

Randall R. Fearnow

Partner

Randall Fearnow concentrates his practice in the area of long-term care and advises physicians, skilled nursing facilities, assisted and independent living facilities, home health and hospice agencies, transportation providers, pharmacies, and other health care companies on a variety of regulatory issues, including those related to the COVID-19 pandemic.

Randy has represented the interests of long-term care providers in state and federal trial and appellate courts for many years. He assists providers who have become the focus of state or federal audits or investigations, or who face qui tam and civil false claims allegations. Randy worked in various capacities with the Indiana General Assembly, including five years as Chief Counsel to the Indiana Senate. Earlier, he served as General Counsel and Vice President of Government Relations for the Indiana Health Care Association.

His representative experience includes:

- Counseling long-term care providers in responding to emergency issues brought about by COVID-19, including admission and discharge, visitation, liability concerns, and applicable waivers of state and federal rules;
- Lead counsel in several cases establishing important precedents in Administrative Law;
- Trial and appellate counsel in a case overturning an unauthorized state agency moratorium on the development of residential facilities;
- Class counsel on behalf of long-term care providers in a series of cases establishing requirements for injunctive relief against the states;
- Lobbied successfully on behalf of the Indiana nursing home profession for coverage under the Indiana Medical Malpractice Act;
- Defended at trial and on appeal an order imposing increased Medicaid reimbursement for a long-term care provider of specialized services for the developmentally disabled;
- Represents pharmacies, nursing facilities, and other providers on reimbursement and regulatory issues in state and federal administrative proceedings; and
- Represents pharmacists, physicians, health facility administrators, and other professionals in state licensure and disciplinary matters.

Legal Services

- [Health & Life Sciences](#)



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Chicago Office

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- Long-Term Care and Senior Housing
- Pharmacy
- Fraud & Abuse Compliance and Litigation
- Telehealth
- Health Litigation

Education and Honors

- Indiana University – Robert H. McKinney School of Law (J.D., 1981)
- University of Indianapolis (B.A., *magna cum laude*, 1977)

Bar Admissions

- Illinois
- Indiana

Court Admissions

- U.S. District Court, Northern District of Illinois, 2009
- U.S. Court of Appeals, 7th Circuit, 1990
- U.S. District Court, Northern District of Indiana, 1989
- U.S. District Court, Southern District of Indiana, 1981

Professional and Civic Activities

- Chicago Bar Association, member, 2009–present
- Chicago Bar Foundation, board of directors, 2019-present
- American Health Law Association, life member, Post-Acute and Long Term Care Services Practice Group
- Indianapolis Bar Association, member, 1993–present
- Indianapolis Bar Foundation - Distinguished Life Fellow
- Indiana State Bar Association – Health Care & Medicine Section, past president
- Columbia Club, member, 1989–present
- Indiana University Foundation Well House Society, member
- Indiana University McKinney School of Law Black Cane Society
- Illinois State Bar Association, member, 2009
- Illinois Association of Health Care Attorneys, board of directors, 2019-present
- St. Peter's Episcopal Church Chicago, finance chair
- Union League Club of Chicago, member, 2009–present

Professional Recognition

- Martindale-Hubbell AV® Preeminent Peer Review Rated for Highest Level of Professional Excellence (2018)
- *The Best Lawyers in America*®, Health Care Law, 2021, 2022