



Maureen Demarest Murray

Partner

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Maureen represents health care providers in business transactions, medical staff and peer review matters, reimbursement appeals, fraud and abuse investigations and business disputes. She's the former Co-Chair of the firm's national Health Law Practice Group.

She regularly litigates and advises on health care regulatory matters involving certificate of need, penalty appeals and facility licensure and certification surveys.

Maureen also counsels hospitals, long-term care facilities, home health agencies and physician groups on matters such as corporate compliance, EMTALA, credentialing, HIPAA, patient care, risk management and acquisition of facilities.

A recognized authority on health law topics, Maureen has spoken to the American Health Care Association on nursing home survey and enforcement and liability issues. She has presented for the American Health Lawyers Association on long-term care liability and risk management issues. She has also spoken for NC AHHC, LeadingAge North Carolina, North Carolina Hospital Association and the North Carolina Health Care Facilities Association on HIPAA, corporate compliance, EMTALA, liability, medical staff and certificate of need issues.

Services

- Health Law
- Litigation
- Privacy & Data Security
- Health Care Transactions

Representative Matters

Compliance

- Co-lead defense counsel in DOJ Medicare one day stay hospital investigation
- Lead defense counsel for a hospital in DOJ national Medicare ICD investigation
- Handled voluntary Medicare and Medicaid self-disclosures related to employment of excluded individuals, anti-kickback violations and overpayments
- Lead counsel on defense of multiple EMTALA and nursing home fast track decertification notices
- Represented third parties in response to government investigation subpoenas

- Negotiated resolution with OIG to put long term care company assets into blind trust when owner convicted of Medicaid fraud
- Assisted with seeking reinstatement after exclusion from Medicare and Medicaid
- Response to OCR privacy investigations
- Handled responses to data and privacy breaches, responses to OCR inquiries and initiation of self-reports
- Preparation of and training regarding facility corporate compliance programs
- Counseling concerning billing compliance, voluntary disclosure and repayment
- Preparation of HIPAA compliance policies and template documents

Regulatory

- Advice regarding provider based status and compliance with Medicare conditions of participation and payment
- Counseling concerning Medicare and Medicaid enrollment of new providers and changes of ownership
- Advice regarding licensure compliance and defense of licensure enforcement actions
- Counseling and training concerning EMTALA and licensure compliance
- Represented physician certification board as outside general counsel

Health Care Litigation

- Defense of patient class action suits regarding hospital billing and collection
- Defense of long-term care facility lease suit
- Defense in NC Business Court of health system against breach of contract, civil conspiracy and other claims by exclusive anesthesia provider
- Defense of professional licensing actions
- Defense of alleged breaches of health care covenants not to compete
- Defense of claim by Disability Rights group concerning access to peer review materials
- Multiple medical staff fair hearings concerning restrictions on or termination of medical staff privileges
- Several trials appealing long term care survey and penalty enforcement actions
- Arbitration involving dispute between ambulatory surgery facility and manager regarding fees

Operations

- Guidance regarding health care risk management, patient relations, informed consent, bioethical issues, difficult patient discharges and myriad operational issues
- Counseling concerning and preparation of resident admission agreements
- Guidance regarding patient billing, collection and charity care policies and procedures and handling of specific billing and payment scenarios
- Advice concerning and preparation of hospital policies and procedures

Transactions and New Ventures

- Lead negotiating and coordinating counsel for multiple long term care acquisitions
- Represented hospices in mergers
- Advised regarding hospital management agreements
- Drafted and negotiated Medicaid managed care agreements for health system
- Developed models for compliance with Medicare provider based requirements for new facilities
- Guidance regarding regulatory compliance and due diligence for hospital, ambulatory surgical center, medical equipment, cardiac catheterization lab and diagnostic center acquisitions
- Service, lease and other agreements to facilitate innovative services in independent living and continuing care retirement communities

Certificate of Need

- Lead counsel in over 40 CON trials and appeals concerning operating rooms, acute care beds, endoscopy rooms, major renovation and expansion hospital projects, major medical equipment, skilled nursing facilities and home health agencies
- Lead counsel through NC Supreme Court in CON litigation concerning exemptions from CON Act

- Extensive counseling concerning CON compliance and exemptions from CON review

Before Fox Rothschild

Maureen was a partner at Smith Moore Leatherwood LLP, which combined with Fox Rothschild in 2018.

Beyond Fox Rothschild

- American College of Trial Lawyers
 - North Carolina State Committee, 2009-present, (Chair 2019-2021)
- University of North Carolina at Greensboro School of Nursing Advisory Board, 2019-present
- North Carolina Health Care Facilities Association
 - Associate Advisory Committee, 2018-2023
- North Carolina State Bar Disciplinary Hearing Commission 1986-1995
 - Chair 1990-1995
 - Vice-Chair 1989-1990
- Vanderbilt University School of Law, Annual Law Firm Gift Committee, 2003-present
- Vanderbilt Law Admission Interview Program
- Duke University: Class Gift Committee - 1990-92; 1996-97; 2001-02; 2006-07; 2012-13
- Various officer positions including President of PTSO or PTA for Western Guilford High School (past), Kernodle Middle School (past) and McIver Special Education Center (past)

Bar Admissions

- North Carolina
- Florida

Education

- Vanderbilt University Law School (J.D., *Patrick Wilson Scholar*, 1980)
- Duke University (B.A., *magna cum laude*, 1977)

Memberships

- American Health Lawyers Association
- Greensboro Bar Association
- North Carolina Bar Association Health Law Section
- North Carolina Society of Healthcare Attorneys

Board of Directors

- The Arc of Greensboro, Board Secretary

Honors & Awards

- Named a "Lifetime Achievement Award Honoree" by the *Daily Report* (2026)
- Selected to the "50 Most Influential Women" list by *Mecklenburg Times* (2025)
- Received the "Citizen Lawyer Award" from the North Carolina Bar Association (2025)
- Selected to the "Icons & Phenoms" list by *North Carolina Lawyers Weekly* (2024)
- North Carolina Pro Bono Honors Society (2021-2023)
- Fellow, American College of Trial Lawyers
- Selected to the "Outstanding Women in Business" list by the *Triad Business Journal* (2021)
- Named among the "Leaders in the Law" by *NC Lawyers Weekly* (2020)
- Recognized in the *Chambers USA* Guide for Health Care in North Carolina (2014-2025)
- Benchmark Litigation, North Carolina Local Litigation Star (2016-2022, 2024-2026)
- Selected to the "Super Lawyers" list for Health Care in North Carolina by *Super Lawyers* (2006-2026)
- Selected to the "Super Lawyers Top 50" list for Women Attorneys in North Carolina (2006-2013, 2015-2020)

- Selected to the "Super Lawyers Top 100" list in for Attorneys in North Carolina (2018)
- Selected to the "Best Lawyers in America" list for Health Care Law in Greensboro, NC by *Best Lawyers* (1991-2026)
- Selected by her peers as Greensboro *Best Lawyers* Lawyer of the Year (Woodward/White, Inc.), Health Care (2011, 2015)
- Selected for inclusion in *Nightingale's Healthcare News* 2008 list of Outstanding Hospital Lawyers
- Martindale-Hubbell's top ("AV") Peer Review Rating