

C/M/S/ Cameron McKenna

Our healthcare practice

Delivering healthy returns

Focus on health

The Healthcare sector is undergoing rapid change, both here in the UK and throughout the rest of Europe. The reform of the provision of public health services, technological convergence, the proliferation of new technologies and the growing importance of regulation all need to be addressed by government healthcare providers, suppliers and customers alike.

Our leading cross-discipline healthcare practice comprises more than 50 lawyers led by Jason Zimmel and Paul Smith, both of whom were recently named in the 2007-8 edition of "Who's Who in Healthcare".

We provide advice across the full range of legal specialisms, including mergers and acquisitions, joint ventures, strategic alliances and investments, debt and equity fund raising, PFI and PPP investment, outsourcing services, supply, distribution and strategic contracts, tax, regulation, licensing and product liability, intellectual property, employment, environment, health and safety, product liability and dispute resolution. Our focus is on delivering integrated solutions to legal problems, backed up by first rate service and a commitment to delivering value.

Clients with a cross-border or pan-European focus also benefit from access to an integrated service through our wide network of overseas offices.

Many of our clients are leading industry players, including hospitals and primary care providers, medical device manufacturers and pharmaceutical companies, research facilities and charities, investors, providers of finance, insurers, government and industry associations, suppliers, service providers and IT and business process outsourcing specialists.

"Absolutely professional, personal, eager to please."

One of our clients commenting on our employees

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Mergers, acquisitions and finance

We advise corporates, financial institutions and private equity investors on all aspects of corporate activity, including mergers, acquisitions and disposals, public company takeovers, strategic alliances and joint ventures, partnerships, funds and restructurings.

Our team also advises on debt and venture financing, equity and bond financing, private placings, rights issues and other public offerings.

We have a strong track record of successfully completing transactions for healthcare clients.

Highlights of our recent experience include:

Duke Street Capital

We advised on the £322 million sale of Paragon Healthcare Group

Legal & General Ventures

We advised on the acquisition of nine hospitals from BUPA

Legal & General Ventures

We advised on the acquisition of Integrated Dental Holdings from Luke Johnson and others and on the subsequent disposal to Merrill Lynch Global Private Equity

Classic Hospitals

We advised on the acquisition of Lourdes Hospital and commercial contracts (including ISTCs and PMI agreements)

Nuffield Hospitals

We advised on the acquisition of the Sona Group and the acquisition of Cannons Gyms
We also advised on the sale of Vanguard Healthcare

Advised on the disposal of nine hospitals to BMI Healthcare

Huntleigh Technology

We advised on the disposal of a healthcare equipment leasing business

PFI/PPP

With reform of the NHS high on the Government's agenda, the health sector is an important area of opportunity. The growing trend of looking to the private sector to provide an essential element of competition to public sector providers continues to gather pace.

We have extensive experience in the PFI/PPP health sector, working with healthcare trusts on behalf of private sector consortia and financiers. Our involvement has given us the necessary experience to understand the requirements of sponsors and banks, as well as the specific requirements of healthcare trusts and authorities.

Highlights of our recent experience include:

Newcastle Hospital

We advised the funders to the Equion/Interserve consortium in relation to the redevelopment of the Freeman and Royal Victoria hospitals. The project reached financial close in April 2005

Portsmouth Hospital

We advised Financial Security Assurance (UK) Ltd, the funders to the Carillion SPV, the preferred bidder on this CGF pilot project

North Staffordshire Hospital

We are acting for HSBC as lead manager, MBIA as the monoline insurer and EIB as co-funder in relation to this PFI hospital project

Ealing Care Homes

We advised the Local Authority on a PFI project for the refurbishment and redevelopment of five care homes

Richmond upon Thames Residential Care Homes

We advised the London Borough of Richmond upon Thames on externalisation of five residential care homes

Independent Sector Treatment Centres

We are advising Clinicenta and Classic Hospitals on a variety of UK ISTC Projects

Outsourcing & strategic contracts

We have been involved in some of the highest value and most complex outsourcing projects and strategic arrangements in the healthcare sector, including the National Program for IT and the Department of Health's framework for procuring external support for commissioners. We advise on both public and private sector transactions and procurements, acting for both customers and suppliers. We can assist suppliers with system integration issues as well as second tier supplies.

Highlights of our recent experience include:

Huntleigh Technology

We advised on the provision of hospital equipment to the Benghazi Health Centre

Connecting for Health Programme

We worked with a prime contractor on its successful bid to deliver the Connecting for Health Programme to a number of regions. Following award of the contract we worked with them to finalise its supply arrangements to deliver the project

FESC

We advised a leading insurer on its tender to be appointed to the Department of Health framework

Classic Hospitals

We advised Classic Hospitals on its contractual arrangements for the procurement and maintenance of hospitals management IT systems including the outsourcing of its IT system to McKesson Solutions

Nuffield Hospitals

We advised Nuffield Hospital on its contractual arrangements for the procurement and maintenance of its hospital management IT systems for its network of hospitals, including a data centre services agreement

Connecting for Health Programme

We advised and negotiated further contracts with the Secretary of State for Health for the supply of Picture Archiving Communications Systems and RIS Systems to NHS Trust

Additional areas of expertise

Intellectual property

We regularly advise clients on the protection and enforcement of, and disputes relating to, registered and unregistered intellectual property rights including patents, brands, trade marks, copyright, designs and confidential information. We advise on database rights, domain names and IP rights in healthcare, pharmaceutical, medical device and biotech technologies as well as advising on the ownership structuring, acquisition and disposal of IP rights and their exploitation by means of licensing and other commercial agreements.

Health, safety, environment and products

Businesses are increasingly concerned about the impact on their reputations of product liability and safety issues, and face a daunting array of commercial, regulatory and legal issues. Developments in areas as diverse as the revised general product safety directive, WEEE, the RoHS directive and corporate manslaughter are challenging for even the largest companies legal risk management capabilities. Our team are recognised as market leaders.

Competition

We help companies with a wide variety of competition law issues, from advising on parallel import problems and structuring commercial agreements to competition law and dealing with antitrust authorities in relation to merger control clearances or investigations into anti-competitive behaviour. We also regularly advise clients on the application of the EU procurement rules to tendering by public bodies, such as the Department of Health.

Dispute resolution

We take a highly commercial and pragmatic approach to dispute resolution, whether by litigation, arbitration or alternative dispute resolution, focusing on the most effective means for each individual client.

Regulation and compliance

We guide clients through their regulatory and compliance issues and can assist with training to ensure clients have procedures in place to address potential regulatory issues.

Insurance

In dealing with insurance claims, we are increasingly acting for professionals and companies in the healthcare sector. In 2006 we were involved in one of the major reported cases on wrongful births, defending claims against a hospital and testing laboratory. We also advise on sensitive issues such as clinical testing.

Our healthcare team

Mergers, acquisitions and disposals

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At CMS Cameron McKenna we work hard to be a truly client focused law firm. This means understanding the unique needs and challenges of each market sector and providing a service that is tailored to the particular concerns and requirements of each client.

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