



Gary S. Qualls

Partner

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OVERVIEW

Gary Qualls is a partner in the firm's Policy and Regulatory practice. He focuses his practice on representing healthcare clients. He litigates, arbitrates, and mediates healthcare disputes, including disputes involving the following issues: certificate of need; licensing and certification; payment and reimbursement; HIPAA; contracts of all types; medical staff privileges; EMTALA; and civil monetary penalties. He provides a broad range of legal services to the following types of providers: hospital systems; nursing facilities; adult care facilities; continuing care retirement facilities; home health and hospice agencies; dialysis providers; clinical laboratories; physician groups; and other healthcare providers.

ACHIEVEMENTS

- Recognized by *Chambers USA* as Band 1 for Healthcare in North Carolina, 2014-2025
- Recognized by *The Legal 500 United States* as a Recommended Lawyer for Healthcare: Service Providers, 2024-2025
- Recipient of "Lawyer of the Year" by *The Best Lawyers in America*® for Health Care Law in Morrisville, 2015
- Listed in *The Best Lawyers in America*® for Health Care Law, 2003-Present
- Named to North Carolina Super Lawyers list for Health Care Law, 2007-2019

PROFESSIONAL / CIVIC ACTIVITIES

- Member of American Arbitration Association's roster of neutrals (Certified for Healthcare Arbitrator Panel and Commercial Arbitrator Panel)
- Member of American Health Law Association roster of neutrals (Approved Arbitrator and Mediator)
- Member of American Health Law Association since 1991
- Member of North Carolina Society of Health Care Attorneys (Past President and Past Board Member)

- North Carolina Bar Association, Administrative Law Section (prior special committee appointments pertaining to contested case hearings)
- Co-organizer for Southeastern Health Planning Symposia since 2007
- Member of the Wake County Bar Association
- Member of the Federal Bar Association since 2015
- Chair of American Health Law Association Dispute Resolution Service Council

SPEAKING ENGAGEMENTS

- *Triage: K&L Gates Webinar Series on Reference-Based Pricing* -- Published on K&L Gates Hub, February 2017
- *Reference-Based Pricing -- NCHA Webinar Series*, 1 November 2016
- *Tips for Providers in Negotiating and Enforcing Payor Contracts* -- Leading Age PA, 16 February 2016
- *Certificate of Need Reform and Related Issues, Medicaid and CON in the 2015 North Carolina Legislature*, 22 October 2015
- *Practical Arbitration Tips (When to Do it and How to Plan for It)* - K&L Gates Triangle Litigation CLE, 6 February 2014
- *North Carolina CON Law Update* – Third Southeastern Health Planning Symposium, March 2010
- *North Carolina CON Law Update* – Second Southeastern Health Planning Symposium, March 2008
- *North Carolina CON Law, Health Planning and Administrative Appeals* – Southeastern Health Planning Symposium, 9 October 2007

ADDITIONAL BACKGROUND

ALTERNATIVE DISPUTE RESOLUTION TRAINING

- Completed North Carolina Mediator Training Program through Mediation, Inc., 2015
- AHLA Health Care Arbitration and Peer Review Hearings, 2014
- Enough Already! Striking the Right Balance of Discovery in Arbitration, 2014
- AAA Managing a Successful Arbitration, 2013
- AAA Arbitration Fundamentals and Best Practices for New Arbitrators, 2011
- AAA Payor Provider Orientation, 2011
- ADR Taskforce of the American Health Law Association, Arbitration Training for Advocates and Arbitrators, 2010

EDUCATION

- J.D., Duke University School of Law, 1989 (*Womble Scholarship Recipient*)
- B.S., University of North Carolina at Asheville, 1986 (*magna cum laude, Mortimer Kahn Scholarship Recipient, Mills Foundation Scholarship Recipient*)

ADMISSIONS

- Bar of North Carolina
- United States Court of Appeals for the Fourth Circuit
- United States District Court for the Eastern District of North Carolina
- United States District Court for the Middle District of North Carolina
- United States District Court for the Western District of North Carolina

THOUGHT LEADERSHIP POWERED BY HUB

- 23 August 2022, Litigation Minute: When the Federal No Surprises Act's Dispute Resolution Process Does Not Apply: Exempt Payors or State Law
- 16 August 2022, Litigation Minute: When the Federal No Surprises Act's Dispute Resolution Process Does Not Apply: No "Surprise Billing"
- 30 March 2022, Navigating the Independent Dispute Resolution Process Under the No Surprises Act
- 10 February 2022, Navigating the Federal Independent Dispute Resolution Process Within the No Surprises Act: Eight Traps for Unwary Providers
- 28 October 2021, Agencies Propose Rules to Implement No Surprises Act Federal IDR Process
- 12 February 2021, The Federal No Surprises Act and Its Arbitration Provisions
- 22 December 2020, 340B Update: Recent Supreme Court Ruling May Curtail 340B Program Discriminatory Pricing
- 6 August 2020, K&L Gates Triage: Michael P. v. BCBS of Texas
- 16 April 2020, COVID-19: Impact on Hospitals of the Temporary Elimination of the 2% Medicare Sequestration Cuts
- 9 March 2020, COVID-19: Coronavirus' Impact on Healthcare Provider Payment Relationships
- 5 March 2020, K&L Gates Triage: Healthcare Provider v. Payor Disputes Simplified: Getting Around ERISA Preemption
- 7 January 2020, Health Care Provider v. Payor Disputes Simplified: Getting Around ERISA Preemption

- 27 June 2019, K&L Gates Triage: Recent Developments in Provider v. Payor Litigation - *Encompass v. Blue Cross*
- 7 February 2019, K&L Gates Triage: Important Takeaways from Omega Hospital, LLC v. United Healthcare Services, Inc.
- 26 July 2018, K&L Gates Triage: Recent Developments in Provider v. Payor Litigation -- Medicare Advantage Disputes
- 5 June 2018, Expanded Option to Settle Medicare Appeals
- 21 May 2018, OMHA to Host Call on Expanded Settlement Conference Facilitation on May 22, 2018
- 17 August 2017, Recent 11th Circuit Decision Is a Victory for Health Care Providers Challenging Insurer Reimbursement Decisions and a Reminder of the Importance of Carefully-Drafted Assignment of Benefits Clauses
- 12 May 2017, Termination of the Affordable Care Act's Cost Sharing Reduction Subsidies
- 22 February 2017, K&L Gates Triage: Reference-Based Pricing: Potential Causes of Action
- 15 February 2017, K&L Gates Triage: Reference-Based Pricing: Case Study & Discussion
- 8 February 2017, K&L Gates Triage: Reference-Based Pricing: Terminology & Theory
- 26 February 2016, North Carolina Court of Appeals Confirms Peer Review Privilege
- 11 February 2016, Federal Appeals Court Rejects Challenge to Virginia's Certificate of Need Law
- 22 October 2015, 340B Orphan Drug Interpretive Rule Struck Down by D.C. District Court: HHS and HRSA Lose In Second Round of Litigation Over 340B Orphan Drug Rules

OTHER PUBLICATIONS

- [“Agencies Propose Rules to Implement No Surprises Act Federal IDR Process,”](#) *Employee Benefit Plan Review*, January 2022

NEWS & EVENTS

- 5 June 2025, K&L Gates Receives More Than 240 Firm, Individual Rankings in 2025 *Chambers USA* Guide
- 15 August 2024, Nearly 430 K&L Gates Lawyers Named Among 2025 Best Lawyers in America, Ones to Watch
- 6 June 2024, K&L Gates Receives More Than 200 Firm, Individual Rankings in 2024 *Chambers USA* Guide
- 17 August 2023, Nearly 400 K&L Gates Lawyers Named Among 2024 Best Lawyers in America, Ones to Watch
- 1 June 2023, K&L Gates Receives Firm, Individual Rankings in 2023 *Chambers USA* Guide

- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 1 June 2022, K&L Gates Receives Firm, Individual Rankings in 2022 *Chambers USA* Guide
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch
- 21 May 2021, K&L Gates Policy and Regulatory Practice, Lawyers Ranked Among Leaders in 2021 *Chambers USA* Guide
- 23 April 2020, K&L Gates, Lawyers Recognized in 2020 *Chambers USA* Guide
- 26 April 2019, *Chambers USA* 2019 Guide Ranks K&L Gates, Lawyers Among Leaders
- 23 June 2016, K&L Gates, Lawyers Recognized as Leaders in *Chambers USA* 2016 Guide
- 20 May 2015, *Chambers USA* 2015 Guide Recognizes K&L Gates, Lawyers as Industry Leaders

OTHER MEDIA MENTIONS

- Mentioned, "[HIMSSCast: The entangled legal battle over the No Surprises Act](#)," *Healthcare Finance News*, 3 February 2023

AREAS OF FOCUS

- Healthcare and FDA
- Appellate Litigation
- Commercial Disputes
- Healthcare Payor-Provider Disputes (US)
- International Arbitration

INDUSTRIES

- Healthcare
- Life Sciences