

## Joshua I. Skora

### Partner

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Joshua Skora focuses his practice on representing public and closely-held health care companies, including durable medical equipment suppliers and manufacturers, pharmacies, home health and hospice agencies, home infusion providers, ambulatory surgical centers, laboratories, diagnostic testing facilities, telemedicine providers, behavioral health and substance abuse providers, skilled nursing facilities, long-term care facilities, and other ancillary health care providers.

As outside general counsel for many clients, Joshua collaborates with attorneys across the firm to address a wide range of client needs both domestically and internationally. His counsel is highly regarded for his comprehensive grasp of business and litigation risks, navigating the intricate regulatory landscape of health care, and effectively addressing regulatory challenges.

Joshua advises clients on intricate corporate and regulatory matters and disputes, including fraud, waste, and abuse issues, compliance strategies, contract negotiations, reimbursement matters, Medicare/Medicaid enrollment, audits and appeals for overpayments, internal investigations, payor disputes, and inquiries from federal and state regulatory bodies.

In addition to his regulatory practice, Joshua maintains an active role in transactional matters, guiding clients through acquisitions, sales, corporate reorganizations, and joint ventures.

Joshua's experience has been recognized by peer-reviewed industry guides, including *Chambers USA*:

**“Joshua is absolutely exceptional. He dug deep into the issues to uncover the core problem, built a strategy and road map to get us to the goal, and then delivered.”**

**“Joshua is very creative, knowledgeable and all-around excellent.”**

**“Joshua helps me understand the effects of regulation on our business.”**

## **Representative Experience**

- Represented React Health Holdings, LLC, a holding company whose subsidiaries manufacture and distribute sleep therapy, respiratory therapy, and disinfection products in North America in the following:
  - Acquisition of Medi-Lynx Cardiac Monitoring, LLC, a Texas-based remote cardiac monitoring service provider and Medicare-enrolled independent diagnostic testing facility.\*
  - Merger with Washington-headquartered Ventec Life Systems, Inc., a ventilator manufacturer.\*
  - Negotiated terms and closed an investment by Palm Beach Capital.
  - Acquisition of Watermark Medical, Inc., a Medicare-enrolled independent diagnostic testing facility.\*
  - Negotiated terms and closed an investment by One Equity Partners.\*
- Represented Florida-based 3B Medical, a respiratory equipment manufacturer, in acquiring medical device manufacturer Drive DeVilbiss' sleep division assets.\*
- Successfully resolved False Claims Act allegations against a durable medical equipment supplier in Vermont, negotiating Vermont's first Medicaid Corporate Integrity Agreement.\*
- Settled qui tam lawsuit under the federal False Claims Act involving alleged fraudulent billing practices, avoiding a Corporate Integrity Agreement with the DOJ.\*
- Represented a consortium of durable medical equipment suppliers in challenging Medicare rates for ventilators.\*
- Secured summary judgment for a durable medical equipment supplier in a federal class-action lawsuit related to the Telephone Consumer Protection Act.\*
- Represented a durable medical equipment supplier in successful protests of the Department of Veterans Affairs contract award and subsequent solicitation terms to the Government Accountability Office and the Court of Federal Claims.\*
- Represented pharmacies in disputes with pharmacy benefit managers for improper audit deficiencies and network terminations. Obtained temporary restraining orders and injunctions enjoining pharmacy benefit managers from terminating contracts.\*
- Represented targets, subjects, and witnesses in Operation Brace Yourself.\*
- Represented VieMed in response to a U.S. Department of Health and Human Services Office of Inspector General Audit Services audit and administrative appeals. Successfully reduced the error rate from 98% to zero.\*
- Represented health care providers in response to data breaches and security incidents.

*\*Matters handled prior to joining Foley.*

## Accolades and Recognition

- Recognized, *Chambers USA*, Healthcare in Texas (2021-2024)
- Recognized, Best Lawyers in Dallas, *D Magazine* (2020-2021)

## Speaking Engagements

- Speaker, “Medtrade Preview: Joshua Skora on Implementing a Payer Playbook,” *HME News* (March 2024)
- Speaker, “Operation Brace Yourself: Lessons Learned from the Trenches and Best Practices to Avoid Investigations Predicated on Third-Party Malfeasance,” Medtrade Advisory Board (October 2018)

## Publications

- Co-author, “Medicare: Prescriptions Now May Be Used to Support Medical Necessity of Durable Medical Equipment,” *Health Care Law Today* (October 2, 2024)

## Sectors

- [Health Care & Life Sciences](#)

## Practice Areas

- [Corporate](#)
- [Government Enforcement Defense & Investigations](#)
- [Health Care](#)

## Education

- University of Minnesota Law School (J.D., cum laude, 2006)
- Dartmouth College (B.A., 2003)

## Admissions

- Texas