



YOUR BUSINESS LAW FIRM

# HEALTH CARE

HEALTHY PERSPECTIVES – WITH US



# Combined skills: a comprehensive source of expertise for the health care industry

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One of Germany's leading independent law firms, GÖRG offers clients experience and expertise that cuts across all areas of business law.

The health care sector calls for legal expertise in many different areas. We offer our clients the bundled resources of specialized lawyers who can provide the comprehensive legal advice and support they need. In addition, our clients appreciate our one-on-one approach that is quick, professional and focused on results.

## High standards – growing demand

Germany's health care sector is strongly regulated and shaped by many different interests, constantly transforming over the years. In addition, demographic changes are increasing the demand for medical services. As a result, the players in this market are facing an unprecedented source of challenges.





## **Joining forces for effective solutions**

GÖRG combines specialized legal expertise with in-depth knowledge of the health care industry to provide the best possible solutions to the challenges facing our clients – quickly and effectively. The members of our Health Care Practice Group, who come from various specialized areas, regularly get together to review current developments in the industry as well as to exchange and discuss information and opinions on relevant legal aspects.

This enables us to provide our clients in the health care sector with a complete array of services. Our specialized lawyers provide legal advice and strategic support on many different issues for virtually all players in the health care market, such as associations, health insurers, private and public clinics as well as hospitals, care facilities, medical practices and laboratories, pharmacies, medical device manufacturers and vendors of medical technology, investors, banks and public-sector clients.

# An overall approach – targeted action: expert advice and support

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## Corporate law/M&A

- Incorporation and corporate structuring of medical centres, investment models for medical centres
- M&As, acquisition of companies and investments
- Merger control
- Ongoing advice and support in connection with corporate issues
- Advice and litigation in shareholder disputes
- Formation of non-profit institutions (e. g., registering companies)

## Distribution and antitrust law

- Domestic and international commercial and distribution law
- European and German antitrust law
- Contracts with commercial agents/distributors
- General terms and conditions of purchase and sale
- Distribution systems
- Licensing agreements
- Consignment agreements
- Contracts with purchasing cooperatives
- Commission and indemnity claims
- Non-compete clauses
- Litigation as well as domestic and international arbitration
- International compliance (FCPA)

## Health care law

- Medical device law
- Pharmaceutical law
- Pharmacy law
- Social security law, in particular Social Codes (Sozialgesetzbuch – SGB) V and XI (health care and long-term care insurance)
- Private health insurance
- Medical centres/hospitals
- Care facilities
- Compliance, including but not limited to Sec. 299(a) and (b) of the German Criminal Code (Strafgesetzbuch – StGB), industry specific codes (e. g., FSA, BVMed), etc.
- Healing professions
- Health data protection
- Drug advertising law
- Food and cosmetics law

## IP

- Registration and protection of all forms of intellectual property in the healthcare market
- Legal advice on all trademark and brand law issues with special expertise with regard to the lists of goods and services in the healthcare sector
- E-health and health 2.0
- Health tech projects
- Mobile advices and health apps
- Telematics
- Data protection
- Representation in court proceedings, in the case of written warnings and in proceedings for interim legal protection

## Labour and employment law

- Drafting and implementing restructuring measures involving employment issues
- Advice on the ramifications of Sec. 613 a of the German Civil Code (Bürgerliches Gesetzbuch – BGB) in connection with business transfers
- Drafting and negotiating employment contracts (including social plans)
- Temporary staff
- Non-compete clauses in employment agreements
- Employment law advice on specific activities of religious institutions relating to health care: unique legal status, employee representation, employment contracts with religious institutions, etc.
- Supplementary pension funds
- Proceedings to determine employment status (e. g., status of physicians as employees vs. independent contractors)

## Procurement law

- Advice and support in connection with tender procedures pursuant to Social Code V
- Implementation/control of complex technology and infrastructure projects in the health care sector
- Optimization of procurement structures in the hospital sector
- Representation in procurement review proceedings
- Strategic advice and support for procuring entities in connection with requests for tender and tender processes



- Support/guidance for compliance with applicable state aid for structural, restructuring and investment projects in the health care sector

### **Real estate law**

- Drafting of leases for medical practices, medical centres, care facilities and hospitals
- Ongoing advice and support on issues related to leases for operators of care facilities and hospitals
- Real estate transactions, including but not limited to due diligence reviews, as well as drafting and negotiating of contracts
- Litigation

### **Restructuring**

- Restructuring and reorganizing private, public and church-owned hospitals and medical centres
- Self-administered insolvency proceedings (involvement as CRO/authorized representative)
- Pre-insolvency restructuring advice
- Preparation and implementation of insolvency plans

# You're in good hands: your points of contact

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The GÖRG Health Care Practice Group includes more than 30 lawyers based at the firm's offices in Berlin, Cologne, Frankfurt am Main, Hamburg, and Munich. Our experts are able to provide you with seamless advice on all relevant areas of law, such as health care, employment, corporate/M&A and real estate law, as well as procurement law and distribution law.



## Head of the Health Care Practice Group

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# Where you'll find us: our locations

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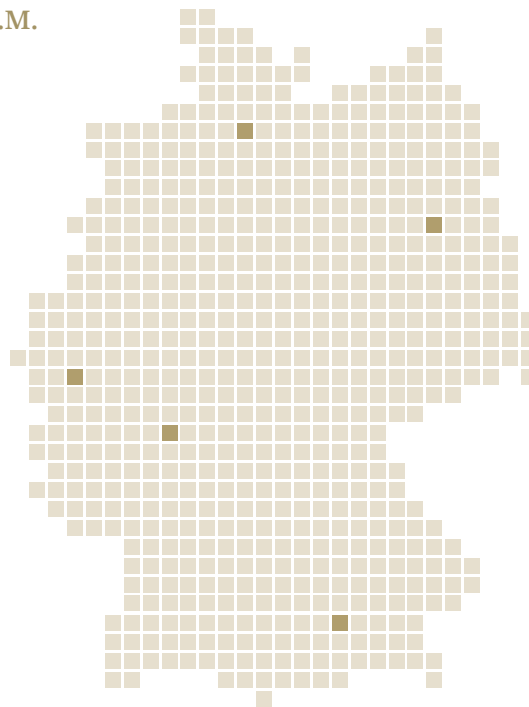
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## About us:

GÖRG ranks among Germany's leading independent business law firms. With some 290 lawyers and tax advisors based at our five locations – in Berlin, Cologne, Frankfurt am Main, Hamburg and Munich – we are able to offer our clients the full breadth and scope of legal expertise and experience needed to cover all core areas of business law.