

Alissa Smith

Partner

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As co-chair of the Healthcare Transactions & Regulations Practice Group, Alissa helps individuals and organizations in the health industry achieve their business goals through strategic transactions and applying federal and state laws business initiatives.

Alissa represents health systems, hospitals, pharmacies, specialty pharmacies, wholesale distributors, pharmacy benefit managers, long-term care providers, third party administrators, vendors in the healthcare industry, medical practices and other organizations in the healthcare industry. Alissa also represents health care companies in the telehealth space, including telehealth providers, platforms and mail order and online pharmacies. Her practice involves health law transactional work, federal and state health law regulatory compliance advice, and administrative advocacy before state and federal agencies.

Alissa's transactional practice includes counseling clients in the healthcare industry on all aspects of affiliations, ranging from contractual arrangements to joint ventures to mergers and acquisitions. Alissa also advises on hospital-provider relationships including employment agreements, professional service arrangements, peer review investigations and medical staff fair hearings.

Alissa's regulatory practice includes the interpretation and application of state and federal fraud and abuse laws such as Stark, Anti-kickback, and the False Claims Act; Medicare and Medicaid rules including payment rules such as Medicare Part D regulations; corporate practice of medicine laws and provider-based regulations; tax-exemption laws; HIPAA and privacy laws; EMTALA laws; and licensing and accreditation requirements.

She also assists with corporate and health system governance issues, including the preparation of policies and procedures, the revision and negotiation of medical staff bylaws, establishing corporate existence including preparing operating agreements and

Education

- University of Iowa (J.D., 2004)
 - Graduated with Honors
- University of Iowa (Masters of Health Administration, 2005)
- University of Northern Iowa (B.A., Communicative Disorders and Psychology, 2001)
 - Graduated with Highest Honors

Bar Admissions

- Iowa
- Illinois
- Alaska

other governance documents, and in assisting in all aspects of participation in accountable care organizations including assisting with the legal structures, policies and procedures and the application process required for participation in the Medicare Shared Savings Program.

Alissa's administrative practice includes representing healthcare providers in negotiation with a variety of state and federal agencies, such as negotiations with: the DOJ, OIG and DEA in self-disclosures and other healthcare investigation matters; CMS and OIG in EMTALA matters; CMS and their fiscal intermediaries and other contractors in healthcare payment issues; and state licensing and certifying bodies. Alissa regularly represents clients in Certificate of Need hearings; including advising those who are seeking to have their applications approved, and representing those who oppose projects in the Certificate of Need process.

Select Experience

- Represented large health system in a unit purchase agreement to buy out and become the majority owner of an ambulatory surgery center.
- Represented a large health system in structuring a joint venture with a faculty practice plan for the provision of rural health care services.
- Represented a joint venture in its formation between a large health system and a large senior services provider for the ownership and operation of a new senior services company.
- Represented a hospital in structuring a multi-specialty professional services agreement with a large physician clinic.

Professional Affiliations

- Member, Polk County Bar Association
- Member, Iowa Bar Association
- Member, Illinois Bar Association
- Member, American Health Law Association
- Member, Iowa Hospital Association
- Adjunct Assistant Professor, University of Iowa, College of Public Health, Department of Health Management and Policy
- Iowa Organization of Women Attorneys, Board Member, 2011-2016; Member, 2016-present
- Iowa Hospital Association's Iowa Society of Healthcare Attorneys, Board Member, 2014-2018; Member, 2004-present
- Iowa State Bar Association's Health Law Section, Co-Chair, 2016-2019; Member, 2004-present
- Des Moines Swimming Federation, Board Member, 2019-present

Accolades

- *Best Lawyers in America*®, Health Care Law, 2015-2026
- *Best Lawyers*® Lawyer of the Year, Health Care Law, Des Moines, 2026
- Great Plains *Super Lawyers*®, 2019-2026
- Consistently providing pro bono legal assistance to those in need through Dorsey's Pro Bono program

- “Des Moines Lawyer of the Year” in Health Care Law by *Best Lawyers*®, 2018, 2022
- Dorsey U Partner of the Year Award, 2020
- Great Plains *Super Lawyers*®, “Rising Stars,” 2013-2018

Select Presentations

- “Legal Issues for Physician Leaders: An Overview of the Law and Discussion with Health Lawyers in the Trenches,” Iowa Hospital Association Physician Business Leadership Certification Program, April 22, 2025.
- “When Helping Patients Violates the Law: Strategies for Providers in Developing and Operating Comprehensive Patient Assistance Programs,” American Health Law Association Advising Providers Conference, February 20, 2025.
- “Hospital Joint Ventures: A Primer,” October 23, 2024.
- “Legal Updates for Hospital Leaders: 2024 Year in Review,” Iowa Hospital Association Annual Meeting, October 2024.
- “Legal Aspects of Patient Assistance Programs,” June 12, 2024.
- “Fair Housing in Assisted and Independent Living,” May 22, 2024.
- “Legal Updates for Aging Services,” LeadingAge Iowa Spring Conference, May 8, 2024.
- “Iowa Open Meetings and Open Records Laws,” January 25, 2024.
- “Generative AI in Health Care Clinical Settings – Ethical and Legal Implications,” Iowa Hospital Association Annual Meeting, October 11, 2023.
- “LeadingAge Iowa Spring Conference: Legal Updates for Aging Services,” Leading Age Iowa Spring Conference, May 4, 2023.
- “Cyber Incident Preparedness & Response,” 2023 Legal Summit, May 9, 2023.
- “Legal Issues for Hospital Physician Leaders: An Overview of the Law & Discussion with Health Lawyers in the Trenches,” Iowa Hospital Association, April 11, 2023.
- “The End of the COVID-19 Public Health Emergency Declaration: Implications for Hospitals,” Iowa Hospital Association, March 28, 2023.
- “Hospital Transparency and No Surprises Act: State and Federal Laws Impacting Healthcare Providers in Alaska,” American College of Healthcare Executives – Alaska Chapter, December 9, 2022.
- “The End of the COVID-19 Public Health Emergency Declaration: Implications for Hospitals,” Iowa Hospital Association, December 1, 2022.
- “Hospital Transactions and Strategic Development,” The Iowa Hospital Association 2022 Governance Webinar 4-Part Series, November 15, 2022.
- “Data Privacy and Security: What Hospital Trustees Must Understand,” The Iowa Hospital Association 2022 Governance Webinar 4-Part Series, September 13, 2022.
- “Health Care Fraud and Abuse,” The Iowa Hospital Association 2022 Governance Webinar 4-Part Series, July 12, 2022.
- “Fiduciary Obligations and Conflicts of Interest,” The Iowa Hospital Association 2022 Governance Webinar 4-Part Series, May 17, 2022.
- “Legal Updates for Aging Services,” LeadingAge Iowa Spring Conference, May 5, 2022.
- “Legal Aspects of the Hospital’s Medical Staff Function,” Iowa Hospital Association Quality Residency Program, March 11, 2022.
- “Hospital Care Privacy and Security Law Update,” Iowa Hospital Association Annual Meeting, October 7, 2021.
- “Legal Updates for Long-Term Care Providers in Iowa,” LeadingAge Iowa Fall Conference, September 15, 2021.

- “Perry Lutheran Home: A Case Study in Long-Term Care M&A Legal Issues in Iowa” LeadingAge Iowa 2021 Spring Conference, May 5, 2021.
- “Legal Updates for Aging Services” LeadingAge Iowa 2021 Spring Conference, May 4, 2021.
- Sweeping Changes to the Stark and Anti-Kickback Regulations: Final Rules for Hospitals, January 5, 2021.
- Iowa Hospital Association 2020 Governance Webinar Series – Fraud and Abuse.
- Annual HIPAA Training for the Iowa State Association of Counties, November 16, 2020.
- “HIPAA Training” Iowa State Association of Counties Annual Training, November 19, 2019.
- “Involuntary Discharge or Transfer: A Discussion about the Iowa and Federal Requirements, and Mock Hearings,” LeadingAge Nurse Leadership Symposium & Social Worker Conference, November 14, 2019.
- “Preparing for the Future by Understanding the Changing Landscape of Litigation and Enforcement Initiatives Against Pharmacies, Pharmacists and Other Providers,” American Society for Pharmacy Law Developments in Pharmacy Law Seminar, November 8, 2019.
- “New Pharmaceutical Hazardous Waste Rules for Long Term Care Facilities,” 2019 LeadingAge Iowa Fall Conference, September 11, 2019.
- “Overpayments, Internal Investigations and an Update on the Implied Certification Theory Three Years Post-Escobar,” Iowa Society of Healthcare Attorneys Spring Meeting, May 23, 2019.
- “Health Insurance Portability and Accountability Act: HIPAA for Lawyers,” Iowa State Bar Association, May 8, 2019.
- “Legal Updates that Impact Your Organization,” LeadingAge Iowa Spring Conference, May 2, 2019.
- “Health Care Fraud and Abuse Overview; Practical Tips to Stay out of the Enforcement Crosshairs,” Physician Leadership Education: Regulatory and Compliance Issues in Healthcare, Mercy Medical Center, April 27, 2019.
- “Health Insurance Portability and Accountability Act (HIPAA): Breach Notification Rule,” Iowa State Association of Counties, April, 18, 2019.

Dorsey Health Law

June 29, 2026

The Use of AI for Autonomous Medical Decision-Making: Does Utah’s AI Prescription Renewal Pilot Program Go Too Far?

June 23, 2025

HIPAA’s 2024 Reproductive Health Rule is Vacated Nationwide – One Year After Going Into Effect

January 28, 2025

Federal Grant and Loan “Temporary Pause” to Have a Significant Impact on the Health Care Industry

January 28, 2025

ICE in your Healthcare Facility? No Need to Freeze

July 24, 2024

Iowa Fetal Heartbeat Law to Go Into Effect on July 29, 2024

January 3, 2024

HIPAA on the Horizon in the New Year: Important Lessons from an Active 2023 and Regulatory Initiatives to Watch for in 2024

May 19, 2023

HHS OCR Settles HIPAA Investigation with Business Associate for \$350,000

March 3, 2022

Covid-19 Requirements for Healthcare Employers: A Recap of Where Things Stand

January 17, 2022

U.S. Supreme Court Lifts Injunction Against CMS' Health Care Facility Vaccine Mandate: What Does This Mean for Your Health Care Facility?

November 29, 2021

Limited Preliminary Injunction Issued for CMS Vaccine Mandate

November 9, 2021

CMS' COVID-19 Vaccine Mandate: What Health Care Providers and Suppliers Need to Know

September 28, 2021

Updates on Legal Challenges to Health Care Employers' Voluntary COVID-19 Vaccine Mandates

August 18, 2021

Biden Administration Orders Long Term Care Facilities to Require COVID-19 Vaccinations To Receive Federal Funds; OSHA Issues Updated COVID-19 Recommendations For All Workplaces

June 23, 2021

Update Regarding Publication of OSHA Emergency Temporary Standard

June 10, 2021

Considerations for Health Care Employers under Iowa's Vaccine Passport Law and Recent CDC, CMS and EEOC Guidelines

Insights

December 11, 2025

Reputation is Everything: Iowa Supreme Court Clarifies Use of Closed Session Job Interviews

March 13, 2025

Partner Alissa Smith Featured on Healthcare Policy Podcast on How to Handle ICE Agents in Patient Settings

January 5, 2021

White Paper: Understanding the Final Rules to Revise the Anti-Kickback Statute and Beneficiary Inducement Civil Monetary Penalty Regulations

January 5, 2021

White Paper: Understanding the Final Rules to Revise the Stark Law Regulations

January 5, 2021

White Papers: Understanding the Final Rules to Revise the Stark Law, Anti-Kickback Statute and Beneficiary Inducement Civil Monetary Penalty Regulations

May 9, 2020

Dorsey Partner Alissa Smith Remarks on Managing HIPAA Risks

April 24, 2020

Dorsey Partner Alissa Smith Discusses Online Therapy Amid COVID-19

April 1, 2020

Dorsey Partner Alissa Smith Discusses HIPAA Waivers and Telehealth

March 27, 2020

CARES Act Summary of Provisions that Support America's Health Care System

March 18, 2020

Dorsey Partner Alissa Smith Discusses HIPAA Waivers Due to COVID-19

December 19, 2019

Naughty or Nice: Feds Hand Out More Than Lumps of Coal When it Comes to Healthcare Fraud

November 19, 2019

Sweeping Proposals Issued By CMS To Revise Stark Law Regulations

November 1, 2019

Sweeping Proposals Issued By OIG To Make Changes To The Anti-Kickback Statute Safe Harbors And Add An Exception To The Civil Monetary Penalty Law Governing Beneficiary Inducements

August 24, 2017

Dorsey Partner Alissa Smith Comments on Cuts in Medicare Funding

July 2017

Will You Be In or Out? Look at the Proposed MIPS Low-Volume Thresholds