



David E. Schweighoefer

Counsel

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Cleveland - 216.583.7278

David is a highly experienced health care attorney who advises numerous clients regarding regulatory and corporate compliance program development, patient rights, informed consent policies, and procedure development. He has extensive knowledge designing and implementing Stark-compliant physician compensation programs, employment and recruitment contracts, and corporate compliance programs. David advises hospital providers on HCQIA Fair Hearing procedures, compliance audits for HIPAA, and HITECH regulations. He creates procedures for hospitals and ambulatory surgery centers, as well as breach notification policies for providers.

David has helped facilities and providers to operate successfully in changing regulatory environments, and achieve and maintain regulatory compliance with the Joint Commission Standards, AOA, CMS, ODMH, and the Ohio Department of Health. He also interprets Medicare Physician Fee Schedule issues and provides RAC audit compliance and overpayment recovery and appeal advice. He has experience in the design, development, and implementation of behavioral medicine services, as well as new construction and renovation of inpatient and outpatient programs. Prior to law school, David worked as a CEO at hospitals in Milwaukee and Northeast Ohio, and also served as the COO of a multi-hospital regional system.

Education

- Michigan State University (B.S., 1972)
- University of Michigan (M.A., 1978)
- Cleveland State University College of Law (J.D., 2002)

Bar Admissions

- Ohio

Professional Affiliations

- Case Western Reserve University Mandel School of Applied Social Sciences (*Adjunct Professor, Mental Health Policy*)
- Cleveland State University Cleveland-Marshall College of Law (*Adjunct Professor of Health Law I, Health Law II, Psychiatry and the Law, Fraud and Abuse in Health Care,*

Practices & Industries

- Health Care
- Health Care Business Transactions
- Mergers & Acquisitions
- Business Law
- Health Care & Regulated Industries
- Regulatory Compliance
- Behavioral Health

HIPAA, and Law in Medicine, 2007-2022)

- Cleveland-Marshall College of Law Advisory Council for Health Law & Public Policy Center (2009-2022)
- Cleveland Metropolitan Bar Association
- Ohio State Bar Association
- American Health Lawyers Association (*Vice-Chair, Publications; Behavioral Medicine Task Force*)
- University of Pittsburgh School of Law (*Adjunct Professor of Professional Judgment and Ethics, 2017*)
- Cleveland State University School of Nursing Visiting Committee (2017)
- Lake Erie College (*Adjunct Professor of Psychology and the Law and Landmark Cases in Mental Health Law, 2011 to 2013*)
- Ohio Hospital Association (*Member; Chair, Behavioral Medicine Work Group, 2004-2005*)

Community Involvement

- Hudson Charter Review Commission
- Koinonia (*Board of Directors, 2019-2021*)
- Emergency Medical Services Outreach Fund of Hudson (*Co-Founder, 2010-present*)
- Hudson Community Foundation (*Board of Directors, 2010-2013, 2024-present*)
- The Free Clinic (*Board of Directors, 2008-2013*)
- Leadership Hudson (*Class of 2009-2010*)
- Mental Health Services, Inc. (*Board of Directors, 2007-2008*)

Awards & Honors

- *The Best Lawyers in America*®, Health Care Law (2015-2026)
- Cleveland-Marshall College of Law, Judge Richard Markus Adjunct Faculty Award (2016)
- *Best Lawyers in Northeast Ohio* (2016)
- Cleveland-Marshall College of Law, Health Law Society, Pioneers of Excellence in Health Care Award (2011)

Experience

- Experience with a wide variety of health care matters, including RAC and ZPIC appeals, provider M&A transactions, vendor and employment agreements, DME and clinical laboratory compliance plans, security risk analysis and cybersecurity matters, and federal overpayment analysis.
- Advises clients regarding regulatory compliance pertaining to the Anti-Kickback Statute; the Stark laws Civil Monetary Penalties and False Claims statutes; medical device manufacturers and medical device re-manufacturers regarding FDA compliance and 501(k) certification; HIPAA and HITECH Privacy and Security Rule compliance and risk analysis; HIPAA breach notification policy and procedure development; Home Health

Agency licensing; and EMTALA guidance.

- Experience with Medicare and Medicaid provider enrollment, billing and Medicare secondary payer compliance, Medicare secondary payer issues and requirements in liability settlements, and appeals of Medicare Part B and D denials.
- Experience with independent practitioner contract review; corporate compliance program development and implementation; physician hospital integration strategies; pharmacy and laboratory compliance guidance; and managed care contracting guidance and contract review.
- Represents Ohio licensed healthcare providers regarding licensing board investigations and complaints.
- Experience revising and drafting close corporation documents for physician practices; revising hospital medical staff bylaws; assisting with the sale and acquisition of medical practices; and advising on IDTF lease and equipment agreements, joint venture creation and unwinding of corporate entities, and physician LLC formation.
- Represents and provides valuable counsel to owners, operators, and managers of skilled nursing and assisted living facilities throughout the United States, and has experience developing review mechanisms for nursing home admissions agreements and related arbitration clauses.
- Serves as outside general counsel for a nonprofit mental health agency, and was responsible for advising the Board of Directors and the CEO on issues regarding trustee duties and responsibilities, fiscal matters, debt refinancing, corporate compliance, quality improvement, risk management, employment and labor issues, and Board and Committee bylaws.
- Facilitated the design and development of ACO structures for applicant hospitals and physician groups.

News & Media

August 21, 2025

UB Greensfelder Attorneys Recognized in The Best Lawyers in America® 2026 List

August 15, 2024

UB Greensfelder Attorneys Recognized in The Best Lawyers in America® 2025 List

August 17, 2023

Ulmer Attorneys Recognized in The Best Lawyers in America® 2024 Report

August 18, 2022

Ulmer Attorneys Recognized in The Best Lawyers in America® 2023 Report