



Christopher A. Melton

Partner

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Location

400 West Market Street
Suite 2000
Louisville, KY 40202

Honors

Recognized by his peers as a Kentucky Super Lawyers® Rising Star, 2013-2016

Education

2003 - National Advocacy Center in Columbia, South Carolina, a training facility established by the United States Department of Justice offering advanced courses for federal and state prosecutors across the U.S.

2001 - J.D., Washington University - St. Louis, School of Law

1998 - B.A., *cum laude*, Economics, University of Louisville

Admissions

Kentucky

U.S. District Court, Eastern District of Kentucky

U.S. District Court, Western District of Kentucky

U.S. District Court, Western District of Tennessee

U.S. District Court, Southern District of Indiana

U.S. District Court, Northern District of Indiana

Christopher Melton concentrates his practice in the area of health care law with an emphasis in Medicaid and Medicare claims litigation, including actions arising under the Federal False Claims Act. He represents clients in the areas of governmental investigations, claims of fraud and abuse and white-collar criminal defense. Mr. Melton is the leader of the Firm's White Collar Crime Section. Mr. Melton has served on the faculty of the American Health Lawyers Association's Physician and Hospital Institute in New Orleans, LA, and has served as an adjunct professor, teaching a course on Healthcare Fraud and Abuse for the University of Louisville.

Representative Matters

- Successfully defended Kentucky and West Virginia-based physician indicted for Medicaid Fraud, resulting in full dismissal against client.
- Represented hospital systems in litigation and regulatory matters involving the DEA and U.S. Department of Justice.
- Represent defendants in qui tam litigation brought under the federal False Claims Act.
- Successfully defended Kentucky Psychiatrist indicted for Medicaid Fraud, resulting in full dismissal against client.
- Represented Forbes Top 150 company in FCA qui tam action, successfully advocating against DOJ intervention.
- Successfully represented long term care pharmacy in False Claim Act qui tam litigation alleging coding fraud.
- Successfully represented academic medical practice, in False Claims Act qui tam litigation alleging failure to report identified overpayments.
- Represented long term care facility in civil litigation brought by the DOJ under a theory of worthless services.
- Represented optometric practice in civil litigation brought by the DOJ alleging medically unnecessary services.
- Conduct internal investigations and Self-Reports to OIG for clients who discover billing irregularities.
- Represented numerous health care providers in administrative appeals of overpayment demands under state RAC and SURS programs.
- Successfully argued for exclusion of RAC and SURS reviewers from testifying in administrative hearings, based on violation of ethical rules inherent in vendor's contract with state Medicaid.
- Successfully argued that state Medicaid's use of extrapolation in post payment review is impermissible, resulting in partial summary judgment.
- Represent defendants in state and federal criminal matters involving fraud and abuse.
- Represented numerous clients in investigations involving numerous government agencies.
- Successfully represented health care providers who were subject to investigation by the federal OIG, resulting in no charges filed.
- Successfully represented financial management institution that was involved in investigation by Texas State Securities Board, resulting in no action against client.

Professional Experience

- Served as Assistant Attorney General for Kentucky in the Medicaid Fraud Abuse and Control Division, where he worked in an interdisciplinary setting investigating

and prosecuting false claim litigation, as well as allegations of abuse and neglect at Medicaid-funded facilities.

- Served as Assistant Jefferson County Attorney during which time he served as the Appellate Division Chief and Director of the County Attorney's Legal Research Division.
- Operated as a solo practitioner, where he served as an active member of the criminal defense bar.

Presentations

Mr. Melton has been the Presenter for numerous seminars regarding regulatory health care topics including:

- Moderator and Panelist for Fraud and Abuse Panel at Healthcare Financial Management Association Tri-State Conference for Ohio, Indiana and Kentucky, September 2017
- "Trends and Developments in Reimbursement and Overpayment Recovery," Kentucky Healthcare Financial Management Association's Summer Institute, July 2016
- "The Clock is Ticking: Next Steps After Discovering a Compliance Issue" - Kentucky Hospital Association, May 2016
- "RACs: The Costs of Winning" – Kentucky Medical Group Management Association, September 2014
- "Recent Trends in FCA, RAC, and Other Recovery Initiatives" – Louisville Bar Association, June 2014
- "On the Clock: Practical Implications of the 60-Day Rule" – Mississippi Bar Association, May 2014
- "Where We Are, and What Lies Ahead...Trends and Topics in the FCA"-Kentucky Hospital Association, May 2014
- "Prying Eyes: How to Prepare for RACs and Claims of Coding Fraud" - American Health Lawyers Association, Physician and Hospital Institute, February 5-6, 2014
- "What Are They Looking At This Year...An Update on the OIG Work Plan"- Kentucky Association of Healthcare Facilities, April 2013
- "...and the Government Taketh Away: Recent Updates on Government Audits," Healthcare Financial Management Association, March 22, 2012
- "Life Under the Microscope: Recent Developments in Audits and Investigations," Health Enterprises Network, January 26, 2012
- "You Can't Hide from Their Prying Eyes: The Ins and Outs of Government Investigations," Kentucky Association of Health Care Facilities (KAHCF), November 16, 2011
- "Don't Fear the Auditor: A Practical Approach to Dealing with Program Integrity Initiatives," Greater Louisville Medical Society, April, 2011
- "RAC n' Roll: Surviving Increased Recovery Efforts in the Healthcare Reform Era," Professional Health Institute of America, February, 2011
- "Making the Shield a Sword: How an Intelligent, Proactive Approach to Audits and Self-Reporting Can Protect a Medical Practice," Zirmed THRIVE conference, February, 2011
- "Chicken Soup for the License: An Introduction to Dealing with Your Regulating Board," Association of Operating Room Nurses (AORN), October, 2011
- "Like Pulling Teeth... The Ins and Outs of Dealing with Regulating Agencies: A Best Practices Approach," South Eastern Kentucky Dental Society, November, 2010

Publications

- Medicaid Recovery Initiatives: Defending Yourself from the State RAC, Kentucky Healthcare Financial Management Association, Winter 2014
- Terminator for Claims?: CMS unveils new computerized technology aimed at targeting false claims prior to payment, *VALEO* Magazine, December 2011

Professional Activities and Memberships

- Kentucky Bar Association
- Louisville Bar Association, former Chairman of Health Law Section
- Kentucky Academy of Hospital Attorneys

- American Health Lawyers Association
- Kentucky Healthcare Financial Management Association

Civic Involvement

- Leadership Louisville, Graduate, Class of 2019
- Elder Board Member and Financial Secretary at Grace Evangelical Free Church of Louisville
- Volunteer with Orphan Care Alliance

Interests

- Running, exercising, playing flag football, spending time with his wife, Sarah, and their two children