



Jason Lundy

Partner

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Jason Lundy is a partner in Ice Miller's Health Care Group.

Jason Lundy concentrates his practice on long-term care. He is adept at strategically guiding providers through fast-changing and uncertain regulatory environments. He regularly represents skilled nursing, assisted living, and independent living facilities, continuing care retirement communities, intermediate care facilities for the developmentally disabled, and senior housing. He assists those providers with all operational and regulatory matters, such as:

- Regulatory compliance, crisis management, and corrective action plans
- Abuse, neglect, and incident investigations and reporting
- Responding to government investigations and surveys
- Appealing survey findings and sanctions
- Medicare and Medicaid certification
- Drafting contracts, compliance plans, and policies and procedures
- Life Safety Code compliance
- Fair Housing Act compliance
- Solutions for problematic residents and families.

Jason is also an effective litigator for the specialized disputes and forums that health care clients face. He has successfully defended providers in administrative hearings before state and federal agencies and in administrative review appeals in state circuit courts, federal district courts, and appellate courts. Jason regularly handles cases involving:

- Centers for Medicare & Medicaid Services remedies against skilled nursing facilities and hospitals
- State department of health sanctions against skilled nursing, assisted living, and intermediate care facilities/developmentally disabled facilities
- Medicare/Medicaid enrollment, reimbursement, and termination disputes

Services & Industries

- Distressed Health Care & Life Sciences
- Government Investigations, Compliance Issues & Litigation in Health Care
- Health Care
- Health Care Reimbursement
- Long-Term Care & Senior Housing
- Health Care

- Resident involuntary transfer or discharge actions
- Recovery audit and reimbursement appeals
- Certificate of Need decisions and CON post-permit sanctions.

Representative Matters

- Rescinded Immediate Jeopardy determinations for skilled nursing facilities.
- Reversed and vacated state licensure violations and fines for skilled nursing and assisted-living facilities.
- Obtained nursing home and assisted-living licensure and Medicare certification for the health care portions of a new continuing care retirement community development.
- Led federal court appeal of Centers for Medicare & Medicaid Services' determination of a hospital's Medicare enrollment effective date.
- Reversed and substantially reduced fines imposed by the Illinois Health Facilities and Services Review Board.
- Recovered more than \$3.2 million in late-Medicaid interest for skilled nursing facilities.
- Obtained a Temporary Restraining Order against the Illinois Department of Financial and Professional Regulation's in the revocation of a physician's license.
- Recovered attorney's fees for a continuing care retirement community against a resident's family who fraudulently misrepresented financial disclosures during admission.

Education

- Duke University (B.A., *cum laude*, 1996)
- University of Illinois College of Law (J.D., *magna cum laude*, 1999)

Admissions

- Illinois
- Wisconsin

Awards & Honors

- *The Best Lawyers in America*® for Health Care Law, 2024-2026
- Leading LawyersSM, Health Law, 2024, 2025
- Illinois *Super Lawyers*, Health Care, 2016-2018
- "40 Under 40," *Chicago Lawyer*, 2014
- Illinois *Super Lawyers* Rising Stars, Health Care, 2011-2014

Community Involvement

- LeadingAge Illinois Corporate Board, 2022-present

Thought Leadership

June 13, 2023

What Does the *Talevski* Decision Really Mean?

November 18, 2022

Distressed Opportunity Bulletin - Issue 15

September 13, 2022

Distressed Opportunity Bulletin - Issue 14

May 18, 2022

Distressed Opportunity Bulletin - Issue 12

March 21, 2022

Distressed Opportunity Bulletin - Issue 11

February 24, 2022

Authorized Electronic Monitoring: New IDPH Regulations Create Additional Requirements for Long-Term Care

February 8, 2022

Distressed Opportunity Bulletin - Issue 10

Speaking Engagements

- “Wrangling the Regulators and Containing Accuity Creep,” Caring Communities, National Aging Services Risk Management (NASRM) Conference, Denver, Colorado, October 13, 2023
- “Residency Transitions,” LeadingAge Illinois Senior Living Conference, October 3, 2023
- “Involuntary Transfer & Discharge,” Recorded Webinar, LeadingAge Illinois, August 30, 2023
- “Difficult Families,” Recorded Webinar, LeadingAge Illinois, August 20, 2023
- “Transitions of Care Through the Aging Services Continuum,” Webinar, Caring Communities, March 21, 2023
- “Hot Button Topics in SNF” LeadingAge Illinois Annual Meeting and Expo, March 8, 2023
- “Nursing Home Forum” LeadingAge Illinois Annual Meeting and Expo, March 7, 2023
- “Employment and Labor Law Update” Webinar, LeadingAge Illinois, February 1 and February 8, 2023
- “Life Safety Code Surveys Coming Your Way in Assisted Living,” LeadingAge Illinois, January 20, 2022