

SUPPLY CHAIN SERVICES

The Supply Chain Impact

For many years, hospitals and health systems have approached their sourcing and procurement functions as a cost center to manage without a clear understanding of the potential risks to their supply chain. 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 concerns are further impacted by persistent cybersecurity threats, geopolitical conflicts and an increasing number of natural disasters that threaten to disrupt supply chain operations. Now more than ever, health care organizations are evaluating their current sourcing strategies and recognizing the need to create a more flexible, dynamic and resilient approach to their supply chain operations.

The Hall Render Advantage

Our multi-disciplinary team of attorneys and advisors provides the nation's best health systems, hospitals, physician organizations, ambulatory surgery centers, group purchasing organizations, medical device companies and other health care industry partners with legal and strategic counsel on all aspects of supply chain management and operations. We assist our clients with thousands of supply chain and technology arrangements annually, which provides a unique and comprehensive perspective concerning the complex laws and regulations that impact the health care supply chain.

Our attorneys review all arrangements to ensure that they comply with applicable laws and regulations, including, but not limited to, analyzing issues related to vendors' proposed pricing and discount structures, access to protected health information, fraud and abuse considerations and product and medical device safety. In addition, we help our clients assess legal and operational risks in such arrangements and benchmark these concerns against the organization's overall risk tolerance.

OUR APPROACH

Supply Chain Workflow Assessment

- Collaborate with sourcing and legal teams to identify common pain points and create opportunities for efficiency.
- Review applicable client contracting policies and procedures, RFP and contracting templates and a sample of existing agreements to assess organizational compliance with policies in the supply chain contracting and negotiating functions.

Standardization of Contract Terms

- Analyze existing standard contract terms and preparing new contract templates and playbooks that can be used by the organization when negotiating with vendors.

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.

CONNECT WITH US



Jen Viegas
Attorney

jviegas@hallrender.com



Matt Decker
Attorney

mdecker@hallrender.com



Liza Brooks
Attorney

lbrooks@hallrender.com



Todd Nova
Attorney

tnova@hallrender.com



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 agreement(s) 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 Cybersecurity Risks

- Partner with clients to develop contracting addendums and preferred terms for ensuring a vendor's compliance with cybersecurity frameworks, such as NIST and HITRUST.
- Support your organization with establishing risk management policies, business continuity procedures and a data breach response plan.



RESULTS

Recognizing in-house legal teams do not have the bandwidth to lead both their team and the supply chain team, Hall Render has successfully assisted clients with the following:

- Developing toolkits for in-house teams and supply chain departments to identify potential legal risks and properly mitigate without reviewing every single 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 certain operational functions of their organizations for cost efficiency as well as vendor partnerships.
- 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.

