

Randall Fearnow

PARTNER

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About Randy

Go-to counsel on administrative matters impacting health care providers

Randy Fearnow represents the interests of long-term care providers before state and federal courts and administrative agencies. 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. Clients he advises include:

- **Physicians**
- **Skilled nursing facilities**
- **Assisted and independent living facilities**
- **Home health and hospice agencies**
- **Transportation providers**
- **Pharmacies**

Randy is known as a "go-to" attorney on Indiana administrative matters impacting health care businesses and individual health care providers. He has years of experience before Indiana administrative boards and played a role in many of the leading cases that have shaped Indiana administrative law.

Regional and national clients reach out to Randy for his ability to help avoid strategies that could be counterproductive. He helps his clients navigate the administrative process as efficiently as possible in pursuit of the client's desired administrative remedy.

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

Indiana

Illinois

Court Admissions

U.S. District Court, Northern District of Illinois, 2009

U.S. District Court, Northern District of Indiana, 1989

U.S. Court of Appeals, 7th Circuit, 1990

U.S. District Court, Southern District of Indiana, 1981





Experience in Action

- **Represents pharmacists, physicians, health facility administrators and other professionals in state licensure and disciplinary matters.**
- **Counsels long-term care providers on emergency issues**, including admission and discharge, visitation, liability concerns and applicable waivers of state and federal rules.
- **Represents pharmacies, nursing facilities and other providers on reimbursement and regulatory issues** in state and federal administrative proceedings.
- **Defend clients in responding to government audits**, including those related to COVID-19 relief.

Successes

- Defended at trial and on appeal an order imposing increased Medicaid reimbursement on a long-term care provider of specialized services for the intellectually disabled.
- 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.
- 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.

Capabilities

Health & Life Sciences

Long-Term Care and Senior Housing

Pharmacy, Drug and Device

Government and Internal Investigations, Litigation, and Fraud, Waste and Abuse Compliance

Telehealth

Health Litigation

Provider and Physician Groups

Professional Recognitions

- Martindale-Hubbell AV[®] Preeminent Peer Review Rated for Highest Level of Professional Excellence (2018)
- *Best Lawyers in America*[®] (2021-2024: Health Care Law)
- *Indianapolis Bar Foundation* "Distinguished Life Fellow"





Professional & 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)
- 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

