



**Edgar Bueno**  
*Partner*

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**PRACTICE AREAS**

Health Care  
Health Care Litigation & Qui Tam  
Investigations  
HIPAA & Health Care Cybersecurity  
Litigation  
Government Investigations & White-  
Collar Defense

**INDUSTRIES**

Health Care

**LICENSED IN**

Georgia  
Virginia

**EDUCATION**

George Washington School of Law: J.D.,  
1997 (Moot Court)  
University of Chicago: B.A., 1992

**PROFESSIONAL AFFILIATIONS**

American Health Lawyers Association  
Health Care Compliance Association

**EXPERIENCE**

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*Edgar Bueno is co-chair of HunterMaclean's health care practice group where he advises clients on a broad range of regulatory and compliance-related matters, including the Anti-Kickback Statute, the Physician Self-Referral (Stark) Law, Medicare/Medicaid regulations, professional licensure, voluntary self-disclosure, OIG program exclusions, corporate integrity agreements, EMTALA, and HIPAA.*

Edgar is also a partner in the litigation practice group where his focus is on defending individuals and organizations involved in healthcare fraud investigations, False Claims Act litigation, payer audits, and other civil, criminal, and administrative proceedings brought by federal or state authorities.

Because of his litigation and prior government experience, Edgar is also called upon to conduct compliance reviews and internal investigations for business organizations to assess and respond to risk.

Edgar is a former Assistant U.S. Attorney and Chief of the Civil Division for the U.S. Attorney's Office for the Southern District of Georgia. In this role, he supervised the entire division and managed all aspects of federal court litigation for numerous high-profile cases. Under his tenure, the office achieved an unprecedented number of FCA actions and recoveries on behalf of the United States. He started his legal career as an enforcement attorney with the Office of Inspector General for the U.S. Department of Health and Human Services.

Edgar is nationally recognized for his knowledge and expertise in healthcare fraud and compliance and is a frequent author and speaker on those subjects. Edgar is also an adjunct instructor of health law and teaches a course about the federal healthcare programs. He has served as an instructor at the Department of Justice training center (NAC) and the Federal Law Enforcement Training Center (FLETC). Edgar has received several recognitions from the Office of Inspector General for exceptional achievement in combatting healthcare fraud.

**REPRESENTATIVE ENGAGEMENTS**

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- Represented a large physician practice in a False Claims Act qui tam action involving numerous allegations of health care fraud and abuse. The case included a successful appeal to the Eleventh Circuit Court of Appeals regarding whistleblower share and attorney fees.
- Represented a chain of nursing homes and its owner in a False Claims Act investigation involving improper Medicare billing of services. The engagement included the negotiation of a corporate integrity agreement with the

## COMMUNITY INVOLVEMENT

Pro Bono Representation  
Volunteer Football Coach (middle school)

## RECOGNITION

Best Lawyers in America: Health Care Law  
Law 360 Editorial Advisory Board for  
Compliance, 2024

OIG.

- Represented a national teleradiology company and its owner in a False Claims Act qui tam action regarding allegations of improper billing.
- Represented a cardiology practice and a podiatry practice in a False Claims Act qui tam action involving allegations of upcoding, Stark Law and Anti-Kickback violations, and substandard quality of care. A central issue involved the ownership structure of a surgery center.
- Represented a physician practice in a False Claims Act qui tam action involving allegations of Anti-Kickback violations through “sham” agreements with outside vendors and suppliers.
- Represented a hospital in a False Claims Act qui tam action involving outpatient hyperbaric oxygen therapy and other wound care services. DOJ declined to intervene and the matter was dismissed.
- Represented an orthopedic practice in a False Claims Act investigation involving allegations of improper injections and treatments.
- Represented a pain practice in a multi-district OIG investigation involving allegations of improper treatment, billing, and lab orders.
- Represented a podiatry practice in a large health care fraud investigation. No criminal charges were filed, and the case was resolved through a civil settlement.
- Represented a pulmonology practice in a False Claims Act investigation involving billing for critical care services, documentation, and allegations of upcoding.
- Represented business owners and health care providers prosecuted by the DOJ Healthcare Fraud Strike Force in conjunction with Operations Brace Yourself, Double Helix, and Rubber Stamp.
- Represented several clinical and genetic testing laboratories in DOJ fraud investigations.
- Represented pharmacies, pharmacists, and other providers/registrants in DEA and state investigations involving dispensing, storage, and violations of the Controlled Substances Act.
- Represented several behavioral health providers in state and federal investigations involving allegations of improper billing, inadequate documentation, and resident misconduct.
- Represented several hospitals before state surveyors and the OIG for alleged EMTALA violations. The engagements included reviews and revisions

to policies and procedures.

- Represented a medical supply company in a COVID related criminal investigation and forfeiture action.
- Represented an accredited college in a “diploma mill” investigation by the Department of Education, FBI, and IRS. No criminal charges were filed.
- Represented several government contractors in criminal investigations involving allegations of kickbacks and contract steering. The government closed the investigations with no charges being filed.
- Represented a global freight and logistics contractor in a False Claims Act qui tam investigation that resulted in DOJ declining the case.
- Represented providers, business associates, and other covered entities in OCR investigations for alleged HIPAA privacy and security violations.

## ARTICLES

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### *FRAUD ALERT: Anti-Kickback Risks in Skin Allograft Sales*

Published December 6, 2024, by Edgar Bueno and Matt Wilmot

### *Federal Judge Rules False Claims Act Whistleblower Provision Unconstitutional*

Published October 14, 2024, by Edgar Bueno and Mills Fleming

### *Following the Trends: Georgia Medicaid Fraud Unit Targets Dental Practices*

Published October 8, 2024, by Edgar Bueno and Matt Wilmot

### *UPDATE: Scope of Practice Expansion for Georgia Advanced Practice Registered Nurses and Physician Assistants, Now Includes Schedule II Controlled Substances*

Published August 29, 2024, by Matt Wilmot and Edgar Bueno

### *FTC's Non-Compete Ban Faces Legal Roadblock*

Published July 10, 2024, by Matt Wilmot, Edgar Bueno, Mills Fleming, Tom Cullen, Brad Harmon, and Shawn Kachmar

### *Healthcare Provider Upcoding in Government Investigation Crosshairs*

Published October 21, 2021, by Edgar Bueno, Hannah L. Cross, and Matt Wilmot

## PRESENTATIONS

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### *DOJ and OIG Enforcement Update*

Georgia Hospital Association and Georgia Society of Healthcare Compliance and Privacy Leaders, Annual Conference, September 2024

***The Revised OIG Compliance Guidance***

Georgia Society of Healthcare Compliance and Privacy Leaders, Roundtable Discussion, May 2024

***Discovery Hot Topics in FCA Litigation***

The Compliance Institute, Health Care Compliance Association, April 2023

***FCA Investigations: Responding to a Civil Investigative Demand***

Health Care Enforcement & Compliance Conference, Health Care Compliance Association, November 2023

***Updates to the Stark Law and the Anti-Kickback Safe Harbors***

Georgia Hospital Association  
Compliance Officer's Annual Retreat, September 2022