

Medical Leasing: Essential Aspects and Peculiarities

Bernard O. Dow Leasing Institute
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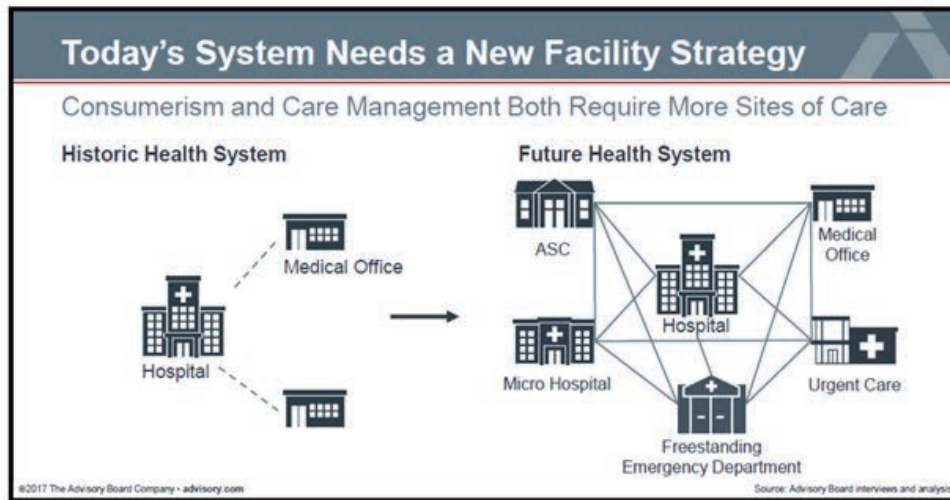
Marni Dee Zarin
Winstead PC
mzarin@winstead.com

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Introduction

- Evolving Health Care Industry
- Regulatory matters
- Facility Changes – Construction Issues
- Retail Leasing Issues
- Hospital as Landlord

Evolving Health Care Industry



Presented by Abby Burns and Matt Pesesky, at Advisory Board, Facility Planning Forum, July 13, 2017

Types of Medical Leases

1. Medical Office Buildings (“MOB”)
 - Owned by MOB Developers
 - Leased to Physicians and Physician Practices
2. Retail Space or General Office Building
 - Owned by Retail or Office Developers
 - Leased to Health Care Providers for Medical Use
3. Retail Leases within a Hospital or MOB
 - Owned by Health Care Provider or MOB Developer
 - Leased to Retail Users (café, pharmacy, gift shop)



REGULATORY MATTERS

Regulatory Matters Stark Law

- 42 USCS § 1395nn; 42 C.F.R. § 411.35-411.389
- Applies to landlords which have an ownership structure consisting of physicians or medical providers
- Prohibits referrals for “designated health services” to entities where the physician has a financial relationship
- Regulates referral payments

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