
HEALTH

The health care sector has long been a focus of the work of BEITEN BURKHARDT. We provide advice on all legal and tax issues affecting the sector to public, private and non-governmental charitable operators of hospitals, university clinics, preventative medicine and rehabilitation centres, care centres and medical service centres, as well as to pharmaceutical and medical device companies, doctors, health insurance providers and investors.

Law applicable to hospitals

- Social security law
- Planning and finance law
- Licencing and authorisation law
- The protection of “social data,” e.g. patient health and health insurance data

Social security law

- Advising on the Social Security Code (SGB), parts I, V to VII, X and XI

Labour law

- Individual and collective labour law
- Advising on old age pensions
- Providing advice on labour law specific to institutions operated by a church

Healthcare compliance

- Authorisation procedures
- Drafting codes of conduct
- Data protection
- Establishing compliance systems

Law applicable to nursing and care homes

- Drafting contractual documents
- Providing support in negotiations with insurance providers and other cost bearers

Procurement law

- Tenders of e.g. rebate agreements
- The tender of selective agreements
- The tender of construction projects

Cooperation projects, including cross-sector projects

- Assessing admissibility
- Drafting contracts
- Assisting with consultations with relevant authorities, where applicable
- Providing assessments with respect to anti-corruption provisions

Transactions (Mergers & Acquisitions)

- Due diligence
- Contractual negotiations

INDUSTRY HEALTH

- Drafting contracts and agreements
- (Legal) Integration

Privatisations/ Remunicipalisations in the hospital and nursing sector

- Due diligence
- Drafting contracts
- Assisting with consultations with authorities, insurance providers and other cost bearers

Pharmaceuticals law

- Licencing and approval law
- Providing support with official proceedings

Antitrust law

- Sector-specific antitrust law advice
- Providing support e.g. with merger control
- Assisting with joint ventures and cooperation agreements and ensuring antitrust compliance

State aid law

- Assessing the legal requirements
- Advising on the grant of aid

Russia

We have particular experience with the establishment and operation of hospitals and nursing and medical care centres. We assist Russian and international companies with their investments. This includes the preparation and implementation of company acquisitions and joint ventures, advising on distribution and the protection of intellectual property, and providing advice on the tax aspects of all projects as well as on the notification of medicines.

AT A GLANCE:

- Compliance
- Sector-specific tax issues
- Privatisation
- M&A transactions, joint ventures, cooperative ventures
- Restructuring and reorganisation
- Development of distribution structures
- Notification of medicines
- Intellectual property (trademarks and patents)
- Providing representation in litigation and out-of-court disputes

China

We have been advising companies active on this dynamic market since 1995. We are very familiar with the demands of this industry and establish innovative structures for market entry and market penetration, advise hospital operators and other providers of medical services on investment structures, and assist suppliers and manufacturers with the export, import and registration of medicines.

AT A GLANCE:

- Establishment of hospitals
- Acquisition and sale of clinics and assets
- Supervisory law
- Licencing and authorisation proceedings
- Advising on issues specific to clinics and hospitals

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