



NORMAND F. PIZZA
Partner
**MILLING BENSON WOODWARD
L.L.P.**

909 Poydras Street, Suite 2300
New Orleans, Louisiana 70112-1010
Telephone: 504-569-7417
Facsimile: 504-569-7001
E-mail: npizza@millinglaw.com

AREAS OF PRACTICE

HEALTH LAW

After receiving his law degree, Normand Pizza became an associate in the offices of Reuter & Reuter in 1974, where he practiced insurance defense law. He became a partner at Reuter, Reuter, Reuter & Pizza, PLC, from 1979 to 1987. Prior to joining the Milling firm, Mr. Pizza was a senior partner serving on the Management Committee of Brook, Pizza & vanLoon, LLP, New Orleans, Louisiana.

Mr. Pizza is a partner in the Health Law Department, and is engaged primarily in the areas of health care and hospital law, nursing home and home health law, Medicare and Medicaid law and medical malpractice defense litigation.

PROFESSIONAL ACTIVITIES

Mr. Pizza is a member of the American College of Healthcare Executives and American Health Lawyers Association and has been a guest speaker at forums sponsored by the American Health Lawyers Association, the American Bar Association, the Louisiana Society of Hospital Attorneys and other groups.

Mr. Pizza is admitted to practice before all of the United States District Courts in Louisiana, the United States Court of Appeal for the Fifth and Third Circuits, and the United States Supreme Court. He is a member of the American, Louisiana, New Orleans, St. Tammany and Slidell Bar Associations. He also participates in the Torts and Insurance Practice Forum on Health Law of the American Bar Association.

Mr. Pizza has represented numerous hospitals and physicians in the creation of

Independent Practice Associations, partnerships and joint ventures between physicians, clinics and hospitals. He has worked on the restructuring of hospitals. Hospitals that have been represented include, among others, Slidell Memorial Hospital, Iberia Richland Parish Hospital at Delhi, the American Legion Hospital, Lincoln General Hospital, Mercy Hospital (before it became Mercy+Baptist), St. Tammany Parish Hospital, West Jefferson Hospital, West Carroll Hospital and Elmwood Regional Medical Center.

He has represented numerous hospitals located throughout Louisiana providing advice and consultation on issues ranging from physician/hospital contracts, HMOs, PPOs, medical office building construction and leasing, bond issues, practice integration, Medicare and Medicaid law, peer review, bylaw preparation and many other health law matters. He has extensive experience in the field and has been principal counsel in major litigation involving Medicaid reimbursement and Qui Tam actions (See: *St. Tammany Hospital Service District I v. Louisiana* and *Abbeville General Hospital v. Ramsey* and *Qui Tam Litigation*, *LaCorte v. Lab Corps* and *Merena, et al v. SmithKline Beecham Labs*; *Louisiana Nursing Home Association, Evergreen Presbyterian Hospital v Hood.*)

He has lectured and written articles on health law issues. The topics of his speeches include, among others, EMTALA, Outcome Measurement and Practice Parameters, Medicaid Records, Employment of Physicians, Hospital Acquisitions, Stark II and Fraud and Abuse, Confidentiality of Mental Health Records, Informed Consent, Guardianship, Advance Directives, Confidentiality of Medical Records, Hospital Service District to Community Hospital, Insurance Law, Elder Law and Estate Planning, Recent Developments in Insurance Law, Patient Care Law Update: Rights, Liabilities and Strategies, and the special legal problems related to HIV infection. He has written articles on Patient Transfers - COBRA as Amended, as well as ER Liability Under COBRA Anti-Dumping.

COMMUNITY SERVICE

Normand Pizza was an adjunct professor at Troy State University, Florida Region, where he taught Health & The Law for the Master's in Public Administration Program since 1996. He is a past president of the New Orleans Healthcare Managers Association. Mr. Pizza has served as subcommittee chairman for the American Academy of Hospital Attorneys on Boren Amendment litigation. He was a member of the Advisory Council of the American College of Healthcare Executives. He was a director of Louisiana HOSPAC. Mr. Pizza was a Director and founding member of the Louisiana Society of Hospital Attorneys. Mr. Pizza was also a founding member of the Community Hospital Coalition. He has both written and lectured for the American Bar Association Forum on Health Law and TIPs (Torts and Insurance Practice), and for the American Health Lawyer's Association. He is a member of the Slidell Chamber of Commerce and The Knights of Columbus.

CASES

Aaron Istre v. LINA, The U.S. Fifth Circuit Court of Appeals upheld Judge Melancon of the Western District of Louisiana. Upholding a summary judgment, the 5th Circuit held that no coverage was provided under the policy for a common law spouse because under Louisiana law living together in an unsolemnized union is not recognized as a valid marriage.

St. Tammany Parish Hospital Service District v. Dept. of Health and Human Resources, 677 F.Supp. 455 (E.D. La. 1988); (Hospital action claiming state's emergency rule reimbursement rate violated federal and state law.)

Abbeville General v. Dept. of Health & Hospitals, 3 F.3rd 797 (Fifth Circuit 1993); "Over 50 Louisiana hospitals sued the State of Louisiana alleging it violated federal law, the Boren Amendment in setting rates for Medicaid reimbursement for Louisiana hospitals." "The U.S. Fifth Circuit Court of Appeals agreed."

Rayford v. Bowen, 715 F.Supp. 1347 (W.D. La. 1989); (Owners of nursing homes sought preliminary injunction blocking implementation of a federal program.)

Bagert v. State Board of Ethics for Elected Officials, 588 S.2d 1264 (La. App. 1 Cir. 1991); (Concerned challenge to certain contracts with parish hospitals.)

Evergreen Presbyterian Hospital, Louisiana Nursing Home Association v. Hood, U.S. District Court, Western District of Louisiana, May 2000.

Butler v. Re/Max New Orleans, The La. 4th Circuit Court of Appeal upheld the summary judgment granted by the lower court. The court held that a real estate agent who has sole possession of the keys to a listed property does not acquire sufficient custody or control over the property to have garde and therefore cannot be liable for plaintiff's death under Article 2317 (strict liability).

BAR ADMISSIONS

United States District Courts of Louisiana
United States Court of Appeal, Fifth and Third Circuits
United States Supreme Court

MEMBERSHIPS

American Bar Association
Louisiana Bar Association
New Orleans Bar Association
St. Tammany Bar Association

Slidell Bar Association
Torts and Insurance Practice Forum on Health Law of American Bar Association
American Health Lawyers Association
