

Mary H. Rose

Los Angeles, California
Shareholder

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Mary H. Rose is a Shareholder in the Firm's Health Care and Insolvency and Financial Solutions Practice Groups. In addition to healthcare and general corporate and real estate law, she has extensive experience in bankruptcy, insolvency, and creditors' rights matters.

In the healthcare area, Ms. Rose represents hospitals and lenders to hospitals and other healthcare businesses. She has handled a broad variety of healthcare transactions, including hospital acquisitions, factoring of healthcare receivables, loans and debt restructurings, and general corporate and real estate matters.

Ms. Rose's bankruptcy and insolvency experience, spanning a variety of industries, includes representation of asset purchasers, lenders, creditors' committees, individual creditors, and debtors in bankruptcy and reorganization cases, out-of-court debt restructurings, and liquidations. She has also represented both borrowers and lenders in secured and unsecured credit facilities, loans, secured transactions, and accounts receivable factoring transactions.

Representative Matters

Hospital Acquisitions

- Acquisition of downtown Los Angeles hospital involved in skid row Medicare and Medi-Cal fraud scheme in violation of the False Claims Act.
- Acquisition of two financially troubled St. Louis hospitals.
- Acquisition of San Diego and Los Angeles area hospitals and conversion to long-term acute care hospitals (LTACH).

Hospital Bankruptcies

- Representation of provider of debtor-in-possession financing to hospitals in multiple Chapter 11 cases.
- Acquisition of Los Angeles hospital in Chapter 11.
- Representation of bidder for two Arizona long term acute care hospitals (LTACH's) and skilled nursing facilities (SNF's) in Chapter 11.
- Representation of secured creditor in adversary proceeding against HHS regarding Medicare cost report setoffs.

Healthcare Finance

- Representation of factor in accounts receivable factoring facilities for hospitals and medical practices.
- Negotiations with California Department of Health Care Services regarding Disproportionate Share Hospital (DHS) and Hospital Quality Assurance Fee (HQAF) payments.

Real Estate Matters

- Representation of borrowers in workouts of loans secured by deeds of trust against hospital properties.
- Purchase and sale of hospital real properties.
- Negotiation of hospital and medical office building (MOB) leases.

Publications

- “What the Medicare, Medicaid Anti-Assignment Provisions Really Mean,” *American Bankruptcy Institute Journal*, June 2015.
- “Buying a Distressed Hospital Out of Bankruptcy,” *Law360 Health Law*, December 7, 2011
- “American Factoring Law,” Book Review, *American Bankruptcy Institute Journal*, October 2011.
- “The New Wave of Hospital Bankruptcies,” *Buchalter Nemer Points & Authorities*, Spring 2008

Memberships

- American Health Lawyers Association
- California Society of Healthcare Attorneys
- American Bankruptcy Institute
- Financial Lawyers Conference
- Los Angeles County Bar Association
- Los Angeles Bankruptcy Forum
- Women Insolvency Professionals

Ms. Rose earned her J.D. in 1978, and an M.B.A. in Finance in 1980, from New York University. She received her A.B. from Brown University in 1975.

Areas of Practice

Healthcare
Insolvency & Financial Solutions
Bank and Finance
Corporate
Real Estate

Bar Admissions

California
New York
New Jersey

Court Admissions

U.S. District Court for the Central District of California
U.S. District Court for the Eastern District of California
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of California
U.S. District Court for the Eastern District of New York
U.S. District Court for the Southern District of New York
U.S. District Court for the District of New Jersey
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Ninth Circuit