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Sandy is a litigator, trial lawyer, and advisor to health care providers across the country. His local and nationwide practice focuses on complex, multi-party, Medicare and Medicaid litigation; and on advising clients on reimbursement, fraud and abuse, employment and patient care issues; peer review; utilization review; and dealing with various state and federal agencies. Sandy has extensive Medicare and Medicaid experience, and works on behalf of providers in a number of states including Washington, Oregon, Tennessee, Oklahoma, Louisiana, Texas, Florida and Ohio. He served as the lead attorney in numerous successful pieces of litigation regarding various aspects of the Medicare disproportionate share payment in Oregon, Texas, Oklahoma, and Tennessee. Sandy has worked with, and on behalf of, numerous provider organizations, including hospital associations in Oregon, Washington, Tennessee, Louisiana, Texas, and Oklahoma, and the Washington Community Mental Health Council. More recently, Sandy served as an advisor to Regional Support Networks and mental health providers in Washington State regarding various aspects of Washington's publicly funded mental health system.

REPRESENTATIVE CASES

Cases Involving CMS's Improper Exclusion of Medicaid-Eligible Days from the Medicare DSH Calculation:

- *Baptist Hospital, Inc., et al. v. Shalala*, (No. 3-94-0713 (M.D. Tenn. 1995). (Result: \$13 million settlement paid to plaintiffs.)
- *Legacy Emanuel Hospital & Health Center, et al. v. Donna E. Shalala*, (97 F. 3d 1261 (9th Cir. 1996) (Result: Judgment for the plaintiffs upheld by the 9th Circuit.)
- *Incarnate Word Health Services v. Shalala*, No. 3:95-CV-9851-R (N.D. Tex. 1997) (Result: Judgment for the plaintiffs; appeal dropped by the defendants.)
- *Baptist Memorial Hospital System v. Shalala*, No. H-97-1764 (S.D. Tex. 1998) (Result: Judgment for the plaintiffs; appeal dropped by the defendants.)
- *Anadarko Municipal Hospital, et al. v. Shalala*, CIV-97-0288-A (W.D. Okla. 1998). (Result: Judgment for the plaintiffs, appeal dropped by the defendants.)

Cases involving CMS's erroneous exclusion of Sec. 1115 waiver days, for Medicaid eligible expansion populations, from the Medicare DSH calculation:

- *Multicare Medical Center v. DSHS* (768 F. Supp. 1349 (W.D. Wash. 1991). (Result: Judgment for plaintiffs after a 3-week trial.)
- *Baptist Hospital, Inc., et al. v. Shalala*, (No. 3-94-0713 (M.D. Tenn. 1995). (Result: \$13 million settlement paid to plaintiffs.)
- *South Sound Radiologists, Inc., et al., v. Lyle Quasim, et al.* (W.D. Wash. 1997). (Result: \$24 million settlement paid to plaintiffs.)
- *Legacy Emanuel Hospital & Health Center, et al. v. Donna E. Shalala*, (97 F. 3d 1261 (9th Cir. 1996) (Result: Judgment for the plaintiffs upheld by the 9th Circuit.)
- *Incarnate Word Health Services v. Shalala*, No. 3:95-CV-9851-R (N.D. Tex. 1997) (Result: Judgment for the plaintiffs; appeal dropped by the defendants.)
- *Baptist Memorial Hospital System v. Shalala*, No. H-97-1764 (S.D. Tex. 1998) (Result: Judgment for the plaintiffs; appeal dropped by the defendants.)
- *Anadarko Municipal Hospital, et al. v. Shalala*, CIV-97-0288-A (W.D. Okla. 1998). (Result: Judgment for the plaintiffs, appeal dropped by the defendants.)

AWARDS AND RECOGNITION

- Martindale-Hubbell “AV” Rated

PROFESSIONAL AND COMMUNITY INVOLVEMENT

- King County Bar Association
- American Bar Association
- American Health Lawyers Association

EDUCATION/ACTIVITIES

University of Washington, J.D., *with highest honors*

Articles Editor, Washington Law Review

Order of the Coif

Moot Court Honor Board Member

Law Clerk to Barbara Rothstein, United States District Court, 1987-88

Law Clerk to Robert F. Utter, Washington Supreme Court, 1986-87

Queens College, New York, B.A.

BAR AND COURT ADMISSIONS

Washington State Bar Association
U.S. Supreme Court
U.S. Court of Appeals, Ninth Circuit
U.S. Court of Appeals, District of Columbia
U.S. District Court, Western District of Washington
U.S. District Court, Eastern District of Washington