

## Andrea R. Musker

Los Angeles, California  
Senior Counsel

P (213) 891-5145  
F (213) 896-0400  
[amusker@buchalter.com](mailto:amusker@buchalter.com)

### **Areas of Practice & Industry Specialties**

Health Care Law; Telehealth; Privacy & Data Security Law; Health Care/Life Sciences; Religious & Non-Profit Organization Law



---

Andrea Musker is a transactional and regulatory health care lawyer. Ms. Musker focuses her practice on representing health care entities in business transactions, analyzing federal and state health care laws, and bridging the gap between business objectives and regulatory constraints.

Ms. Musker represents a wide range of health care providers, including hospitals, health care districts, physician groups/IPAs, telehealth companies, surgery centers, management services organizations, nonprofit organizations, dentists, med spas, specialty transportation companies, clinics, Federally Qualified Health Centers, and ancillary health care service providers.

Ms. Musker regularly counsels clients on the continuously shifting regulatory landscape. She assists clients in navigating physician self-referral prohibitions, anti-kickback statutes, other federal and state fraud and abuse laws, and privacy and security laws.

Ms. Musker has deep experience with medical groups of all sizes, from a single physician to groups and IPAs of hundreds of providers, assisting groups with acquisitions, sales, mergers, reorganizations, financing, and other business transactions. She represents clients in the implementation of cutting-edge and creative quality, reimbursement, care coordination, and incentive structures. Prior to Buchalter, she worked for a national, publicly-traded physician services company, where she developed expertise in physician group acquisitions and physician and hospital contracting.

In the telehealth industry, Ms. Musker advises clients on the corporate practice of medicine, corporate formation, management, payment for services, supervision of midlevel providers, physician dispensing, and informed consent issues. She has helped telemedicine and digital health clients expand their operations to all fifty states.

Ms. Musker represents hospitals, including nonprofit hospitals and health care districts, in governance, debt financing, tax-exemption, regulatory, compliance, and reimbursement matters. She drafts and negotiates medical director and physician services contracts, physician recruitment agreements, and financing documents.

Ms. Musker advises her clients on single- and multi-specialty ambulatory surgery center operations and transactions, including joint ventures, acquisitions, sales, management services arrangements, syndication, and resyndication. Her experience includes regulatory analysis of safe harbor compliance under the federal Anti-kickback Statute and similar state laws.

Further, Ms. Musker is a member of the Firm's Privacy and Data Security Practice Group. She understands the business interests in health care data and the restrictions on the use and disclosure of that data by the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), California Confidentiality of Medical Information Act ("CMIA"), California Consumer Privacy Act ("CCPA"), and other state laws. She drafts and negotiates HIPAA business associate agreements and counsels clients in risk assessments and

mitigation measures following data breaches.

### **Publications**

- Telehealth Flexibilities Extended – For Now, *Buchalter Client Alert*, March 24, 2022
- First Circuit Decision Underlines Risk of Criminal HIPAA Enforcement, *Buchalter Client Alert*, August 19, 2020
- Buchalter Client Alert COVID-19: Hastening Telehealth Provision of Medical Services Across State Lines, *Buchalter Client Alert*, April 30, 2020
- New Flexibility for Telehealth: Waiving Cost-Sharing Obligations and Using Audio/Video Communications, *Buchalter Client Alert*, March 18, 2020
- The California Consumer Privacy Act's Applicability to the Health Care Industry, *Buchalter Client Alert*, November 12, 2019
- OIG Finalizes New and Expanded Anti-Kickback Safe Harbors, Issues Guidance Regarding Nominal Gifts, *Buchalter Client Alert*, December 12, 2016
- New HIPAA Guidance Reaffirms Patients' Rights in Health Data, February 26, 2016
- New ASC Requirements Coming in 2016, December 18, 2015
- Giving Your Physician Agreements a Check-Up, *Buchalter Nemer Health Care and Life Sciences Practice Newsletter*, September 2015
- Who's In Your Wallet? Is Your Company Being Hijacked by Identity Thieves?, *Buchalter Nemer Client Alert*, August 10, 2015
- Telemedicine Providers Need to Keep Up with State Laws, April 16, 2015
- Nondisclosure Agreements: A Lesson from Daughters of Charity, *Buchalter Nemer Health Care Alert*, March 2015

### **Education**

Ms. Musker earned her J.D., *cum laude*, from The Ohio State University Moritz College of Law. While in law school, she served as Chief Managing Editor of the *Ohio State Law Journal*. Ms. Musker received her B.A. in English from Duke University.

---

### **Bar Admissions**

- California

### **Court Admissions**

- U.S. District Court for the Central District of California