



ROBERT J. ESTEP

ASSOCIATE

St. Louis, MO

314.259.4793

restep@atllp.com



Robert Estep is an associate in the firm's Corporate Services practice group, where he advises clients on corporate law and regulatory compliance, primarily in the health care and life sciences industries. In his practice, he counsels clients in response to challenges and opportunities in the rapidly evolving U.S. health care system, from mergers and acquisitions to white-collar criminal defense and government investigations.

As the former Director and Chief Counsel of Missouri's Medicaid Fraud Control Unit, Robert has significant experience leading criminal and civil investigations and prosecutions involving health care providers, including physicians, dentists, hospitals, nursing homes, pharmacies, and personal care and home health providers.

His deep understanding of health care investigations and prosecution enables Robert to provide a unique perspective on everything from compliance and regulatory standards to operational and management issues.

BACKGROUND

Prior to joining the firm, Robert served as Director and Chief Counsel of the Medicaid Fraud Control Unit at the Missouri Attorney General's Office. In his role as the state's top health law prosecutor, he led prosecutions against health care providers for fraud, patient abuse and financial exploitation. Robert handled criminal and civil investigations and litigation involving violations of the state and federal False Claims Acts, Anti-Kickback Statute, and Stark Law.

In addition to his criminal experience, Robert litigated regulatory matters on behalf of the Missouri Medicaid Audit and Compliance Unit (MMAC). At the Administrative Hearing Commission and in Missouri Circuit Courts, he defended MMAC's sanctions against MO HealthNet providers including hospices, hospitals, laboratories, pharmacies, dentists, physicians and psychiatrists,

During law school, Robert served as a legal intern for the U.S. Department of Justice in the Antitrust Division, where he assisted in investigations of health care antitrust issues.

EDUCATION

- Saint Louis University School of Law (J.D., 2015)
 - Health Law Certificate
 - Academic Excellence Award for Highest Grade in Administrative Law
 - SLU Health Law Semester in D.C. Program

SERVICES AND INDUSTRIES

Corporate

Governance and Compliance

Internal Investigations and

Regulatory Compliance

Mergers and Acquisitions

White-Collar Criminal Defense

and Government

Investigations

Health Care and Life Sciences

State Attorneys General

ADMISSIONS

Missouri

- UM Carey School of Law Health Law Regulatory and Compliance Competition
- Susquehanna University (B.A., 2011)
 - Political Science
- Hobart and William Smith Colleges (2009)
 - Biology

PROFESSIONAL ACTIVITIES

- American Health Lawyers Association
- St. Louis Health Lawyers Association

CHARITABLE AND CIVIC INVOLVEMENT

- Motion for Kids
- BAMSL Missouri High School Mock Trial Competition
- Veterans Affairs Stand Downs

EXPERIENCE

Advised Medical Equipment Manufacturer in Response to Medicaid Fraud Investigative Subpoena

Directed the manufacturer's response to an investigative subpoena from the Indiana Attorney General's Medicaid Fraud Control Unit concerning most-favored nation pricing laws. No charges were filed.

Recovered Medicaid Contract for Home Health Provider

Represented a home health provider in appealing its suspension from Medicaid for allegations of fraud. The Missouri Medicaid Audit & Compliance Unit rescinded the suspension, paid the provider over \$60,000 in backpay, and reinstated the provider's Medicaid enrollment.

Successfully Appealed 16 CMS Payment Denials

Represented a behavioral health hospital in requesting reconsideration of 16 payment denials from the Centers for Medicare and Medicaid Services (CMS) for the alleged failure to certify and recertify patient care. All 16 appeals were granted in favor of the hospital by the federal Qualified Independent Contractor, saving the hospital over \$150,000.

Negotiated Settlement for Physician's Clinic

Negotiated a settlement for a physician's clinic that reduced MO HealthNet's alleged overpayment by 95 percent.

State Prosecutor Experience

PROSECUTED PERSONAL CARE PROVIDER IN MEDICAID FRAUD CASE

Successfully prosecuted a personal care provider in St. Louis County, Missouri. The defendant pled guilty in July 2018 to one felony count of Medicaid fraud.

SUCCESSFULLY PROSECUTED PERSONAL CARE PROVIDER IN THREE-DAY TRIAL

Successfully prosecuted a personal care provider in Jackson County, Missouri. After a three-day trial in June 2018, the jury returned guilty verdicts on all counts; two felony counts of Medicaid Fraud and one felony count of Financial Exploitation of an elderly person.

WON APPEAL IN MISSOURI MEDICAID AUDIT AND COMPLIANCE UNIT CASE

Won an appeal of a Missouri Medicaid Audit and Compliance Unit (MMAC) provider sanction against a home health and adult day care provider. After a bench trial in Jefferson City, Missouri, the Administrative Hearing Commission upheld MMAC's suspension of the provider from Medicaid.

THOUGHT LEADERSHIP

November 1, 2022

How to Prevent Sanctions from Missouri Medicaid for Lost or Destroyed Documentation

September 21, 2022

Providers Be Aware: Information Blocking Rules to Extend to All EHI as of Oct. 6

April 22, 2020

CMS Releases Guidelines for Reopening Health Care Systems

March 31, 2020

HHS Issues Stark Law Blanket Waivers

February 14, 2019

Major EHR Technology Settlements Signal More Investigations on the Horizon

November 28, 2018

Physician's Media Interview Violates HIPAA, Leads to \$125,000 Settlement