RMF
RuskinMoscouFaltischek P.C.
Smart Counsel. Straight Talk.

DOUGLAS M. NADJARI / PARTNER

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Education

- Tulane University College of Law, (J.D.)
- Tulane University College of Arts and Sciences (B.A.)

Practice Areas

- Alternative Dispute Resolution
- Commercial Litigation
- Health Law: Regulatory
- Healthcare Professionals
- White Collar Crime & Investigations

Douglas Nadjari is an accomplished trial lawyer concentrating in criminal defense, regulatory enforcement proceedings, and complex commercial litigation. Over the past 35 years, he has successfully tried to verdict dozens of criminal, civil, and administrative cases. He is widely recognized in many arenas for the creative and aggressive representation of physicians and other health professionals.

A partner at Ruskin Moscou Faltischek P.C., he is a member of the firm's Health Law Regulatory Department and White-Collar Crime & Investigations Practice Group.

Nadjari is best known for representing clients in criminal matters and before the Office of Professional Medical Conduct (OPMC), the Office of Professional Discipline (OPD), Office of the Inspector General (OIG) and the U.S. Drug Enforcement Administration (DEA), in hospital medical staff proceedings, audits, claw-backs and demands for repayment made by Medicare, Medicaid and private health insurers as well as the defense of physicians and corporations in criminal, administrative and commercial disputes. Previously a partner at a major New York City medical malpractice defense firm, he also served as a supervisor in the Homicide Bureau and Deputy Chief of the Investigations, Felony Trial and Major Frauds Bureaus in the Brooklyn District Attorney's Office where he spearheaded the investigation and prosecution of homicide cases, healthcare and other complex financial fraud cases.

Doug serves as co-chair of the Professional Discipline Committee of NYSBA Health Care Section, and is a member of the Tulane University School of Law Criminal Law and Procedure "Boot Camp" faculty. He also serves as a Chairman of the Board of Directors for the Island Harvest Food Bank and is a member of the Board of Advisors to the L.I. Energeia Partnership.

Presentations

- Speaker – Panel Discussion – "A Survey Of Healthcare Litigation: The Who, What, Where And Why Of Health Related Proceedings." NYSBA, July 20, 2022.
- Moderator - Panel Discussion - "Opioids And Controlled Substances: The Prosecution And Defense Of Physicians And Other Providers In Criminal Cases And Administrative Proceedings," NYSBA, March 2021.
- N.Y.S. Bar Association Annual Meeting, Disciplinary Action Against Health Care Professionals , Collateral Consequences, January 2019.
- A Tightening Noose for Licensed Professionals: Collateral Consequences of Convictions, Exclusions & Professional Discipline, Nassau County Bar Association, November 1, 2018
- Electronic Medical Records in the Legal Arena: A Digital Carousel of Horrors, Nassau County Bar Association, September 2018
- Representing Licensed Healthcare Professionals in the Disciplinary Process: The OPMC Interview, June 2017
- Ethics of Representing the Accused in Criminal Cases, Panel Discussion, Nassau County Bar Association, October 2016
- Hospital & Health Law Committee: Opioid Addiction: Navigating the New Legislative Landscape & Strategies for Compliance, September 2016.
- Government Investigation of Controlled Substances: Representing Health Care Entities & Providers, Nassau County Bar Association June 2016.
- Panelist Long Island Association Symposium Data Breaches: A Survival Guide, April 2015.
- Moderator: RMF and HUB International: Data Security for the Healthcare Industry, June 2015.
- Accomplice Testimony & Evidence Uncharged Crimes at Trial and Sentencing: The Prosecutor's Best Friend and Defendant's Worst Nightmare, Tulane University School of Law, January 2014 – 16.
- Representing Physicians & Other Healthcare Professionals: Navigating the Clear & Present Danger Posed by the National Practitioner Databank, Nassau County Bar Association, May 2014.
- Settlements Verdicts & The National Practitioner Databank, A Primer on Protecting Yourself and Your Clients, NYS Medical Defense Bar Association, June 2014 Verdicts.
- Healthcare Today: A Minefield for the Unwary, Including Ethical Obligations, May 2012.
- Defending Health Care Professionals Against Clear & Present Danger Posed by the National Practitioner Databank, Lawline 2010.
- New York's Office Based Surgery Statute: A Practical Guide.
- OPMC: A Clear & Present Danger- Trends, Threats and Risk Management.
- Physician Persecution: The Criminalization of Healthcare in the New Millennium.
- Fraud & Abuse and Current OPMC Trends.
- Surviving the Retrospective Audits.
- Practice Options & Contracting Issues for Graduating Medical Residents.
- Managed Care and Managed Care Contracts The Scope of the Patient/Physician Relationship.
- Medical Records & Coding Issue: A Primer for New Physicians and Medical Residents.
- Legal Implications of the Physician Patient Relationship: A Primer for Medical Residents.

Notable Representations

- Successfully represented the CFO of a not-for-profit entity and avoided all charges in an investigation initiated by the Charities' Bureau of the NYS Attorney General's Office.
- Coordinated HIPAA breach investigation, reports, responses and related government inquires for large multispecialty medical groups.
- Obtained dismissal of 10 separate indictments brought against physicians and professional corporations in criminal matters brought by the Suffolk County District Attorney.
- Following the completion of pretrial hearings, secured the dismissal of all criminal charges brought against a physician by the NYS Attorney General, Medicaid Fraud Control Unit.
- Successfully defended physician before the OPMC in investigation concerning controversial treatment of Lyme disease.
- Successfully mediated civil dispute on behalf of healthcare employer charged with sexual harassment by employee.
- Successfully defended physician facing multiple sexual boundary complaints investigated by the OPMC.
- Represented several physicians charged by the NYS Attorney General with engaging in conspiracies to sell prescriptions for narcotic medications.
- Using NY's Prompt Payment law, prosecuted a lawsuit against Fortune 500 health insurer on behalf of a gynecologist seeking payment for out of network services.
- Successfully defended physician facing false allegation disability from the practice of medicine due to physical and mental disease investigated by the OPMC.
- Successfully negotiated confidential separation from hospital system for surgeons facing allegations of research dishonesty and potential violations of federal law.
- Represented multiple physicians in disciplinary proceedings brought by the New York State Department of Health, Office of Professional Medical Conduct (OPMC) including a recent matter that resulted in withdrawal of all disciplinary charges during the course of an ongoing hearing.
- Represented several NJ podiatrists in unrelated prosecutions for Medicare fraud brought by the U. S. Attorney for the District of New Jersey.
- Represented providers of durable medical equipment (DME) in a broad conspiracy indictment involving charges of money laundering and healthcare fraud brought by the U.S. Attorney for the Eastern District of New York.
- No charges lodged against a key corporate employee of a large hospital system in a bribery and public corruption investigation undertaken by the U.S. Attorney for the Southern District of New York.
- Successfully represented key employee of a large construction company in an investigation involving a crane collapse undertaken by the NY County District Attorney.
- Successfully represented a well-known Ohio art dealer in a dispute with the Metropolitan Transit Authority concerning ownership of valuable artifacts.
- Successfully represented various physicians in RICO cases involving fraud and allegations of corporate practice of medicine brought by large insurance conglomerates and litigated in the U.S. District Courts.

- Represented podiatrists, social workers, chiropractors, dentists and physicians in prosecutions brought by the Queens, Brooklyn and NY County District Attorney alleging participation in money laundering and healthcare fraud conspiracies.

PUBLICATIONS

- Douglas Nadjari Joins SSAM's Panel of Exceptional Neutrals (Press Releases)
- Twenty-Five Ruskin Moscou Faltischek Attorneys Named As New York Metropolitan Area Super Lawyers For 2021 (Press Releases)
- RMF Attorneys Douglas Nadjari and Alex Bateman to present NYSBA Virtual CLE *(Announcements)*
- Seventeen Ruskin Moscou Faltischek Attorneys Named As New York Metropolitan Area Super Lawyers For 2020 (Press Releases)
- Podcast: A Passion for Giving (Health Law: Regulatory)
- Health Law Alert – Employing Effective Telemedicine in the COVID-19 era (Alerts, Health Law: Regulatory)
- Health Law Alert- Federal Government Issues Emergency Order Permitting Prescriptions for Controlled Substances Without Live Face-To-Face Encounter During COVID-19 Crisis (Alerts, Health Law: Regulatory)
- Fifteen Ruskin Moscou Faltischek Attorneys Named As New York Metropolitan Area Super Lawyers for 2019 (Press Releases)
- Sixteen Ruskin Moscou Faltischek Attorneys Named as New York Metropolitan Area Super Lawyers for 2017 (Press Releases)
- Douglas M. Nadjari Named Chairman of the Nassau County Bar Association Health and Hospital Law Committee (Press Releases)
- Partner Douglas M. Nadjari to Join the Faculty of Tulane University Law School's Criminal Litigation Boot Camp (Press Releases)
- Rainmaker Q&A: Douglas Nadjari (Articles, Health Law: Regulatory)
- RMF attorneys present program to the Nassau County Bar Association Health and Hospital Law Committee (Press Releases)
- Navigating a HIPAA Breach at Your Medical Practice (Articles, Heath Law: Transactional)
- Medicare Audits: A Survival Guide (Articles, Health Law: Regulatory)
- Medicare Audit and Appeals: A Study in Utter Dysfunction (Alerts, Health Law: Regulatory)
- Medicare Advantage Terminations: Thinning The Herd Of Qualified Participating Providers (Alerts, Health Law: Regulatory)
- NYC Bar Advocates Loosening of FCPA Restrictions (Alerts, White Collar Crime and Investigations)
- The Physician as "Enemy Combatant": The New York's One-Sided System of Physician Discipline (Articles, Health Law: Regulatory)

- Accountable Care Organizations: A Dangerous Regulatory Leap of Faith (Articles, Health Law: Regulatory)
- New York's Medicaid Redesign Plan — The Neurologically Impaired Infant's Fund: True Relief or Looming Disaster? (Articles, Health Law: Regulatory)
- American Society of Plastic Surgeons Adopt (Articles, Health Law: Regulatory)
- Electronic Medical Records: One Small Step for Man… (Articles, Health Law: Regulatory)
- Physician Persecution and the Prosecution of Health Care Fraud (Articles, Health Law: Regulatory)
- The New Corporate Ethos: Why Orthopedic Device Manufacturers Turn "State's Witness" Against Physicians (Articles, Health Law: Regulatory)
- A Prescription for the Medicare Audit (Articles, Health Law: Regulatory)
- The Prosecution of Healthcare Fraud In the New Millennium (Articles, Health Law: Regulatory)
- The Arrival of Telemedicine: Internet Savior or Electronic Predator? (Articles, Health Law: Regulatory)
- New York Enacts New Law Requiring Accreditation of Office-Based (Articles, Health Law: Regulatory)
- The NYS False Claims Act: A Brave New World for Health Care Fraud Litigation (Articles, Health Law: Regulatory)
- Aggressive New CMS Pre-Payment Review Initiative Threatens Physician Practices and Hospitals (Alerts, Health Law: Regulatory, Health Law: Transactional, Healthcare Professionals)

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5 YEARS

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AV PREEMINENT
Peer Rated for Highest Level of Professional Excellence
2021