota, November 2016

"Understanding & Managing the Repercussions from VAA Maltreatment Investigations," ARRM Annual Conference, May 2016

"Effective Advocacy in Contested Case Administrative Hearings," MSBA Admin Law Section, March 2015

"Certiorari Review of Public Decisions," MINNCLE Appellate Practice Institute, March 2015

“Winning the Difficult Discharge or Transfer Appeal,” LeadingAge Minnesota, February 2015

“Abuse or Accident: Navigating the VAA,” LeadingAge Minnesota, February 2015

“Reexamining the Private Pay Equalization Law,” Care Providers of Minnesota, November 2014

“Understanding the Nuances of the VAA,” Care Providers of Minnesota, November 2014

“Recognizing & Reporting Maltreatment Under the VAA,” Opportunity Partners, June 2014

“The Impact of Regulation on Quality in Healthcare,” University WI Eau Claire CHAASE, February 2014