

# Medical Leasing: Essential Aspects and Peculiarities

Bernard O. Dow Leasing Institute  
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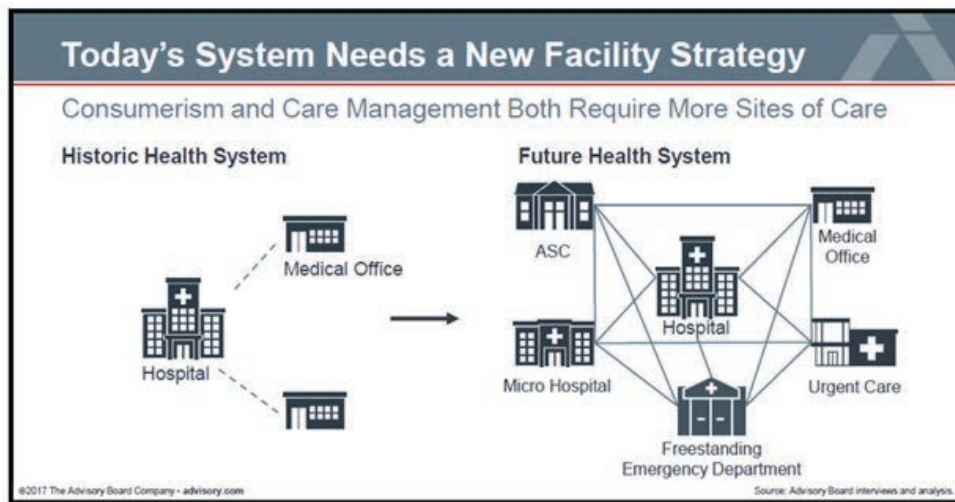
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## Introduction

- 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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