



RICKY C. BENJAMIN

191 Peachtree Street NE Suite 2900 Atlanta, GA 30303-1775

: rbenjamin@hallboothsmith.com

: Partner

: 678.539.1551

Practice Areas

[Business Litigation](#) | [Business Transactions](#) | [Coronavirus Task Force](#) | [Corporate and Partnerships](#) | [Data Privacy and Security](#) | [Dental](#) | [Health Care](#) | [Medical Malpractice](#) | [Outside General Counsel](#)

- [Biography](#)
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- [Memberships](#)
- [Publications](#)
- [Recognitions](#)
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Ricky C. Benjamin is a Partner in our Atlanta office, and he specializes in health care transactions, dental practice regulatory counseling, insurance coverage, D&O, E&O, CGL and EPLI defense, and a wide variety of healthcare business matters including equity transactions, joint operating agreements, intellectual property licensing agreements, and healthcare litigation defense.

Ricky has three decades of experience in drafting and negotiating managed care contracts, counseling on managed care plans, defending health care providers, hospitals, health systems, academic medical centers, medical device manufacturers, healthcare provider insurers, and others in the medical profession against a wide variety of claims. He has litigated more

than 200 cases, defended or responded to over 50 government investigations, and conducted more than 75 internal audits to assess risk exposure to medical malpractice claims, or risk of government investigations amid allegations of fraud, waste, and abuse.

Hospitals, health systems, health clinics, medical device manufacturers, insurance companies, and individual health care providers trust Ricky to successfully defend them in all manner of claims and disputes, including compliance audits and investigations, *qui tam* whistleblower actions, medical malpractice, complex tort cases, and other high-stakes lawsuits.

Ricky also counsels clients on all manner of operational issues and business matters, such as employment and compensation agreements, productivity-based compensation models involving work relative value units (wRVUs), creating pay-for-performance incentive plans, practice services agreements, joint ventures and joint operating agreements, clinical affiliation and clinical co-management agreements, asset/stock purchase agreements, and property lease agreements. He also counsels clients on HIPAA risks, Stark laws, anti-kickback statutes, and tax exempt status involving charitable organizations.

With three decades of experience, Ricky is an experienced litigator who has developed superior risk management techniques and best practices for efficiently handling a myriad of matters to help his healthcare clients meet their triple aim of reducing costs, improving quality, and increasing access to care.

Ricky earned a Juris Doctorate from the University of Iowa College of Law, where he was a Note and Comment Editor of the Journal of Corporation Law, and holds a Bachelor of Science degree in Computer Science from Southern University A&M. He formerly taught Health Care Law & Ethics at Tulane University in New Orleans, focusing on Compliance and the Business of Health Care.

EXPERIENCE

- Antitrust-Health Care
- Biotechnology & Agri-Biotechnology Licensing
- Certificate of Need (CON) Guidance
- Change of Ownership (CHOW) Transactions
- Corporate Practice of Medicine Guidelines
- Drafting Professional Services Agreements
- Drafting Physician/Hospital Employment & Independent Contractor Agreements
- Development of Ancillary Services Revenue
- FDA, FDCA Enforcement Actions Involving Compounding Pharmacies
- FTC-Unfair Trade Practice Investigatory Actions
- Government Audits & Investigations
- Government Contracts
- Hospital & Health System Acquisition Transactions (FQHCs and RHCs Requirements)

- Intellectual Property Licensing (Copyrights, Patents, Trademarks, Trade Secrets)
- Medical Staff Credentialing & Peer Review
- Medicare/Medicaid - Fraud, Waste & Abuse: Audits/Counseling
- Physician & Executive Compensation
- Physician Organizations
- Qui Tam Whistleblower & False Claims Act Counseling & Litigation
- Reimbursement (Medicare & Medicaid)
- Supply Chain Management Contracting/PBMs
- Section 330 Grant-Related Requirements and Policies Regarding Affiliations
- Stark & Anti-Kickback Regulatory Guidelines
- Tax (Beneficiary Inducement)
- 340B Drug Pricing Program

In addition, Ricky has drafted compliance plans, implemented compliance programs, defended actions and investigations by CMS the FTC, DOJ, & OIG in matters ranging from *qui tam* actions relating to fraud & abuse to Unfair Trade Practice actions alleging inadequate data security protocols.

Moreover, Ricky counsels hospitals, physicians, FQHCs, RHCs, and academic medical centers on Stark laws and anti-kickback statute risks associated with ownership, investment and physician compensation arrangements, including EMTALA risk exposures.

Also, Ricky has revised employment policies and procedures, including HIPAA privacy & security policies, to prevent illegal, unethical, or improper conduct.

Ricky is also responsible for seeing that all compliance program policies, procedures, training, auditing and monitoring are in place for the corporation and its partners and for investigating or supporting investigations of any allegations of non-compliance related to these businesses.

Further, in collaboration with human resources, Ricky has responded to alleged violations of rules, regulations, policies, procedures, and Codes of Conduct by evaluating or recommending the initiation of investigative procedures.

ADMITTED

- Georgia
- Wisconsin
- Colorado
- U.S. District Court of Colorado
- U.S. District Court of Northern District of Georgia
- U.S. District Court of Eastern District of Wisconsin
- 7th Circuit Court of Appeals
- 10th Circuit Court of Appeals
- 11th Circuit Court of Appeals
- United States Supreme Court

EDUCATION

- J.D., University of Iowa College of Law
- B.S., Southern University A&M

MEMBERSHIPS

- American Health Lawyers Association (AHLA)
- Colorado Bar Association
- Georgia Bar Association
- Wisconsin Bar Association
- [Fraud, Waste, And Abuse Potential During COVID-19 Signals Increase In Qui Tam Actions Against Healthcare Providers](#), HBS Coronavirus Litigation Blog, June 2020
- The National Black Lawyers: Top 100

Fraud, Waste, and Abuse Potential During COVID-19 Signals Increase in Qui Tam Actions Against Healthcare Providers

June 30, 2020

Written by: Ricky C Benjamin, Esq., and Leanne Livingston, Esq.

Increases in federal stimulus funding from Congress under Acts like the Provider Relief Fund, pose a

Hall Booth Smith's Ricky Benjamin to Lead Health Care Practice

May 27, 2020

ATLANTA – May 27, 2020 – Hall Booth Smith, P.C. is pleased to announce that Partner Ricky C. Benjamin will lead the firm's growing health

Ricky Benjamin Joins Hall Booth Smith as Partner in Atlanta Office

September 23, 2019

ATLANTA – Sept. 23, 2019 – Seasoned healthcare attorney Ricky C. Benjamin has joined Hall Booth Smith, P.C. as a Partner in the Atlanta office,

Practice Specific Experience

Health Care +

Medical Malpractice +

Related Industries

Health Care

Insurance