

## Emily K. Weber

### Partner

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Denver

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Emily Weber is a nationally sought-after lawyer known for her deep experience in the health care sphere and her no-nonsense approach to legal advice. Having spent over a decade in-house at prominent academic medical centers and serving in numerous outside counsel roles while in private practice, Emily provides a perspective that few attorneys do. Clients seek her out for her understanding of the health care industry and her ability to find business-forward solutions. A member of the firm's Health Care Practice Group and Health Care & Life Sciences Sector, Emily represents clients around the country on complex health care regulations and transactions, governance, fraud and abuse, and health innovation matters.

Emily's clients benefit from her ability to think on her feet, provide succinct advice, navigate risks with ease, and genuinely understand their legal considerations. Clients laude Emily: "Emily's time as associate in-house legal counsel at the largest academic health system in Colorado combined with her experience as a partner at two well-respected private firms have provided her with a broad, business savvy, and sophisticated knowledge base. Equally as important, she spends time building effective relationships with her clients so that she can better serve them."

– CEO health system and former CEO of top 10 teaching hospital

Emily's hands-on experience with operations and regulatory compliance allows her to translate business requirements into exceptional legal solutions for her clients. She regularly provides counsel on:

- Creative financial relationships between hospitals/health systems and physicians
- Physician compensation structures focusing on unique and novel incentives
- Regulatory compliance for ambulatory surgery centers and related investors
- Collaborations between universities and health systems for academic affiliations
- Behavioral health compliance, reimbursement, and delivery methods
- Intellectual property sharing between academic medical centers/health systems and for-profit entities

- Innovative collaborative relationships changing health care delivery
- Fraud and abuse issues, including federal and state anti-kickback and self-referral compliance
- Health care “innovation” programs, both establishing the program and subsequent investments
- Joint ventures and other strategic affiliations
- Medical staff matters and disputes

In addition to her robust health care practice, Emily serves as office managing partner of the firm’s Denver office. In this leadership role, she is successfully helping to grow Foley’s practice in Colorado.

## Representative Experience\*

- Led establishment of a new school of medicine faculty practice plan, including governance, key agreements with the school of medicine and university, compensation philosophy, and material agreements.
- Lead counsel that set forth structure and negotiated all (over 20) individual department support agreements between a health system new hospital and its affiliated school of medicine.
- Counseled a health system in all matters related to relationships and joint ventures, as well as compliance, with its orthopedic business partner.
- Established a complex, multi-institutional enterprise data warehouse and complementary biobank for a precision medicine program.
- Represented a health system in the establishment in a state’s first approved behavioral health program in 30 years, as well as the creation of a new inpatient behavioral health hospital, with all related unique reimbursement issues.
- Acted as outside general counsel to a health system and its related outpatient facilities, as well as multiple ambulatory surgical centers.
- Acted as outside general counsel to the nation’s largest blood and plasma testing company, with responsibility for all legal, regulatory, contractual, and disputes.
- Represented a rapidly growing provider of travel nurse staffing solutions to hospitals and other health care facilities throughout the United States, in its sale to a portfolio company.
- Represented a school of medicine innovation department in securing multiple corporate investments and related joint ventures with its health system affiliate.

*\*Certain matters were handled before joining Foley.*

## Awards and Recognition

- Top 25 Attorneys of Colorado, Attorney Intel (2024)
- *5280 Magazine* Top Lawyers, Health Care (2018, 2019, 2022-2024)
- Colorado Super Lawyers Rising Stars (2017)

## Affiliations

- Colorado Bar Association, Health Law Section, Executive Council
  - Chair of the board (2018-2019)
  - Vice-chair of the board (2016–2017)
  - Secretary to the board (2015–2016)
  - At-Large member (2014–2015)

## Community Involvement

- CASA Denver – Ambassador
- American Health Lawyers Association
  - Academic Medical Centers and Teaching Hospitals Practice Group
  - Leadership Development Program (2014–2015)

## Presentations and Publications

- Speaker, “Perils, Pitfalls and Perspectives on PE Investment in Health Care,” American Bar Association Emerging Issues in Healthcare Law (March 9, 2023)
- Co-author, “Chapter 9: The Alphabet Soup of Medicare and Medicaid Contractors,” American Bar Association’s *Physician Law: Evolving Trends & Hot Topics 2021* (July 26, 2021)
- Speaker, “Your Data, My Data: Key Legal Issues Involving Health Care Data for Research & Academic Collaborations,” AHLA Webinar (June 10, 2021)
- Speaker, “Contracting in the Data-Driven World: Strategies for Handling IP and Personal Data,” ACC Colorado Webinar (April 14, 2021)
- Co-author, “COVID-19: Colorado Issues Emergency Order to Expand Use of Telehealth Services,” *Foley’s Coronavirus Resource Center* (April 13, 2020)
- Co-author, “Coronavirus Related Legal Considerations for the Senior Housing and Skilled Nursing Industries,” *Foley’s Coronavirus Resource Center* (April 9, 2020)
- Co-author, “COVID-19: ‘Hospitals Without Walls’ and ‘Patients Over Paperwork’ – Key Takeaways For Hospitals From CMS’ Additional Blanket Waivers,” *Foley’s Coronavirus Resource Center* (April 6, 2020)
- Quoted, “The Top Questions Health Attys Are Hearing,” *Law360* (March 17, 2020)
- Panelist, “Business Model Panel Discussion – Health Care Providers,” The Business of Personalized Medicine Summit 2020 (February 27, 2020)
- Co-author, “Medicine Summit: Break Through to Solutions in the Birthplace of Biotechnology,” *Personalized Medicine Bulletin & Health Care Law Today* (February 18, 2020)
- Co-host, “Episode 5 – Leaks, ‘Lakes,’ and Loot: What’s the Big Deal About Data?,” *Health Care Law Today Podcast* (January 7, 2020)
- Co-author, “New Study Concludes Limits on Resident Work Hours Had No Negative Impact on Quality Metrics for Internal Medicine,” *Health Care Law Today* (August 9, 2019)
- Co-author, “Medicare Address Match: Hospital Outpatient Denials Looming,” *Health Care Law Today* (June 5, 2019)
- Co-author, “Precision Medicine Will Be Worth Big Investment,” *Vegas Inc.* (August 1, 2016)



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- Presenter, “Enterprise Data Warehouses: Collaboration and Compliance,” American Health Lawyers Association, Denver, CO (June 28, 2016)
- Co-author, “Precision Medicine: Can It Save You?” *Las Vegas Business Press* (March 28, 2016)
- Speaker, “Tech Transfer Roundtable,” Silicon Flatirons Health Care Innovation Conference, Aurora, CO (March 30, 2016)

## Sectors

- [Health Care & Life Sciences](#)

## Practice Areas

- [Corporate](#)
- [Health Care](#)
- [Health Care Regulatory](#)
- [Health Care Transactions](#)

## Education

- Villanova University School of Law (J.D.)
- Washington University in St. Louis (B.A.)

## Admissions

- Colorado