

LEGAL AND STRATEGIC CONSULTING SERVICES FOR PROCUREMENT AND SOURCING

SUPPLY CHAIN, INFORMATION TECHNOLOGY AND CYBERSECURITY

The Procurement Impact

Hospitals and health systems have long approached their sourcing and procurement functions as a cost center to manage without a clear understanding of the impact of those functions on operations. However, the COVID-19 pandemic and resulting labor and supply shortages have exposed the vulnerabilities of today's global supply chain and its impact on the delivery of care. These challenges, together with increasing cybersecurity threats and geopolitical conflicts, are causing health care organizations to reconsider how their current sourcing and procurement strategies can better support their operations and manage risk.

The Hall Render Advantage

Hall Render's multi-disciplinary team of attorneys and advisors supports organizations across the health care industry – from large health systems to rural hospitals, from physician organizations and ambulatory surgery centers to group purchasing organizations, medical device companies, complex service providers and other industry partners – providing legal and strategic counsel on all aspects of sourcing and procurement.

We assist our clients with thousands of supply chain and IT arrangements annually, which provides a unique perspective concerning the laws, regulations and industry developments that impact the health care supply chain.

OUR SERVICES

Hall Render's broad industry participation makes us well positioned to support our clients, including by providing:

Traditional Legal and Consulting Advice

- Experienced negotiators to lead or support vendor negotiations, from designing RFPs to reviewing proposed contract terms with selected vendors.
- Overflow support for in-house teams.
- Assessments of legal and operational risks in transactions, from opinions on pricing and discount structures, fraud and abuse considerations or medical device safety, to compliance with privacy obligations and cybersecurity standards.

Procurement Workflow Assessments

- Comprehensive reviews of procurement and sourcing functions and interactions with other stakeholders.
- Collaborate with sourcing and legal teams to identify common pain points and potential solutions.
- Review applicable client contracting policies and procedures, RFP and contracting templates, and samples of existing agreements to assess organizational compliance with policies and business objectives.

Standardization and Improvement of Contract Templates

- Most organizations' procurement templates – if they exist at all – have been assembled by multiple people over many years, are internally inconsistent, and are out of alignment with market standards and business objectives. We have extensive experience in improving such templates and creating custom playbooks for internal teams to utilize in vendor negotiations.

CONNECT WITH US



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Maximizing Value of Agreements

- Develop and implement a robust vendor governance process to maximize the value of any negotiated agreement. This process provides a structure for managing vendors to the terms of the contract and an opportunity to review service quality, product development and strategic alignment.

Dispute Resolution

- Advise clients on resolving disputes with suppliers and distributors, including invoice disputes, failure to supply, product recalls, warranty claims and failure to meet service level commitments.
- Assist clients in evaluating their termination rights under existing agreements and the potential consequences of such termination.
- Pursue supplier disputes through informal dispute resolution, arbitration or trial if necessary.

GPO Relationships

- Work with group purchasing organizations (“GPOs”) and assist providers in navigating all aspects of their relationships with the GPO industry.
- Assess the relationship between GPOs and providers and examine ways to maximize the relationship. This work includes reviewing participation agreements and any additional service agreements with a current GPO and assisting in negotiating renewal agreements or developing a new GPO relationship.

Distribution

- Support clients with operational issues, regulatory analysis related to payment structures and contract negotiations related to distribution models.
- Assist clients in contracting for various software tools necessary to enable real-time visibility into their existing inventories.

Leveraging New Technologies

- Advise on the potential risks and benefits of utilizing new and evolving technologies and provide practical steps that our clients can take to manage those risks effectively.

Managing Data Privacy and Cybersecurity Risks

- Addressing compliance with cybersecurity frameworks, such as NIST and HITRUST, in applicable contracts.
- Establishing risk management policies, business continuity procedures and data breach response plan.

RESULTS

Hall Render has successfully assisted clients with:



- Developing toolkits for in-house teams and supply chain departments to identify potential legal risks and mitigate risk without reviewing every potential agreement. Toolkits include process mapping that allows efficient movement of agreements from all necessary departments to weigh in (privacy, risk, finance, legal, etc.).
- Lead counsel for multimillion dollar outsourcing arrangements to allow organizations to outsource various functions for cost efficiency and improved service.
- Become an extension of the legal or supply chain departments to train the supply chain team and reduce the volume.
- Counsel for multiple health care systems in their negotiations with their GPO, which allows millions in savings upon execution.

LET'S GET STARTED

Contact Hall Render to discuss how your organization can benefit from a partnership with our health care attorneys and advisors.

