Cooley

Alexis Finkelberg Bortniker

Partner



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San Diego

Digital Health
Life Sciences and Healthcare Regulatory
Healthcare
Life Sciences and Healthcare
Emerging Companies
Medtech
CooleyREG
Wellness

Alexis has extensive experience in digital health, behavioral health, population health management, risk-based reimbursement systems and payer/provider alignment. She regularly counsels investors and startups in the healthcare arena, and she advises on a variety of developing legal areas – including structural considerations, fraud and abuse, antitrust risk and payment models.

Outside of her practice, Alexis is deeply engaged with the San Diego Jewish community. Additionally, she offers her services pro bono to organizations nationwide that are dedicated to securing women's access to reproductive healthcare.

Alexis' representative experience includes:

Digital health and health tech

- Represents digital health and health tech companies across the continuum in establishing compliant corporate structures, understanding licensure requirements and constraints, and navigating fraud and abuse requirements
- Counseled digital health and health tech companies in establishing 50 state and international product rollouts
- Assisted numerous telemedicine companies in managed care contracting strategy and negotiations across all 50 states, allowing the companies to successfully become in-network providers, no longer relying only on the direct-to-consumer model
- Assisted telemedicine companies in negotiating direct-to-employer contracts and networks, along with other strategies for coverage and payment

Alternative payment models and risk contracting

- Represents risk-based providers participating in Center for Medicare and Medicaid Innovation (CMMI) demonstration models – including the Accountable Care Organization (ACO) Realizing Equity, Access, and Community Health (REACH) Model – in matters related to provider formation and structure, joint ventures, provider participation, and Centers for Medicare & Medicaid Services (CMS) compliance
- Represents entities looking to purchase or establish Knox-Keene plans in California
- Advised healthcare providers across the healthcare continuum in negotiations of participation

agreements with more than 250 insurers and third-party payers across the US

Telebehavioral health

- Assisted numerous telebehavioral health companies in structural compliance, payer contracting strategies and care compliance guidance to build a national platform for delivery of adult and pediatric telebehavioral health

Select presentations

- Speaker, “The Unique Nuances of Determining FMV for Value-Based Care,” Pinnacle Best Practices Symposium, May 2023
- Speaker, “Providers Who Are a Risk-Bearing Entity,” What You Should Know About Payor/Provider Convergence program, January 2023
- Panelist, “Precision Medicine Versus Value-Based Payment,” Association of Community Cancer Centers (ACCC) 48th Annual Meeting & Cancer Center Business Summit, March 2022
- Panelist, “Cancer Care Is Different: The Oncology Patients’ Bill of Rights,” ACCC 48th Annual Meeting & Cancer Center Business Summit, March 2022
- Panelist, “Provider Relief Fund: Reporting Requirements and Compliance Concerns,” Let’s Talk Compliance event, July 2021

Education

Duke University School of Law JD, notes editor for the Duke Journal of Comparative and International Law, 2007

Harvard University BA, cum laude, 2004

Admissions & Credentials

California

Massachusetts

Rankings & Accolades

Best Lawyers: Health Care Law (2018 – 2024)

Super Lawyers: San Diego Rising Star (2022)

San Diego Business Journal: Women of Influence in Law (2024)

Memberships & Affiliations

Advisory board of the Cancer Business Forum

American Health Lawyers Association

California Society for Healthcare Attorneys