WEISS

The Mark F. Weiss Law Firm, A Professional Corporation

MARK F. WEISS

Shareholder

Practice Specialties: Healthcare Law

Mark F. Weiss provides intensive, relationship-based counsel to clients on a wide range of healthcare and healthcare-compliance related corporate law issues.

The primary focus of his practice is working with clients on a strategic level and on the negotiation, and transformational improvement of, their business relationships.

With over 30 years healthcare law practice experience as well as business experience inside and outside of healthcare, including a senior leadership role in medical group management and experience as the CEO of a healthcare financial services firm, Mr. Weiss brings singular expertise to the benefit of his Clients.

In addition, from 2002 to 2013, Mr. Weiss held an academic appointment as a Clinical Assistant Professor of Anesthesiology at the Keck School of Medicine of the University of Southern California, where he developed and taught a nine subject seminar series on the business and legal issues affecting physicians.

Mr. Weiss's philosophy of practice is based on the premise that the most effective representation takes into account, and is coordinated with, the Client's overall strategic goals. This avoids one of the major complicating factors of the traditional approach to opportunities and challenges in which issues are confronted on a "piecemeal" basis, one at a time without coordination with your overall goals. That outmoded methodology is generally focused reactively on problems, not proactively on the mitigation of dangers, exploitation of opportunities, and the multiplication of your strengths. Traditional legal work does nothing to control the level of complexity -- to the contrary, it often increases it.

8150 N. Central Expy. Suite 1000, Dallas, TX 75206
p: 972. 392. 9200 w: weisspc.com
f: 877. 883. 0099 e: markweiss@weisspc.com

Areas of Practice:

HEALTHCARE

- Strategic Representation of Hospital Based Group Practices.
  The representation of hospital-based physician groups with a particular emphasis on radiology and anesthesiology groups. Formation, governance, employment/subcontracts, exclusive contracts and ongoing, strategic counseling in respect of the Client's relationship with the facilities served.

- Compliance Issues.
  Experienced in a wide range of compliance issues including federal and state anti-kickback statute compliance, federal (Stark) and state self-referral issues, HIPAA, and related concerns. In connection with compliance issues, Mr. Weiss has significant experience representing hospital-based physicians and physician groups in potential kickback scheme avoidance, including representation of the Relator in connection with OIG Advisory Opinion 13-15.

- Group Practices.
  The creation and ongoing representation of medical groups, from two to over 100 physicians. Structuring and formation of entities for the operation of medical group practices. Counseling in connection with regulatory compliance issues related to medical group formation. Development of intragroup management structures and the ongoing counseling of Clients on a wide range of issues, including the planning and preparation of subcontracts and employment agreements with group physicians and other healthcare professionals, and the resolution of intragroup disputes. Design and structure of intergroup relationships among medical groups.

- Individual Physicians.
  Representation of individual physicians in the context of their relationships with medical groups, hospitals, healthcare facilities and managed care entities. Preparation and negotiation of employment and subcontract relationships. Representation of physicians in connection with health care facility medical directorships and clinical research positions.

- Academic Medicine.
  Experienced in the representation of medical school academic departments and their department leaders in respect of protecting the academic mission and academic control in an increasingly profit- driven academic world.

- Academic-Private Practice Joint Ventures.
  Representation of private practice medical groups in joint venture type arrangements with medical schools/medical school academic departments in connection with the training of medical residents.

- Troubled Multi-Physician Practices.
  Representation of physicians involved in intra-group disputes. Projects include the representation of physicians withdrawing from groups as well as the representation of groups in respect of the withdrawal of a member.

- Hospitals, Ambulatory Surgery Centers and other Outpatient Facilities.
  Active in the representation of healthcare facilities, their owners and investors, in a wide range of projects. Projects range from the establishment of ASCs and other outpatient facilities, consultation in respect of service contracts, establishment and problem solving in respect of relationships with physicians, and a wide range of legal-related business issues. Mr. Weiss has a particular interest in the formation of what he terms Massive Outpatient Centers™ ("MOCs™"), an ASC + Aftercare + Medical Office Building + Imaging Center + Etc., a hospital without the hospital.

- Physician Management Entities.
  Planning and formation of management services organizations (MSOs), physician practice management companies and physician billing/business management entities. Design of entity structure and advice concerning, and documentation of, internal matters as well as the structure and implementation of the relationships between the physician management entity and the various managed entities.

- Exclusive Contracts.
  Representative projects include the negotiation and drafting of exclusive contracts between hospitals and ASCs and physician groups. Sites range from small surgery centers to community hospitals to large, internationally renowned medical centers.

- Managed Care Entities.
  Representative projects include the planning, drafting and review of organizational documents for the formation of managed care entities (IPAs, PHOs, ACOs, and similar vehicles), the negotiation of reimbursement rates, the negotiation and drafting of provider agreements, and the overall legal representation of managed care entities.

- Patient Protection and Affordable Care Act Issues.
  The representation of physician interests in respect to reaction to, and exploitation of opportunities inherent in, the Patient Protection Act, with a particular emphasis on Accountable Care Organizations.

- Mergers and Acquisitions (M&A) in Connection with Medical Practices.
  Representative projects include the representation of sellers and purchasers of medical practices/groups. Significant experience working with potential sellers on the strategic issue of their best course of action for the future, whether a merger, an acquisition or the pursuit of one or more alternatives.

- Integrated Delivery Systems.
  Representative projects include the representation of numerous medical groups in connection with the formation of integrated delivery systems. Examples include counseling physician groups in connection with the formation of Physician/Hospital Organizations' representation in respect of increasing physician control of ACOs in formation; the representation of a group of investors/physician providers in connection with a holding company formed to provide management services for a network of physicians and hospitals; the representation of a start-up network of university and community based specialists with hospital and ancillary service provider participation; and the representation of the purchaser of a network of multiple primary care offices, a clinical laboratory, multiple imaging centers, and multiple physical therapy centers, which work continued to include the reorganization of the purchased assets and a restructuring of their operations.

- Workers Compensation.

  Extensive experience counseling clients (including surgeons, primary care physicians, and multi-specialty groups) on the design and structure of business operations in light of regulatory changes in California's Workers Compensation laws. Expertise in the design of pharmacy programs for the dispensing of pharmaceuticals by physicians to their Workers Compensation patients, including issues ranging from pharmacy compliance to pharmacy wholesaler contracting to the design of factoring and other financing relationships.

- Business Operations.
  Counseling of clients in connection with a broad range of business issues. Projects range from consulting regarding specific operational issues to restructuring the business operation, advice in connection with internal issues such as governance, compensation, change of ownership, providing advice in connection with alleged malpractice, general liability and directors and officers insurance matters, and the negotiation of arrangements with service providers including insurance companies, billing services and accounting firms, among others.

- Medical Staff Issues.
  Representation of medical staff departments and of department physicians in connection with a range of medical staff privilege and medical staff discipline issues.

- Skilled Nursing Facilities.
  Representative projects include the representation of operators of facilities in connection with the acquisition and operation of facilities; the representation of owners of facilities in connection with lease and sale transactions; and the representation of facilities in connection with antikickback, fraud and abuse, and self-referral issues.

- Research and Education.
  Representation of tax-exempt entities involved in the active conduct of medical research and education. Representation of teaching hospital medical staff departments in connection with business and regulatory issues related to residency programs.

- Complementary and Alternative Medicine.
  Representation of entities engaged in the provision of complementary and alternative medicine services, ranging from international companies providing training designed to alleviate physical and mental conditions to entities operating multi-disciplinary wellness centers.

- False Claims Act.
  Advise medical groups and healthcare facilities to prophylactically defend against FCA claims and consult with litigation counsel as subject-matter experts both in connection with the prosecution of, and defense against, healthcare compliance based False Claims Act lawsuits.

CORPORATE LAW IN RESPECT OF HEALTHCARE ENTITIES

- Formation and Structure of Start-Up Entitles.
  Representation of clients in connection with the selection and formation of business entities; corporations, partnerships, limited liability companies and limited liability partnerships.

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  Representation of clients in connection with the selection and formation of business entities; corporations, partnerships, limited liability companies and limited liability partnerships.

- Mergers and Acquisitions.
  Representation of clients in connection with the acquisition and divestiture of businesses.

- Employment.
  Preparation and negotiation of a wide range of employment agreements and independent contractor agreements. Ongoing counseling of clients in connection with employment related matters.

- General Representation/Strategic Planning.
  Drawing both on his legal experience and his past service as the interim CEO of a $50 million per year healthcare business, Mr. Weiss counsels clients on a broad range of issues, in effect serving as outside general counsel.

- Joint Ventures/Alliances.
  Representation of clients in connection with the evaluation of potential joint ventures, the negotiation of terms of alliance and the documentation of agreements.

- Corporate Governance.
  Advising clients in connection with the duties and responsibilities of directors, officers, managing partners, and managing members. Counseling in connection with the distribution of rights and responsibilities for governance of business entities.

- Nondisclosure/Covenants Not to Compete.
  Representation of companies in connection with the protection of intangible assets through nondisclosure and trade secrets agreements and the negotiation and preparation of covenants not to compete. Advise clients on the enforceability of restrictive covenants.

- Related Real Property Issues.
  Representation of entities and investors in connection with the ownership, acquisition, disposition and leasing of real property, commercial, industrial and residential.

Medial School Lecture Series (2002 – 2013):

In his capacity as a Clinical Assistant Professor of Anesthesiology at USC's Keck School of Medicine, Mr. Weiss presented an annual series of lectures to residents and attending physicians on topics including:

- *How Anesthesia Groups are Organized*
- *Anesthesia Employment Agreements and Subcontracts*
- *Medical Staff/Medical Board Discipline*
- *Compliance*
- *Managed Care – How it Works and Doesn't Work*
- *The Realities of Professional Liability Insurance*
- *Anesthesia Billing Services*
- *Exclusive Contracts for Anesthesia Services*
- *So, You Want to Run an Anesthesia Group . . .*

Presentations:

Win-Win Negotiations &
Discussion Forum 2: Win-Win Negotiations
Roundtable 22: Medical Legal Insights 101 for the Anesthesia Provider
Roundtable 46: How to Form or Re-Form an Independent Anesthesia Group
American Society of Anesthesiologists' ADVANCE 2026
Las Vegas, NV
January 23 – 25, 2026

Structuring Medical Group Governance
Presented by SoMeDocs
Entrepreneurship & Networking in Healthcare II
Online
October 20-25, 2025

What You Must Know About Hospital and Payor Contracting
&
Workshop: Negotiating Hospital Contracts
American Society of Anesthesiologists' ADVANCE 2024
Las Vegas, NV
January 26 – 28, 2024

Popularity Contests and Disruptive Physicians
The Advanced Institute for Anesthesia Billing and Practice Management
Las Vegas, NV
February 26 – March 1, 2023

How to Restructure Your Anesthesia Group for 2025 and Beyond
Las Vegas, NV
March 6-9, 2022

The Impact of Regulatory Change on the Future of Anesthesia Practice
The Advanced Institute for Anesthesia Billing and Practice Management
Virtual Conference, Las Vegas, NV
May 23-26, 2021

How to Run Your Anesthesia Practice Like It's for Sale - Even If It Isn't
Advanced Institute for Anesthesia Practice Management
Las Vegas, NV
January 17-19, 2020

Group-to-Group Mergers… And Not Quite Mergers
Advanced Institute for Anesthesia Practice Management
Las Vegas, NV
May 15-18, 2019

How to Maintain Autonomy While Building Market Share and Geographic Scope: Group-to-Group Mergers
American Society of Anesthesiologists' – Conference on Practice Management
Las Vegas, NV
January 18-20, 2019

Why and How You Must Prepare Your Anesthesia Group for The Future
Advanced Institute for Anesthesia Practice Management
Las Vegas, NV
April 28, 2018

Unholy Covenants: Defective Physician Covenants Not to Compete in Texas
San Antonio Society of Anesthesiologists
San Antonio, TX
August 22, 2017

Political Winds and Disruptive Trends: How the 2016 Election and Industry Trends Will Impact Healthcare Business
Advanced Healthcare Conference, Texas Society of CPAs
Austin, TX
July 17, 2016

How to Prepare Your Anesthesia Group for The Impending Death of Hospitals
Advanced Institute for Anesthesia Practice Management
Las Vegas, Nevada
June 3, 2016

OIG Advisory Opinion Secrets and Strategies
Advanced Institute for Anesthesia Practice Management
Las Vegas, Nevada
June 3, 2016

OIG Advisory Opinions: Secrets, Strategies and Tactics
Dallas Bar Association
Dallas, Texas
March 16, 2016

"Healthcare 101" Panel Discussion
Tower Club Dallas
Dallas, Texas
Jan. 28, 2016

From the Company Model to Joint Ventures to Just Sending Statements: Anesthesia Business and Deal Structure Compliance Traps
The Advanced Institute for Anesthesiology Practice Management
Las Vegas, Nevada
April 17, 2015

Is Your Anesthesia Group A Business or Club?
The Advanced Institute for Anesthesiology Practice Management
Las Vegas, Nevada
April 17, 2015

Disrupt or Be Disrupted: How to Prepare for The Future Of Anesthesiology
The Advanced Institute for Anesthesiology Practice Management
Las Vegas, Nevada
April 11-12, 2014

ACO Contracting – What Physicians Need to Look Out For
AICPA Healthcare Industry Conference
New Orleans, LA
November 14, 2013

Can Facilities Really Profit from Anesthesia Services?
OR Excellence Conference
Las Vegas, Nevada
October 25, 2013

How to Protect Your Practice: Radiology Contracting in The Era of Competitiveness
Aunt Minnie Virtual Conference
November 2, 2011

Thriving in Today's and Tomorrow's Anesthesia Market: Cultural and Strategic Issues
Private Group –Large National Practice Entity
Las Vegas, Nevada
April 2010

Succeeding at Negotiations Through Preparatory Work And Psychological Operations
American Society of Anesthesiologists
2008 Conference on Practice Management
Tampa, Florida
January 25-27, 2008

Managed Care (Non)Payors:
How to Maximize Your Chance of Getting Paid – Strategies and Tactics
American Society of Anesthesiologists
2007 Conference on Practice Management
Phoenix, Arizona
January 27-29, 2007

The Future of Anesthesia Practice: A Unified Theory for Anesthesia Group Success
American Society of Anesthesiologists
2006 Conference on Practice Management
Orlando, Florida
January 27-29, 2006

HIPAA Compliance
Understanding and Implementing the Security and Privacy Regulations in California
Lorman Education Services
Santa Monica, California
July 19, 2002

The Lawyer as Co-Conspirator -- Ethical Concerns and Criminal Liability Issues
Los Angeles County Bar Association
Healthcare Law Section
Los Angeles, California
November 4, 1998

Who "Owns" the Patient?
Los Angeles County Bar Association
Healthcare Law Section
Los Angeles, California
February 3, 1998

Impact of the Fraud and Abuse Provisions of the Health Insurance Portability and Accountability Act of 1996
Los Angeles County Medical Association
East District 11
La Habra, California
March 31, 1997

Roundtable Discussion on the Anti-Fraud Aspects of the Health Insurance Portability and Accountability Act of 1996
Continuing Legal Education
Los Angeles County Bar Association Healthcare Law Section
Los Angeles, California
November 20, 1996

Basic Legal-Business Issues of Interest to Residents
Anesthesia Residents Seminar
Presented by Medaphis/Anescor
Orange, California
February 16, 1995

Managed Care Contracting: Concepts and Significant Contract Provisions
California Hispanic American Medical Association
Educational Program
Anaheim, California
October 23, 1994

Discrimination Against Physician Providers by Managed Care Networks
California Hispanic American Medical Association
Educational Program
Anaheim, California
October 21, 1994

The Specialist in Managed Care: Strategies for Maximizing Opportunity
9th Hispanic Medical Congress
Washington, D.C.
September 24, 1994

Opportunities for The Specialist in Managed Care: How to, or Not to
California Hispanic American Medical Association
Los Angeles, California
March 26, 1994

Webinar Presentations:

How to Deploy the Secret Sauce of Opportunistic Strategy
Webinar

How to Profit from Telemedicine and Related Technology in Texas
Webinar

Update on Deadline to Refund Overpayments to Avoid Draconian Penalties
Webinar

The Impending Death of Hospitals: How to Plan Your Practice's Survival
Webinar

Medical Group Mergers and Acquisitions and Alternatives
Webinar

Breaking News on Kickbacks: The Latest on The Company Model - Audio & Video Version
Webinar

Double Indemnity: Putting Yourself at Risk for Millions – The Interplay Between Insurance and Indemnification Provisions in Your Hospital and Physician Contracts
Webinar

Disruptive Strategies in Healthcare: Designing Them And Dealing with Them
Webinar

The Fast™ Group--Medical Group Governance For Today's Market
Webinar

Why Your Medical Group Needs A New Contracting Strategy
Webinar

Reverse Engineering A National Group Takeover of Your Facility Contract
Webinar

How to Stay Out of Jail: The Latest on Management Fees and The Company Model of Anesthesia and Other Specialty Services
Webinar

How to Deal with RFPs For Physician Services
Webinar

If Surgeons Can Legally Profit from Anesthesia at an ASC, Will Hospital Anesthesia & Radiology Be Next?
Webinar

How to Block Referring Physicians from Profiting From Your Hospital-Based Anesthesia or Radiology Services
Webinar

Published Articles:

Should You Flip the Anesthesia Business Model?
Communique
Fall 2025

Have You Sold Out Your Future for Stipend Support
Communique
Spring 2025

From Prehistory to Avoiding Post-History: Anesthesia Group Stipends
Communique
Fall 2024

Sure Dr. Chuck Was A Creep, But Did He Kill Your Facility Agreement… or Worse?
Communique
Spring 2024

More Bad News for the Company Model and its Sponsors
Communique
Fall 2023

What a $24.3 Million Judgement Tells You About a Potential Tool to Fight Unfair Awards of Exclusive Contracts
Communique
Winter 2023

What You Must Know About Hospital Vicarious Liability for Non-Employees' Actions
Miramed Focus
Fall 2022

Anesthesia Services RFPs: Cognitive Biases and Hidden Opportunity
Communique
Sumer 2022

Popularity Contests and Disruptive Physicians: Avoiding the Death of Your Anesthesia Group
Communique
Fall 2021

You Have Enough Problems. Why Buy Compliance Risk?
Miramed Focus
Summer 2020
Who Really Owns Your Medical Group?
Communique
Summer 2020

The Practical Essentials of the False Claims Act
Anesthesiologynews.com
March 9, 2020;
Gastroenterology & Endoscopy News
May 2020

Kick Back and Read the Latest on the Company Model of Anesthesia Services
Texas Society of Anesthesiologists
January 2020

The Good, The Bad, and the Ugly: Why Some *Negotiations Succeed*
Communique
Fall 2019

Fair and Balanced Views: The Pros and Cons of Selling Your Anesthesia Group
Sentinel
Fall 2019

How Transparent Is Healthcare Transparency?
Outpatient Surgery
September 2019

4.5 Things Magic Mountain Taught Me About Your Business
Why the Hospital's Idea of Physician Leader Means Follower
Sentinel
Winter 2019

An Update on the 'Company Model' and Other Anesthesia Kickback Schemes
Anesthesia Business Consultants
Winter 2019

Top Pointers for Successfully Merging Independent Anesthesia Groups Anesthesia News
December 2018

Anesthesia Alert: In or Out of Love with Your Anesthesia Group?
Outpatient Surgery

October 2018

A Self-Diagnostic for High-Performing Anesthesia Group Leaders
Communique
Fall 2018

Is Your Group's Governance Structure Holding You Back?
Pain Medicine News
September 2018

Why and How You Must Prepare Your Anesthesia Group for the Future
Communique
Summer 2018

New Codes Drive Growth for Interventional Surgical Centers
AuntMinnie.com
December 2017

The Flea That Killed the Medical Group Center CEO: A Cautionary Tale
Communique
Fall 2017

How to Prevent Your Medical Group from Getting Robbed of its Staff
Sentinel
Summer 2017

Hospital CEO Turnover: What You Must Know and Do to Protect Your Anesthesia Group
Communique
Summer 2017

The Impending Death of Hospitals: How to Help Your Clients Survive
Today's CPA
July/August 2017

Why Your Compliance Efforts May Be Worthless
Communique
Spring 2017

Double Dose of Good Regulatory News for ASC's
Outpatient Surgery
January 2017

OIG Advisory Opinion Secrets and Strategies
ABC Communique
Summer 2016

A New Strategy to Profit from Interventional Radiology
AuntMinnie.com
May 23, 2016
Practice Challenges:
The Disruptive Physician – You Know Who (He/She Works for You)
Does Your Employment Contract Have Teeth? – Contracts Don't Contain Extra Baggage
Pennsylvania Society of Anesthesiologists
May 23, 2016

CMS Resets the Clock for Return of Medicare Overpayments
Anesthesiology News
May 2016

Is There an Interventional Radiology ASC (irASC) In Your Future?
Radiology Business Journal
April/May 2016

Impending Death of Hospitals: Will Your Anesthesia Practice Survive?
ABC Communique Winter 2016

Practice Patterns Change While Outcomes Remain Steady Among Older Anesthesiologists
Anesthesiology News
December 2015

Anesthesia Group Mergers, Acquisitions and (Importantly) Alternatives
ABC Communique
Summer 2015

Seeking Certainty in Radiology: Mergers, Acquisitions and Alternatives
Imagingbiz.com
June 2015

Give Disruptive Docs the Boot
Outpatient Surgery
April 2015

Do You Make This Mistake Concerning Customer Value?
Anesthesiology News
April 2015;
General Surgery News
March 2015

McDonald's and Delivering Anesthesia Group Value
AnesthesiologyNews.com
December 30, 2014

Bundled Billing or Bungled Billing?
Pain Medicine News
October 2014

What's Your Anesthesia Group Worth? And Why It Might Not Make Any Difference
ABC Communique
Summer 2014

Anesthesia Group Acquisitions and Alternatives
Anesthesiology News
June 2014

OIG Opinion Adds Clarity to Illegality of Company Model
Anesthesiology News
February 2014

Anesthesia's Profits Are Off-Limits
Outpatient Surgery Magazine
December 2013

The Siren Song of Hospital (Un)Employment
Communique
November 2013

Doctors Rush to Corporate Employment … As Corporate America Lays Off Workers
Anesthesiology News
October 2013

Two's Company, Three's a Crowd: Company Model Deals in the Hospital Setting
Anesthesiology News
March 2013

Company Model Kickbacks in the Hospital Setting
ImagingBiz.com
March 2013

Why Society's Shift Means Your Group Needs A New Strategy
ImagingBiz.com
December 7, 2012

The Profit Center: Part 26 – Radiology and the "Me-We" Cycle
AuntMinnie.com
November 14, 2012

Inoculate Your Group Against A National Group Takeover
Anesthesiology News
October 15, 2012

OIG Disapproves Two Referral Arrangements as Kickbacks
ImagingBiz.com
August 8, 2012

Inspector General Weighs in On Fee Sharing
Anesthesiology News
August 2012

The Profit Center: Part 25 – How Safe Is Hospital Employment?
AuntMinnie.com
May 11, 2012

Calif. Ruling on CRNA Practice Promises Nationwide Tremors
Anesthesiology News
May 2012

The Error in Measuring Success by Action
ImagingBiz.com
May 14, 2012

The ABCs of ACO Economics
ImagingBiz.com
April 25, 2012

The Super Bowl of Radiology Success
ImagingBiz.com
February 22, 2012

Commodity Practice or Experience Monopoly?
Radiology Business Journal
February/March 2012

Shadow Your Competition
AuntMinnie.com
February 17, 2012

Strategies for Exclusive Contracting
AnutMinnie.com
January 30, 2012

Protecting Traditional Practice in Today's 'We' Society
Anesthesiology News
March 2012

Physicians: Action Required to Thrive in Today's 'We' Society
AuntMinnie.com
December 23, 2011

How Scenario Surveys Strengthen Strategy
Anesthesiology News
October 2011

How Scenario Surveys Strengthen Strategy
Pain Medicine News
September 2011

Scenarios Can Shape Group Strategy
AuntMinnie.com
August 24, 2011

Fair market Valuation: The Death Spiral of Physician Compensation?
Anesthesiology News
July 2011

The Pitfalls of Fair Market Valuation
AuntMinnie.com
June 3, 2011

How to Navigate the Rising Tide of Aggressive RFP's
Anesthesiology News
April 2011

How to Shield Against "Weaponized" RFPs
AuntMinnie.com
March 17, 2011

Harnessing the Effects of Group Pressure in Hospital Negotiations: Find Your Buddy
Anesthesiology News
March 2011

The Company Model: Is Taking Less Money to Work at a Surgi-Center Worth Jail Time?
Anesthesiology News
January 2011

Will You Pay the Price for an ASC Deal Gone Wrong?
Anesthesiology News
October 2010;
Pain Medicine News
October 2010;
Gastroenterology & Endoscopy News
November 2010

Countering Pressure in Face to Face Negotiation
Auntminnie.com
October 8, 2010

The Health Care Con-vergence
Pain Medicine News
September 2010

Managing Risk: Required for Success
Auntminnie.com
August 13, 2010

Escape the Carnage of the ACO
Anesthesiology News
August 2010;
Pain Medicine News August 2010
Gastroenterology & Endoscopy News
(as *Out With the PHO, In With the ACO*)
November 2010

Accountable Care Organizations: Accountable to Whom
Auntminnie.com
June 10, 2010

Are You Headed to the Anesthesia Factory?
Anesthesiology News
May 2010;
Pain Medicine News
(as *Are You Headed to The Pain Management Factory?)*
August 2010

Radiology as Factory Work?
Auntminnie.com
April 13, 2010

Politician Challenges Exclusive Contract and Stipend Support: Impact on Pain Practice
Pain Medicine News
March 2010

Like Your Exclusive Anesthesia Pact? Better Learn to Defend It
Anesthesiology News
March 2010

Exclusive Contracts and Hospital Stipends Under Attack
Auntminnie.com
February 19, 2010

To Control the Contract, Control the Context
Anesthesiology News
January 2010

Thriving Despite (So-Called) Healthcare Reform
Auntminnie.com
January 13, 2010

Taking on Risk with Dubious Reward
Auntminnie.com
January 4, 2010

Securing Customer Satisfaction
Auntminnie.com
November 11, 2009

Deploy the Power of Persuasion
Auntminnie.com
October 30, 2009

Opportunities Knocking in Market Flux
Anesthesiology News
September 2009

Increase Negotiating Power
Auntminnie.com
September 11, 2009

Imaging Advantage: Much Ado About the Same Old Thing?
Auntminnie.com
August 18, 2009

Negotiating Your Group's Stipend
Auntminnie.com
July 31, 2009

Creating an Experience Monopoly
Auntminnie.com
July 3, 2009

Anesthesiologists Should Heed Stark Law Ruling
Anesthesiology News
June 2009

Readying for the Red Flags Rule
Auntminnie.com
May 26, 2009

Crafting Effective Employment Contracts
Auntminnie.com
April 24, 2009

Steering Clear of Stark and False Claims Allegations
Auntminnie.com
March 31, 2009

Radiology Groups Need New Approaches to Survive in Rough Times
Auntminnie.com
January 15, 2009

Radiology Group (un)Governance
Journal of the American College of Radiology
January 2009

Establish Surgeon Support Without the Monkey Business
Anesthesiology News
December 2008

Boosting Collection – A Group Effort
Anesthesiology News
July 2008

Creative Destruction: Change the Practice Groupthink
Anesthesiology News
May 2008

We Perform Just Like Every Other Radiology Group – So Why Are We Doing So Poorly?
Journal of the American College of Radiology
March 2008

Anesthesia Group Un-Governance
Anesthesiology News
January 2008

Anesthesiology Groups Confront the Four Fs - Part 2
Anesthesiology News
November 2007

Anesthesiology Groups Confront the Four Fs - Part 1
Anesthesiology News
October 2007

Gain Your Fair Share: Gainsharing Makes A Comeback
Seminars in Anesthesia Perioperative Medicine and Pain Elsevier, Inc.
September 2006

We Do Exactly What Every Other Anesthesia Group Does -- So Why Are We Doing So Poorly?
Seminars in Anesthesia Perioperative Medicine and Pain Elsevier, Inc.
December 2005

Medical Directorship of Anesthesia Services: Are You a Player or Just Being Played?
Seminars in Anesthesia Perioperative Medicine and Pain Elsevier, Inc.
September 2005

The Future of Anesthesia Practice: Hedge Your Practice's Chances of Being on, Not Under, the Leading Edge of the Wave
Seminars in Anesthesia Perioperative Medicine and Pain Elsevier, Inc.
June 2005

Exclusive Anesthesia Contracts: History, Theory, Nuts and Bolts
Seminars in Anesthesia Perioperative Medicine and Pain Elsevier, Inc.
March 2005

Exclusive Anesthesia Contract or Medical Directorship Pact?
Anesthesiology News
April 2004

Good Faith is the Key to Complying with HIPAA's Notice of Privacy Practices Requirement
Anesthesiology News
December 2002

Get What You Aimed For: How to Forge Bulletproof Employment Agreements
General Surgery News
November 2002

Preserve the Deal You Expect: How to Forge Bulletproof Employment Agreements
Anesthesiology News
July 2002

Guest Editorial: Liability Arising from Consultant- Prepared Compliance Plans
Orthopedic Technology Review
May/June 2002

Maximize Protection and Profit Through Careful Entity Planning
Radiology Business Management Association Bulletin
March -- April 2002

Liability Arising from Consultant-Prepared Compliance Plans
CSA Bulletin
California Society of Anesthesiologists, Inc.
January – March 2002 Issue (Vol. 51, No. 1)

Structuring Practice Entities for Maximum Profit and Protection
Anesthesiology News
March 2002

OIG Opinion Places Legality of Common Exclusive Contract Provision in Doubt
Anesthesiology News
January 2002

Lessening the Impact of the Failure of the Medical Group Model
Anesthesiology News
October 2001

Regulatory Compliance Plans are Key to Avoiding Legal Risk
Auntminnie.com (The Online Radiology Forum)
October 24, 2001

Physician Liability to Debtor Patients … Courtesy of Your Billing Service
Anesthesiology News
September 2001

High Crimes and Misdemeanors: Avoiding Medical Group Liability as a Result of Billing Service Errors
Radiology Business Management Association Bulletin
September 2001

Physician Leaders Must Manage the Billing and Collection Process ... or Suffer the Consequences
CSA Bulletin
California Society of Anesthesiologists, Inc.
April – June 2001 Issue (Vol. 50, No. 2)

The Time is Now: Providers Must Adopt Prudent Business Practices in Anticipation of the Failure of the Medical Group Model
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Becoming a Cheetah and Other Survival Tactics
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ASC Regulatory Areas That Developers Need to Pay Attention To
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Books

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Kidiakedes Omnimedia
2018

The Impending Death of Hospitals: Why You Must Plan Your Medical Practice's Survival
Kidiakedes Omnimedia
2016

Success or Failure? Strategic Tools for Medical Group Leaders

Kidiakedes Omnimedia
2015

Hospital-Based Medical Group Mergers, Acquisitions and Alternatives
Kidiakedes Omnimedia
2015

Directions: Clarity for Medical Group Leaders
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2014

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2013

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2012

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2012

2011 Anesthesia Business Update
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2011

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2011

2010 Anesthesia Business Update
Advisory Law Group
2010

Maximize Your Rights: The Guide to Anesthesia Employment Agreements
Cabot, Quinn & Company.
2006

The Future of Anesthesia Practice (audiovisual presentation)
Cabot, Quinn & Company.
2006

Medical School Course Instruction

From 2002 through 2013, Mr. Weiss developed and taught a nine-session course in the Department of Anesthesiology at the University of Southern California's Keck School of Medicine. The course focuses on the legal and business aspects of anesthesia practice. Mr. Weiss held an appointment as a Clinical Assistant Professor of Anesthesiology.

Expert Witness

Expert witness testimony (deposition and trial) in connection with healthcare-related issues, Los Angeles Superior Court.

Admissions and Bar Activities

Member California Bar 1979 to present

Member Texas Bar 2013 to present

Past Chair and Member, Los Angeles County Bar Association Healthcare Law Section
Member of Healthcare Law Section Executive Committee, 1995 to 2001. Chair, 1998-1999 term, Vice-Chair, 1997-1998 term; Treasurer, 1996-1997 term.

Member, American Health Lawyers Association.

Member, American Bar Association.

Member: Healthcare Law Section

Member Texas Health Lawyers Association

Community Activities

Member, Southern California Biomedical Council (1998 – 1999)

Member, Southern California Biomedical Council Advisory Board to Department of Veterans Affairs Regarding Westwood Campus Biotechnology Center (1998)
Member, Southern California Biomedical Council Advisory Board to Los Angeles
Pierce College Regarding Campus Biotechnology Center (1998)

Former Member, Board of Governors, Tower Club, Dallas, Texas

Former Member, Board of Directors, Southern California Psychoanalytical Institute
Former Big Brother

Practice History

1998 to Present

The Mark F. Weiss Law Firm, A Professional Corporation
(Formerly known as Advisory Law Group, A Professional Corporation)
Dallas, Texas
Santa Barbara, California
Los Angeles, California

1993 to 1998:

Founding Shareholder/Senior Attorney in Charge of Corporate and Healthcare
Law Practice
Weiss Powers (formerly known as Weiss & Humphries)
Los Angeles, California

1992-1993:

Founding Partner/Head of Transactional Practice
Weiss & Mesereau
Los Angeles, California

1987 to 1992:

Founding Partner/Head of Transactional and Healthcare Practice
Selvin, Weiner & Ruben
Los Angeles, California

1986 to 1987:

Associate/Transactional and Healthcare Practice
Selvin & Weiner
Los Angeles, California

1983-1986:

Associate/Business Department
Hayutin, Rubinroit, Praw & Kupietsky
Los Angeles, California

1979-1983:

Associate/Litigation and Business Departments
Hertzberg, Childs, Miller & Corleto
(Formerly known as Hertzberg & Childs)
Beverly Hills, California

Education

University of Southern California Law Center
J.D., 1979

University of California at Irvine
A.B. History, 1976

Professional Peer Reviewed Rating

AV Peer Reviewed Rating by Martindale-Hubbell
(Highest possible rating)