



Tracy E. Miller Counsel

Healthcare Law

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Tracy Miller has more than 35 years of experience in health care law and regulation. Her experience as EVP & General Counsel of a large health system, law firm practice and leader in health policy in New York State inform the advice and insight that she brings to her clients, on matters ranging from governance to complex transactions and contracts, affiliations, health care regulation, cybersecurity and data privacy. Tracy has advised boards and executives, assisting clients to realize their governance, business and operational goals, from big picture strategic initiatives to concrete legal steps to achieve implementation.

Tracy has extensive experience representing health systems, hospitals, physician practices, home care agencies, hospice programs, long-term care facilities, independent practice associations, and entities organized to participate in value-based payment initiatives. She has counseled organizations comprised of health systems, health care providers and community-based organizations created to coordinate care and social services, tackling the governance, contractual and data sharing issues that undergird the collaboration. She has broad experience in health care strategy and regulation, advising clients about specific matters and policies to address physician contracts and alignment, compliance, conflicts of interest, cybersecurity incident response, human subjects research and AI, among other areas. Drawing on her role as the former Executive Director of the New York State Governor's Task Force on ethics in medicine, Tracy has counseled clients about individual cases, policies and ethics committees. She has a deep understanding of health policy and government relations.

Tracy is the former Chair and member of the Executive Committee of the 1,100-member Health Law Section of the New York State Bar Association and former Vice Chair of the AHLA Conflict of Interest and Transparency Group.

INDUSTRIES

- Healthcare

EDUCATION

- Harvard Law School
- Brown University

BAR AND COURT ADMISSIONS

- New York
- New Jersey (Pending)

REPRESENTATIVE MATTERS

Each matter handled by Tracy depends on its unique facts and particular legal circumstances. The following are a list of results obtained by Tracy on behalf of her clients:

- Advised health systems about a hospital merger, the sale of three long-term care facilities and the acquisition of large physician practices;
- Represented health system in preparing letters of intent and transaction agreements for affiliations and business arrangements with other health systems, physician practices, medical and nursing schools, and large business service organizations to advance strategic goals;
- Prepared organization-wide authorization policy to streamline approvals and advance corporate control;
- Developed plan to take advantage of Stark and Anti-Kickback Statute waivers to enhance opportunity for in-network utilization;
- Advised IPA and ACO about governance and contracts with providers;
- Advised hospital about contracts and grants from pharmaceutical and device manufacturers;
- Prepared policies to improve operations and promote compliance, including policies on real estate leases with physicians, conflicts of interest in human subjects research and pharmaceutical purchasing, physician contracting and AI;
- As Executive Director of the Governor's Task Force on ethics in medicine, crafted New York's laws and regulations on the health care proxy, Family Health Care Decisions Act, organ and tissue donation, the determination of death and other issues; and
- As Project Director of the National Quality Forum Planning Committee designed the governance structure of the National Quality Forum which now sets quality measures across the health care industry.

*Results may vary depending on your particular facts and legal circumstances.

PROFESSIONAL ACTIVITIES

- Member, New York State Bar Association
- Member, New Jersey Bar Association
- Member, American Health Lawyers Association
- Member, Women Business Leaders

Insights

[Newsletters](#) - February 3, 2025

Healthcare Law Update - February 2025

[BJE in the News](#) - November 21, 2024

Brach Eichler adds former Catholic Health GC

[BJE in the News](#) - November 21, 2024

Miller joins Brach Eichler, boosting its health care practice

[BJE in the News](#) - November 21, 2024

Brach Eichler Lands Healthcare System GC In NJ

[Firm Announcements & Wins](#) - November 4, 2024

Brach Eichler Boosts Growth of Healthcare Practice, Announcing Former General Counsel Tracy E. Miller has Joined as Counsel
