SpencerFane®

Donn Herring

Partner

Contact

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Overview

Donn Herring helps hospitals, physicians, and other health care providers with a full range of business and regulatory issues. He focuses his practice on guiding health care providers through a myriad of transactional, regulatory, and operational activities and issues, including physician-hospital integration, provider network development (with a particular focus on clinically integrated networks, accountable care organizations, and value-based arrangements), and regulatory compliance (including matters involving EMTALA, HCQIA, the Stark Law, the Medicare Anti-Kickback, and the Certificate of Need process).

Donn leads the Rural Health Market Team, which focuses on assisting rural hospitals and health care providers overcome the financial challenges caused by H.R. 1.

With extensive experience helping nonprofit 501(c)(3) organizations through employment, legal, regulatory, and tax issues, Donn's clients include an array of nonprofit organizations such as health care providers and religious, educational, arts, and economic development organizations both in the U. S. and abroad.

Holding leadership positions with a nonprofit hospital system, Donn provides counsel on the acquisition of medical practices and the employment of physicians. Additionally, he served as an adjunct assistant professor at the Saint Louis University School of Law's Center for Health Law Studies for over 20 years.

Education

- Ohio State University College of Law, 1987 (J.D.), *summa cum laude*
- Westminster College, 1984 (B.A.), *cum laude*

Bar Admissions

- Missouri

Community Involvement

- St. Louis Public Radio, Board of Directors, 2026-present

Distinctions

- *Best Lawyers in America*, Health Care Law, 2012-2027
- Martindale-Hubbell, AV Rating
- Order of the Coif
- *Ohio State Law Journal*, Articles Editor, 1986-1987
- Hornbook Award, Recipient, 1985-1986

Memberships

- American Bar Association, Health Law Section
- The Missouri Bar
- Bar Association of Metropolitan St. Louis
- American Health Law Association
- Missouri Society of Health Care Attorneys, Board of Directors, 2004-2006; President, 2005
- St. Louis Area Health Lawyers Association
- Medical Group Management Association of St. Louis

Presentations and Publications

- "The Current Landscape of Rural Health Care: One Hospital's Journey," *Speaking of Health Law* Podcast, American Health Law Association, November 2025
- "The Rural Hospital Crisis: Eight Tips for Hospital Trustees, Trustee Matters," Missouri Hospital Association, September 2022
- "A Closer Look at the New Rural Emergency Hospital Designation," Missouri Hospital Association, February 2023
- "Back to the Future, A Simple, Yet Audacious, Plan to Save Your Hospital and Your Community," Missouri Hospital Association, November 2022
- "Rethinking Medical Staff Corrective Action," St. Louis Area Health Lawyers Association, February 2022
- "Recent Amendments to the Stark Law and the Medicare Anti-Kickback Statue," Health Care Compliance Association, Midwest Regional Conference, February 2021
- "Recent Amendments to the Stark Law and the Medicare Anti-Kickback Statue," St. Louis Area Health Lawyers Association, January 2021
- "Recent Amendments to the Stark Law and the Medicare Anti-Kickback Statue," Missouri Hospital Association, December 2020
- "Learning the Fundamentals: Practical Analysis of Health Care Financial Arrangements under the Stark and Anti-Kickback Laws, American Health Lawyers Association," Annual Fundamentals of Health Law Conference, November 2020

- "A Deeper Dive: Stark and AKS Analysis and Counseling," American Health Lawyers Association, Annual Fundamentals of Health Law Conference, November 2020
- "Learning the Fundamentals: Practical Analysis of Health Care Financial Arrangements under the Stark and Anti-Kickback Laws," American Health Lawyers Association, Annual Fundamentals of Health Law Conference, November 2019
- "A Deeper Dive: Stark and AKS Analysis and Counseling, American Health Lawyers Association," Annual Fundamentals of Health Law Conference, November 2019
- "Learning the Fundamentals: Practical Analysis of Health Care Financial Arrangements under the Stark and Anti-Kickback Laws," American Health Lawyers Association, Annual Fundamentals of Health Law Conference, November 2018
- "A Deeper Dive: Stark and AKS Analysis and Counseling," American Health Lawyers Association, Annual Fundamentals of Health Law Conference, November 2018
- "The Fundamentals of the Medicare Anti-Kickback Statute," American Health Lawyers Association, Annual Fundamentals of Health Law Conference, November 2017
- "The Fundamentals of the Medicare Anti-Kickback Statute," American Health Law Association, Annual Fundamentals of Health Law Conference, November 2016
- "Advanced Stark Law," MHA Center for Education, April 2016
- "The Curious and Changing World of Pete Stark and His Law," St. Louis Area Health Lawyers Association, February 2016
- "PSO: Powerful Protection for Safety / Quality / Work Product," St. Louis Area Health Lawyers Association, January 2016
- "Advanced Stark Law: Enforcement of the Stark Law and Strategies to Protect Your Organization," MHA Center for Education, April 2014
- "Cross-Selling Health Care Conversations," April 22, 2014
- "Update on New HIPAA Regulations," St. Louis Area Health Lawyers Association, Winter 2013
- "Redefining Corporate Compliance," MHA Center for Education, September 2013
- "Analysis of U.S. Supreme Court Decision in *Missouri v. McNeely*," State Issue Brief, Missouri Hospital Association, June 2013
- "Health Reform," Physician Insurance Association of America Annual Conference, Spring 2013
- "Payment Sunshine Law," International Medical Meeting Planners Association Annual Conference, Spring 2013
- "Stark Law," Missouri Hospital Association Seminar, Spring 2013
- "HIPAA 2012 – Privacy, Security, and Breach Issues," Missouri Hospital Association, Fall 2012
- "The Changing Face of Health Care Fraud Enforcement in the 21st Century," Missouri Society of Certified Public Accountants, Fall 2012
- "The Heat is On! Government Enforcement of the Stark Law and Strategies to Protect Your Organization," Missouri Hospital Association, Spring 2012
- "The Implications of Health Care Fraud & Abuse Laws on EHR," Missouri Hospital Association, Spring 2011
- "Hospital-Physician Relationships: Is There Really No Such Thing as a Free Lunch," Missouri Hospital Association, Spring 2010
- "No Such Thing as a Free Lunch: Provider-Vendor Relations, Under the Microscope of Government / Industry Security," St. Louis Area Health Lawyers Association, Fall 2009
- "No Such Thing as a Free Lunch: Provider-Vendor Relations Under the Microscope of Government / Industry Security," Health Care Compliance Association, Fall 2009
- "The Aftershocks of the 2009 IPPS or the Beginning of the End," Kansas Hospital Association, Summer 2009
- "RAC Audits: What's Past is Prologue," Missouri Hospital Association, Summer 2009
- "What Every Hospital Executive Should Know About the Stark Law," Missouri Hospital Association, Winter 2009
- "The New IRS Form 990," Schedule H Hospitals Lorman, Fall 2008
- "OIG Advisory Opinions Source of Meaningful Answers to Meaningless Questions," Health Care Compliance Association, Fall 2008

- “OIG Advisory Opinions A Source of Meaningful Answers to Meaningless Questions,” St. Louis Area Health Lawyers Association, Fall 2008
- “OIG Advisory Opinions A Source of Meaningful Answers to Meaningless Questions,” Greater Kansas City Society of Health Care Attorneys, Fall 2008
- “Stark Wars II Revenge of the Regulators,” Missouri Hospital Association, Winter 2008
- “Health Law Update,” St. Louis Area Health Lawyers Association, Fall 2006
- “Negotiating Physician Employment Arrangements,” Residents of St. Louis Children’s Hospital, Fall 2006
- “Negotiating Dental Employment Arrangements, Center for Advanced Dental Education,” Saint Louis University, Summer 2006
- “Physician Beware: Prohibited Financial Arrangements Between Physicians and Physical Therapists,” Missouri Lawyers Weekly, May 2006
- “Missouri Health Pool: The Best Kept Secret in Missouri Health Insurance,” Louis Area Health Lawyers Association, Spring 2005
- “Negotiating Physician Employment Arrangements,” Residents of Barnes-Jewish Hospital, Fall 2004
- “Recruitment, Retention and Employment of Physicians,” Bar Association of Metropolitan St. Louis, Spring 2004
- “Unauthorized Disclosures: The Greatest Source of Liability Under the HIPAA Privacy Standards,” Missouri SNIP, Winter 2003
- “HIPAA Privacy Standards and Workers’ Compensation,” Lorman Education Services, Fall 2003
- “Complaints Under HIPAA – A Mid Summer’s Nightmare,” Missouri SNIP, Summer 2003
- “A Preliminary Review of the HIPAA Security Standards,” Lorman Education Services, Spring 2003
- “OIG Advisory Opinions: A Source of Meaningful Answers to Meaningless Questions,” Louis Health Lawyers Association, Winter 2002
- “A Practical Guide to the HIPAA Privacy Standards for Medical Practices,” Gateway EDI Educational Series, Summer 2002
- “Practice Management Issues: From Practice Development to Divestiture,” Spring 2002
- “Integrated Delivery Systems: Yesterday’s News,” National Business Institute, Spring 2002
- “Healthcare Fraud & Abuse Update,” Louis Area Health Lawyers Association, 2001
- “Much Ado About The Effect of the New Anti-Kickback Statute Safe Harbors on Hospital / Physician Joint Ventures,” The Term Sheet, Health System Transactions, Volume 1, Issue 1, Winter 2000
- “The New ASC Safe Harbor: The Triumph of Public Policy Over Legal Consistency,” 33 Journal of Health Law 485, Summer 2000
- “Physician Recruitment in the Minefield of Federal Healthcare Regulations,” Missouri Medical Law Report