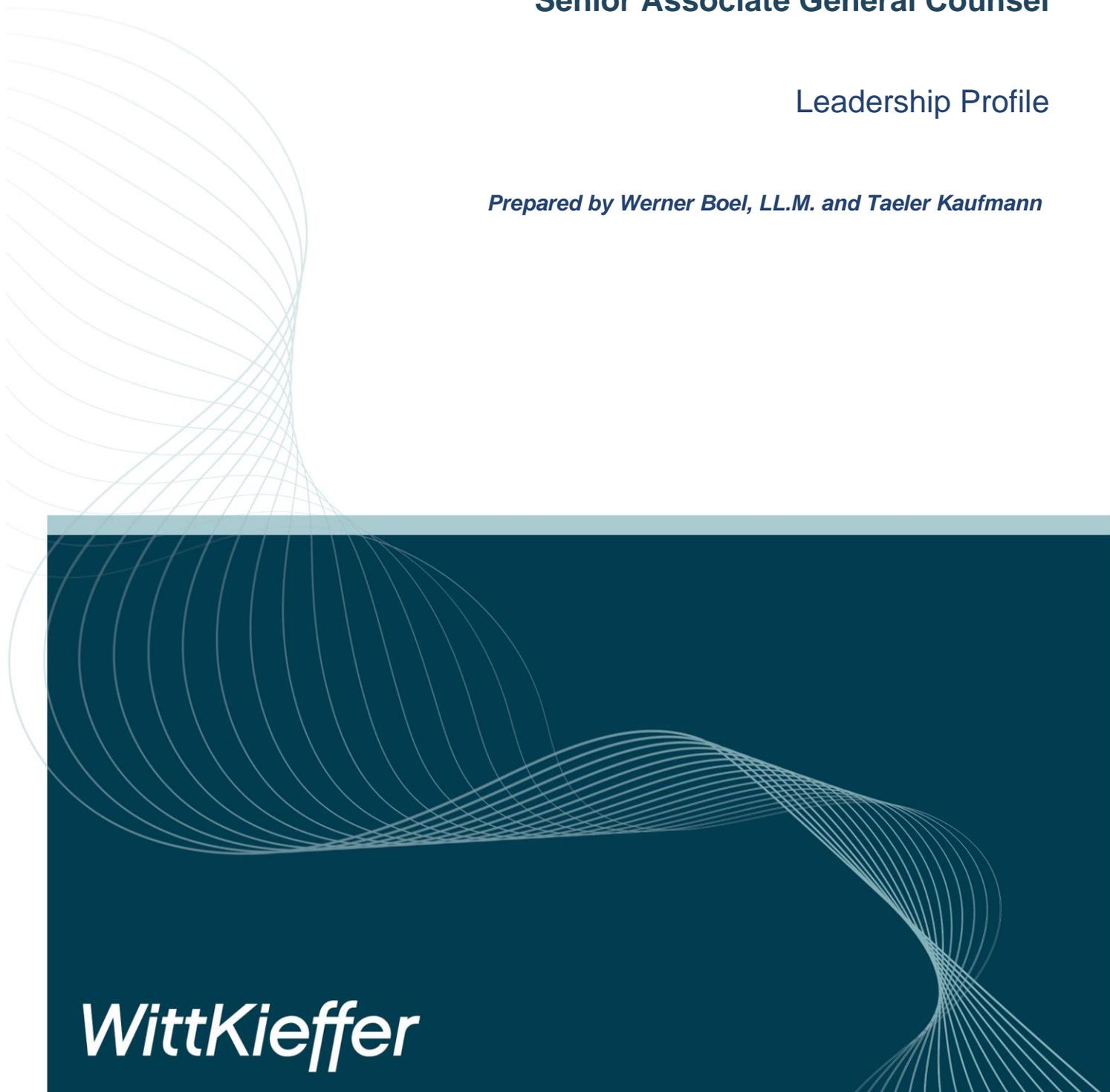


# PRISMA HEALTH<sup>SM</sup>

**Senior Associate General Counsel**

Leadership Profile

*Prepared by Werner Boel, LL.M. and Taeler Kaufmann*



**WittKieffer**

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## The Opportunity

Prisma Health, based in Greenville, South Carolina seeks a strategic, relationship-oriented Senior Associate General Counsel. This is a unique opportunity to join the legal team of a growing, high-quality integrated healthcare delivery system with strong, stable leadership.

Established in 2017 through the merger of Greenville Health System and Palmetto Health, Prisma Health was created to best serve patients and their families. Today, the System has two regions: Columbia/Sumter (the Midlands) and Greenville (the Upstate). Prisma Health, comprised of 18 hospitals, Prisma Health Medical Group (2,071 physicians and approximately 1,285 advanced practitioners) and numerous outpatient sites, generates annual revenues close to \$6 billion. Over 30,000 dedicated team members represent the organization's most valuable resource: its people. These individuals ultimately allow the organization to thrive and to live out the words of its purpose statement: Inspire health. Serve with compassion. Be the difference.

In joining this strong and growing integrated delivery system, the Senior Associate General Counsel is responsible for a variety of legal issues relating to general health care transactions and corporate regulatory matters across Prisma Health and its affiliates and serves as the legal advisor to the organization's senior management team throughout the Prisma Health system. Reporting to the Deputy General Counsel, this position will have responsibility for health care transactions and contracts, and related regulatory compliance issues, including corporate governance, billing, payor contracting, value-based contracts, and other subject matter areas.

The ideal candidate will be an experienced, results-oriented legal expert with a track record of successfully negotiating healthcare transactions. This will include an understanding of the legal, regulatory, compliance and risk management aspects associated with M&A activity, business structure and contract issues, including related regulatory issues such as Stark, Anti-kickback, and Civil Monetary Penalties regulations. Candidates will possess strong emotional and social intelligence to develop meaningful relationships at all levels of the organization. The successful candidate must have excellent academic credentials, a law degree from an ABA accredited school of law, membership in the State Bar of South Carolina, or eligibility for admission based on reciprocity or in-house counsel is required, and an outstanding record of achievement with at least five years of relevant experience as an attorney supporting hospitals, physicians, and other healthcare providers.

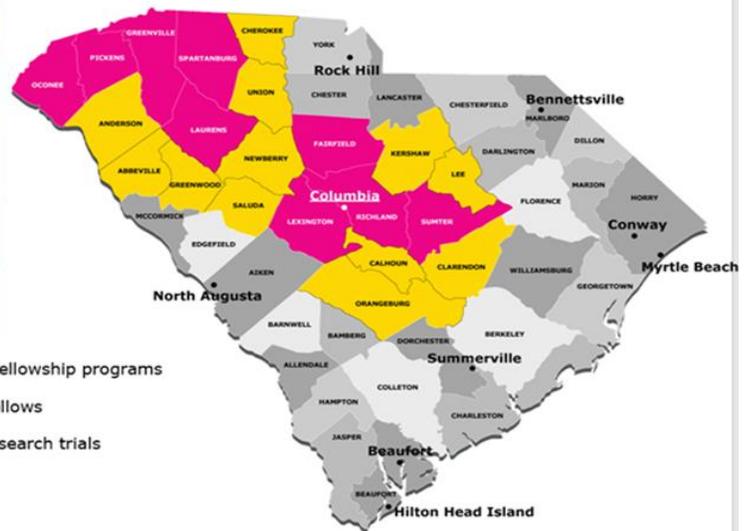
For information regarding how to apply, submit nominations or inquire about the role, please see the section "Procedure for Candidacy" at the end of this document.

## Organization Overview

Prisma Health is the largest not-for-profit health organization in South Carolina, serving more than 1.4 million patients annually and comprises two regions: Prisma Health - Columbia/Sumter (Midlands) Market and Prisma Health - Greenville (Upstate) Market. Together, they are dedicated to improving the health of all South Carolinians by enhancing clinical quality, patient experience, access to care and addressing the rising cost of healthcare. With over 30,000 team members, physicians, and volunteers, Prisma Health is the state's largest private employer. In addition, as one of the largest health systems in the country, Prisma Health is committed to academic and clinical research excellence and is focused on educating the next generation of physicians, dentists, nurses, and other medical professionals. The Prisma Health executive home office is located in Greenville, South Carolina.

### Prisma Health

- 18** Acute care & specialty hospitals
- 29K** Team members
- 270** Physician practice sites
- S.C.'s** Largest health employer
- 45%** of S.C. within 15 miles of us



-  **2,947** licensed beds
-  **65** residency & fellowship programs
-  **206** NICU/special care bassinets
-  **600** residents/fellows
-  **2** Level 1 Trauma Centers
-  **1,110** clinical research trials
-  **2** Comprehensive Stroke Centers
-  **2** affiliated medical schools



Prisma Health views academics as core to its work to transform healthcare, specifically in the fields of workforce development and health-related research that advances clinical care. The organization has made significant investments in undergraduate, graduate, and continuing medical education to meet near-term needs and shape the healthcare workforce of the future.

Education and research are deeply embedded in the history and mission of Prisma Health, with academics highlighted as one of seven elements included in the Prisma Health 2030 Strategic Plan. It defines a critical and exciting role for academics: To support its clinical mission with an applied approach that fosters teaching and learning, explores innovative opportunities, improves outcomes, and inspires health to support the transformation of healthcare and contribute to improving the health status of South Carolinians. There is an intentional alignment of the clinical and academic missions, to improve the development of the educational mission to meet workforce needs by graduating health professionals. Prisma Health is consistently focused on delivering high-value care in pursuit of the quadruple aim but also to integrate research programs into care processes that will lead to innovations around the most pressing healthcare needs. Academics within Prisma Health is more than just a mechanism to achieve national recognition, obtain grant funding, and produce published knowledge. Education and research are intended to be an increasingly systematic approach to problem-solving at Prisma Health that is used to produce the workforce of the future and to evaluate the effectiveness of existing healthcare approaches to guide development of new models of care. Information about Prisma Health can be found at <http://prismahealth.org>.



### Prisma Health in the Upstate

Prisma Health’s Upstate market consists of a 1,600-bed healthcare system including eight medical campuses, a tertiary medical center, research and education facilities, community hospitals, numerous specialty services, and more than 1,600 providers (of which 1,250 are employed physicians) serving patients in more than 170 practices. Local community members support the Upstate market through the Office of Philanthropy and two other 501(c)(3) foundations. The Upstate is home to 31 residency and fellowship programs, and partnership efforts including the University of South Carolina School of Medicine Greenville (pictured on Page 8) and Clemson University Nursing.

Prisma Health acute and specialty care hospitals in the Upstate:

- Baptist Easley Hospital
- Children’s Hospital
- Greenville Memorial Hospital
- Greer Memorial Hospital (pictured)
- Hillcrest Hospital
- Laurens County Hospital
- Marshall I. Pickens Hospital
- North Greenville Hospital
- Oconee Memorial Hospital
- Patewood Hospital
- Roger C. Peace Rehabilitation Hospital



## Prisma Health in the Midlands

Prisma Health in the Midlands consists of 1,352-beds with seven acute-care and specialty hospitals. The Midlands is home to 33 residency and fellowship programs affiliated with the University of South Carolina School of Medicine Columbia. Local community members support Prisma Health in the Midlands through two 501(c)(3) foundations.

Prisma Health acute and specialty care hospitals in the Midlands:

- Baptist Hospital
- Baptist Parkridge Hospital (pictured)
- Children's Hospital
- Heart Hospital
- Richland Hospital
- Richland Springs Hospital
- Tuomey Hospital



## Prisma Health Medical Group

Prisma Health has a large multispecialty, clinically integrated medical group providing an array of healthcare services with almost 4.8 million visits in FY20. The medical group employs more than 1,650 physicians and 750 advanced practitioners. Operating revenues of the medical group exceed \$900 million annually.

The medical group's primary care providers are complemented with an extensive group of specialists who coordinate care for families. The medical group understands they are a significant employer in the communities they serve and are committed to bettering these communities.

## Academic affiliations

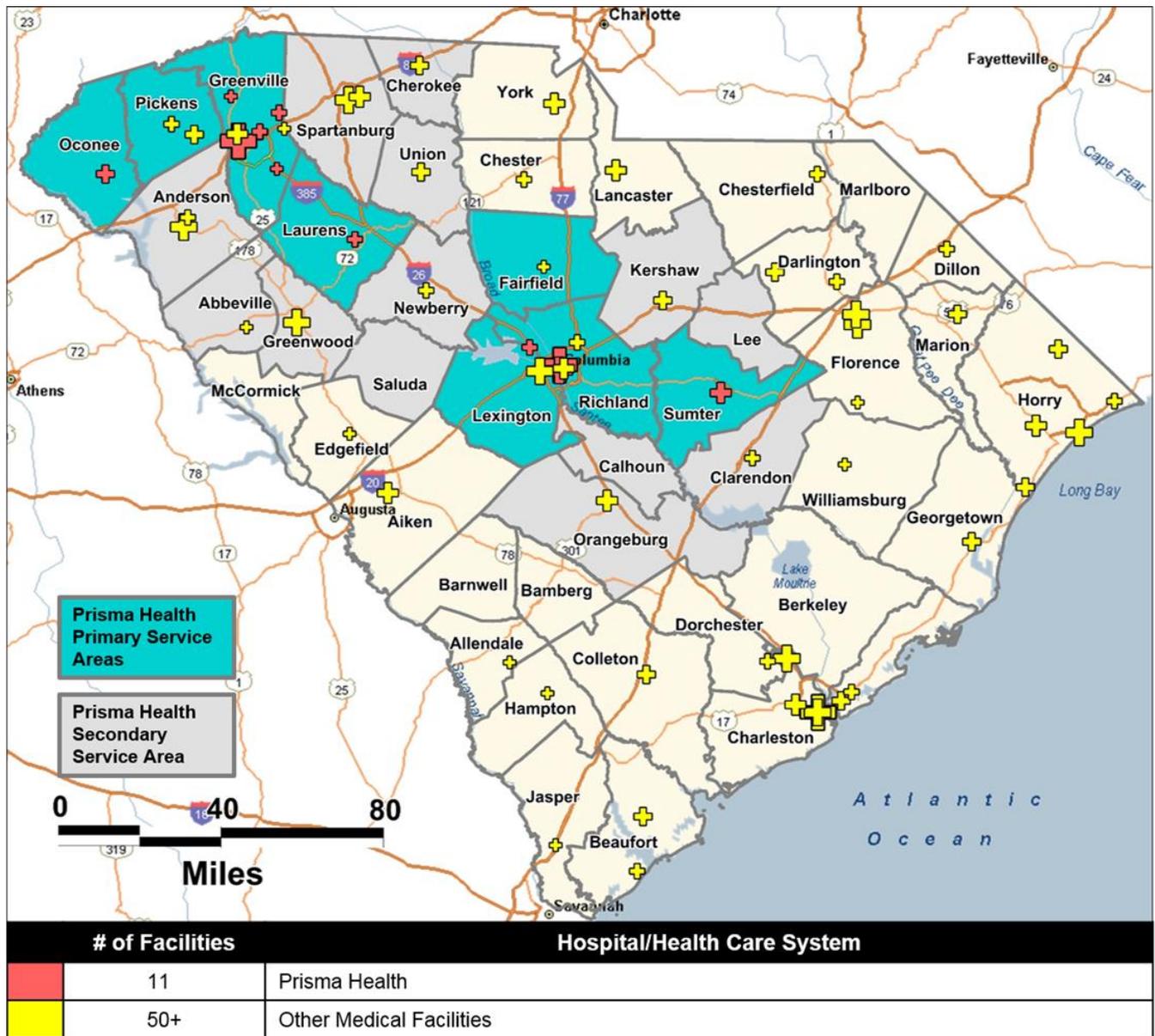
Prisma Health views academics as core to its work to transform healthcare, specifically in the fields of workforce development and health-related research that advances clinical delivery models. The organization has made significant investments in undergraduate, graduate and continuing medical education to meet near-term needs and to shape the healthcare workforce in the future.

Because education and research are deeply embedded in the history and mission of Prisma Health, academics is one of seven elements included in the Prisma Health 2030 Strategic Plan. It defines a critical and exciting role for academics: To support its clinical mission with an applied approach that fosters teaching and learning, explores innovative opportunities, improves outcomes, and inspires health to support transformation of healthcare, and contributes to improving the health status of South Carolinians.

Intentional alignment of the clinical and academic missions – though not a traditional way of structuring academic health centers – is intended to not only align educational programs with workforce needs by graduating health professionals who are well-prepared to deliver high-value care, but also to integrate research programs into care processes that will lead to innovations around the most pressing healthcare needs. Thus, academics within Prisma Health is more than just a mechanism to achieve national recognition, obtain grant funding and produce scholarship (published knowledge). At Prisma Health, education and research are intended to be an increasingly systematic approach to problem solving used to produce the workforce of the future and to evaluate the effectiveness of existing healthcare approaches to guide development of new models of care.

### Service areas

Prisma Health service areas reach approximately half of South Carolina's population.



Note: the 11 refers to medical campuses that may house multiple hospital facilities.

Information about Prisma Health can be found at <http://PrismaHealth.org>.

## Position Summary

Reporting into the Deputy General Counsel, the Senior Associate General Counsel will be responsible for providing informed, thoughtful, practical, creative, and timely legal counsel, and other services on transactional, contracting, and regulatory matters that support Prisma Health's strategic priorities, programmatic objectives, and operational goals while balancing organizational risks.

The Senior Associate General Counsel should be a strategic thinker, an approachable adviser, and a strong relationship builder who thrives in a challenging environment and is clearly aligned with Prisma Health's values.

## Responsibilities

- Responsible for general health care transactions and contracts and related regulatory compliance issues, including corporate governance, billing, payor contracting, value-based contracts, and other subject matter areas depending on the needs of the office and the expertise and interests of the successful candidate.
- Provide proactive legal advice to Prisma Health management on various business structure and contract issues, including related regulatory issues such as Stark, Anti-kickback, and Civil Monetary Penalties regulations.
- Draft and negotiate significant contracts for Prisma Health and its affiliates.
- Advise on various corporate governance matters.
- Review, analyse, and interpret statutes and judicial opinions for their potential impact on the organization.
- Examine and analyse relevant information to determine appropriate actions to take in defending or prosecuting claims and/or lawsuits.
- Use prior knowledge and industry specific, historical experiences in resolving problems.
- Provide guidance and assistance to other counsel in a highly collaborative fashion.
- Serve as a liaison between Prisma Health and external legal counsel, ensuring effective communication and management of legal matters.
- Design, implement, and leverage process improvements and new technology tools, such as contract life cycle management solutions, e-billing, and corporate entity management systems.
- Conduct all assignments as a professional and role model with a sense of urgency.
- Continuously monitor changes in healthcare laws and regulations and proactively advise the organization on potential impacts.
- Collaborate with various departments and teams within the organization to ensure compliance with applicable laws, regulations, and policies.
- Participate in the development of training programs and materials to educate employees on legal issues and compliance.
- Uphold ethical and legal standards in all aspects of the role, promoting a culture of integrity and compliance within the organization.
- Perform all duties in a manner that models and reflects Prisma Health's purpose: Inspire Health. Serve with Compassion. Be the Difference.
- Contribute to the overall success of Prisma Health by performing other duties and responsibilities as assigned.

## Goals and Objectives

The successful candidate will strive to achieve the following goals within the first 18 to 24 months (not in any particular order):

- Gain credibility, trust and respect of Prisma Health's legal team and key constituents.
- Be seen as insightful, responsive, collaborative, and approachable with strong follow-through; someone who provides solid legal advice based upon an understanding of medicine and health sciences.
- Assure that all legal counsel is provided at a high level of service and that Prisma Health's legal team is recognized as collaborative, responsive, client focused, and problem solving.
- As a member of Prisma Health's legal team, be viewed as a team player, competent attorney, problem solver and resource to others.
- Become familiar with Prisma Health's structure and mission critical components.
- Further develop and support a client-first, problem solving approach to legal services in the legal department.
- Add a strong healthcare regulatory and transactional background to the legal team.
- Support and maintain an approach that will first seek to understand the strategic issue surrounding the question and explore creative but regulatory appropriate alternatives to matters that the organization faces.
- Help identify innovative and effective ways to deliver legal services in the organization.

## Candidate Qualifications

### Education/Certification

- J.D. from an accredited law school
- Membership in the State Bar of South Carolina, or eligibility for admission based on reciprocity, or in-house counsel is required

### Knowledge and Work Experience

- A minimum of 5 years' progressive success as an attorney supporting hospitals, physicians, and other healthcare providers with an emphasis on healthcare transactional and regulatory matters including Stark Law, Anti-Kickback and Civil Monetary Penalties regulations.
- A demonstrated track record of quickly developing credibility and forging strong partnerships with senior leaders, legal team members, and other key constituents.
- An understanding of corporate, hospital and medical group operations, as well as experience with joint ventures, mergers and acquisitions, and pre/post deal activities.
- A track record of developing positive relationships with a multitude of constituents, including the ability to assist in resolution of differences and conflict, along with the ability and commitment to provide regular, clear, and concise communication.
- Experience analyzing information from many sources, often conflicting, and making sound judgments.

### Leadership Skills and Competencies

- The ideal candidate will demonstrate strong client service orientation, responsiveness, and accessibility to Prisma Health's corporate executive team and other key constituents.
- A person of unquestioned integrity and moral character; an individual that the institution and community can trust without reservation.
- Drives results through effective team and individual performance, setting clear goals and managing accountability. Willing to take personal risk to reap business rewards.
- Ability to influence and gain commitment to strategies by building strong, collaborative working relationships.
- Highly effective communicator who encourages dialogue within team and cross-functional members.
- Resilience to lead effectively in an organization and industry that is continually changing and evolving. Ability to manage change effectively, as well as deal with ambiguity.
- Possesses business savvy and knowledge of current and emerging legal issues, trends and strategies in healthcare delivery.
- Demonstrates the humility and emotional intelligence necessary to build collaborative relationships and an inherent drive to succeed in fulfilling the mission, goals and objectives of Prisma Health.

## The Community

### Columbia and Greenville, South Carolina

#### Columbia

Columbia is the capital city of South Carolina with a population of approximately 130,000. It is home to the South Carolina Statehouse, a Greek Revival building set within gardens dotted by monuments. Riverbanks Zoo & Garden is a huge park with animal enclosures and botanical gardens. A diverse collection spanning centuries is on display at the Columbia Museum of Art. Dating to 1823, the Robert Mills House is a mansion and museum surrounded by ornate gardens. The Columbia area is referred to as “The Midlands.”

Greater Columbia offers a wide array of entertainment choices and is home to the South Carolina Philharmonic Orchestra, Columbia City Ballet and myriad performing art groups. For families looking for a public school district or a private school, Greater Columbia is home to some of the South’s best academic options.



*Sporting News* recognized Columbia as one of the “Best Sports Cities.” The University of South Carolina is in Columbia with its beloved Gamecocks, where every home football game is sold out (in 80,000+ seat Williams Brice Stadium). The Gamecocks’ archrivals include the Clemson Tigers, from Clemson University in Clemson, South Carolina; each year, the annual face-off sparks huge rallies and fanfare. The Benedict College Tigers also have a devoted fan base and are members of the Southern Intercollegiate Athletic Conference.

Lake Murray, a 50,000-acre reservoir, is in Columbia’s backyard, while three beautiful rivers run through its communities. By car, the ocean and mountains are both just a few hours away.

The average high for Columbia in July is 92 degrees (the warmest month), while the average high in January is 55 degrees (the coldest month). Columbia enjoys sunshine 226 days a year and gets only the occasional snow.

For more information on Columbia and surrounding areas, click the links below:

<https://www.columbiasc.net/>

<https://www.experiencecolumbiasc.com/>

## Greenville

With a population of 70,000, Greenville is the largest city in the Upstate region of South Carolina. “The Upstate” is a 10-county area of northwestern South Carolina. Nestled in the foothills of the Blue Ridge Mountains, the city of Greenville is approximately halfway between Atlanta, Georgia, and Charlotte, North Carolina, along Interstate 85.

Greenville is anchored by what *Forbes Magazine* calls one of America’s Best Downtowns. Featuring a unique “floating” suspension bridge, Greenville boasts a thriving arts scene; hundreds of restaurants, shops, and boutiques; popular annual festivals; and numerous historic sites and museums housing significant art collections. Excellent interstate service and a user-friendly airport (Greenville-Spartanburg International Airport) make for easy access.



Greenville County was established in 1786 and named for its physical appearance, though some argue that Greenville is named after General Nathanael Greene in honor of his service in the Revolutionary War. In 1869, Greenville officially became a city, which boomed with mills, railroads, and a daily newspaper. Perhaps the most important infrastructure that came to the city was cotton mills. By 1915, Greenville was called the “Textile Center of the South.”

In the last few decades, favorable wages and tax benefits have lured foreign companies to invest heavily in the area. When French tire manufacturer Michelin chose Greenville as its North American headquarters in 1986, and German automaker BMW arrived in the 1990s (bringing with it more than 30 suppliers), global interest in Greenville rose. Today, Greenville boasts more than 250 international firms from 26 different countries and has the most foreign investment per capita in the U.S. Greenville County is now home to 650+ manufacturers, 40 Fortune 500 companies and 150 headquarters.

Greenville has several colleges and universities, including Furman University and Greenville Technical College. Clemson University has a campus in Greenville called Clemson University International Center for Automotive Research, which houses a graduate program dedicated to automotive engineering. Included on the Greenville Memorial Hospital campus is the University of South Carolina School of Medicine Greenville, a long-term financial partnership with Prisma Health backed by many years of providing comprehensive medical education to students from the University of South Carolina, the state's largest public university. Clemson University Nursing, also housed on this campus, is committed to teaching, research, and service to the public. The goal of the nursing school is to prepare nurses for professional practice, leadership in healthcare and to advance nursing knowledge.

For more information on Greenville and surrounding areas, visit:

<https://www.visitgreenvillesc.com/about-greenville/>.



## Procedure for Candidacy

Please direct all nominations and applications to Werner Boel, LL.M. and Taeler Kaufmann through the WittKieffer Candidate Portal by clicking [here](#). Candidates can also find this portal via the WittKieffer website at [www.wittkieffer.com](http://www.wittkieffer.com) and select the "Become a Candidate" button. If you have trouble logging into the portal or have any inquiries about the opportunity, please contact us at [tkaufmann@wittkieffer.com](mailto:tkaufmann@wittkieffer.com).

*Prisma Health values diversity and is committed to equal opportunity for all persons regardless of age, color, disability, ethnicity, marital status, national origin, race, religion, sex, sexual orientation, veteran status or any other status protected by law.*

The material presented in this leadership profile should be relied on for informational purposes only. This material has been copied, compiled, or quoted in part from Prisma Health documents and personal interviews and is believed to be reliable. While every effort has been made to ensure the accuracy of this information, the original source documents and factual situations govern.

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