Buchalter

Kathleen ("Kitty") Juniper

Orange County, California
Of Counsel

P (949) 224-6279
F (949) 720-0182
kjuniper@buchalter.com

Areas of Practice & Industry Specialties
Health Care Law; Corporate Law; Telehealth; Technology; Health Care/Life Sciences; Agribusiness

---

Kathleen “Kitty” Juniper’s practice focuses on delivering strategic and practical legal advice to primarily health care-related entities. Kitty brings a comprehensive approach to clients’ matters with experience in private practice, business, government, and government relations. The issues that Kitty typically handles with her clients relate to:

*Telehealth * Knox-Keene health plan regulation (specialty, provider-based, discount) * eHealth medical devices * retail health * corporate practice of medicine restrictions * government approvals * ancillary services (optical, dental, allied health providers) * advertising and marketing * legislative advocacy * physician issues **

Typical engagements include:

- Structuring telehealth arrangements for national rollouts – provider licensing and contracting, management services agreements, electronic platform licensing, and compliance with corporate practice of medicine restrictions.
- Knox-Keene license applications (provider-based, specialty, and discount).
- Developing compliant business models for highly regulated health care entities and new products.
- Reviewing advertising copy and marketing-related issues for compliance with federal and state laws.
- Drafting management services contracts and structuring arrangements.
- Assisting health care entities with regulatory compliance at the agency, attorney-general, and operational levels.
- Working with stakeholders and individual companies to craft legislative solutions.

Ms. Juniper’s prior experience outside of private practice includes In-house Counsel and Government Relations Director of a national optical company, President of a California specialty vision health care plan, Director of Government Relations at University of San Diego’s Medical Center and School of Medicine, and attorney positions in the Federal Trade Commission’s Policy Planning and Consumer Protection Divisions in Washington, D.C. Ms. Juniper has served on the California Advisory Board on Health Care Service Plans and various trade association and government/industry committees.

Awards/Recognitions

- Preeminent AV Rated by *Martindale Hubbell*
- “Best of San Diego” Health Care Attorney
- Past Member of California Advisory Board on Health Care Service Plans
- Wiley W. Manual Award for Pro Bono Legal Services

- Belva Lockwood Award, Lawyers Club of San Diego
- Superior Performance Award, Federal Trade Commission

Representative Matters

- Represented national company (and subsidiary) in developing business models for various business lines, negotiation of compliant regulatory structures to Attorney General's office, and drafting and negotiating legislation with government/industry workgroup to resolve legal issues resulting from new case law.
- Led legal team and obtained limited Knox-Keene license for large hospital-based health care system expeditiously.
- Analyzed state regulatory and telehealth laws and provided business options for proper advertising and national distribution of medical devices to consumers.
- Undertook due diligence and legal advice to investment funds with regard to regulatory issues and compliance of target retail health companies and health plan.
- Provided strategic advice and legal structuring of corporate entities facing corporate medicine and commercial practice restrictions.

Publications

- Buchalter Client Alert COVID-19: Hastening Telehealth Provision of Medical Services Across State Lines, *Buchalter Client Alert*, April 30, 2020
- The DMHC's Final Guidance on the General Licensure Regulation ("Restricted Health Plans") The Lull Before the Storm, June 19, 2019
- Testimony of Kathleen Juniper to Senate Committee on Business, Professions and Economic Development, February 16, 2017
- State Law Obstacles to the National Distribution of eHealth Medical Devices Directly to Consumers, *Buchalter Nemer Technology Industry Newsletter*, October 2015
- Hell Freezes Over in California: Private Optometry and Optical Companies Compromise, September 14, 2015
- Delivering Health Care Services to Consumers through eHealth Devices: The Role of State Professional Practice Laws, *Buchalter Nemer Health Care and Life Sciences Practice Newsletter*, September 2015
- The Business of Health Care: Navigating the Corporate Practice of Medicine Doctrine, *Physicians and Hospitals Law Institute*, February 2015
- Retail Health Care: Rite-Aid, Gift Cards and the False Claims Act, December 8, 2014
- Risk-Sharing and Value-Based Approaches to Health Benefits, *Benefits Magazine*, December 2014
- CMS Initiative to Transform Clinical Practice, October 28, 2014
- The Role of Professional Licensing Boards in Excluding New Products and Services from the Market: Will State Immunity Continue to Shield Anti-Competitive Behavior?, October 24, 2014
- Keeping up with Provider Payment Models: The Times, They are A-Changing, October 2, 2014
- Risk Taking in the Provider World: Is a Knox-Keene Plan a Good Strategic Move For You?, *Buchalter Nemer Points & Authorities*, Spring 2014
- Corporate Practice of Medicine: A Fifty State Survey, *American Health Lawyers Association* , January 1, 2014

Presentations

- Moderator, "Whose Practice is it Anyway? A Discussion of California's Prohibition on the Corporate Practice of Medicine," November 19, 2021
- Speaker, "Corporate Practice of Medicine doctrine (CPOM)," California Senate Business, Professions, and Economic Development Committee, May 2, 2016
- Speaker, "The Corporate Practice of Medicine Doctrine Applied to Telehealth and Retail Healthcare," the Orange County Bar Association , February 11, 2016
- Speaker, "Foregoing the Distance: Delivering Vision Care Through Telemedicine," 2015 Specialty Health Summit, held jointly by the National Association of Vision Care Plans and the National Association of Specialty Health Organization in Las Vegas, NV, May 4, 2015
- Speaker, "Corporate Practice of Medicine," American Health Lawyers Association Physicians and Hospitals Law Institute in Las Vegas, NV, February 2, 2015
- Speaker, "Health Care Exchanges and an Update Regarding Health Care Reform," San Diego County Bar Association New Lawyer Division, November 7, 2013
- Co speaker, "Managed Health Care Issues," American Health Lawyers Association, September 9, 2013
- Speaker, "American Healthcare Challenges in the Twenty-First Century," Southern California Chapter of the American Association of Physicists in Medicine, March 9, 2013
- Panelist, "Integrated Care Care Delivery," BIOCOM Reimbursement Seminar on Navigating the Changing Payor and Provider Landscape, February 14, 2012
- Speaker, "Health Care Reform, Legislative Overview and Impact on Market Access," BIOCOM Reimbursement Committee, April 12, 2011
- Co speaker, "Clinical Integration and Accountable Care Organizations," the Law and Medicine Committee Panel, San Diego County Bar Association, March 10, 2011
- Speaker, "Bundled Payments and ACO's," Healthcare Financial Management Association, San Diego-Imperial County Chapter, February 23, 2011

Webinars

- "Webinar: Emerging Trends for Non-Profit and Religious Health Care Organizations," August 18, 2015

Education
Ms. Juniper earned her J.D. at Washington College of Law at American University and her B.A., *magna cum laude,* from the University of Cincinnati.

Bar Admissions

- California
- Ohio (inactive)

Community

- California Society for Health Care Attorneys
- The Friendly Center (non-profit devoted to providing resources to impoverished children and families based in Orange, CA), Board Member
- Higher Ground Youth & Family Services (non-profit that provides services at at-risk youth in Anaheim), Board Member
- American Health Lawyers Association
- Orange County Women Lawyers

- San Diego County Bar Association; co-chaired Committee on Diversity; past Vice-Chair Client Relations Committee
- San Diego Volunteer Lawyer Program; Board of Directors 2011 -2013; 2004 – 2007; Past Chair, Fund Development Committee; Past: Co-Chair, Justice for All Dinner; Domestic Violence Clinic Volunteer Attorney
- Lawyers Club of San Diego; Served as President, Advisory Board Member, and Judicial Evaluation Committee Member
- California Women Lawyers; Served on Board of Governors
- Adaptive Business Leaders Executive Roundtable; Past Member, San Diego
- National Conference of Women Bar Associations; Served as San Diego Regional Board Member