

Overview

Our dedicated team of legally trained health sector experts provides advice to guide and protect clients across the health sector. We work closely with a diverse range of companies across the sector, both locally and internationally, including public and private providers, pharmaceutical companies, medical device manufacturers and regulatory bodies, offering tailored support to safeguard their interests.

Our passion for health law, combined with our qualifications, skills, and experience, delivers unparalleled expertise across the full spectrum of services that health organisations may need, whether they are looking to grow their businesses, operate in a highly regulated environment or protect their people, customers and stakeholders. From advising on medical practice acquisitions to ensuring compliance and navigating the intricacies of clinical trials, our team is committed to upholding the relevant ethical standards and codes in the health profession.

We believe in prevention as much as cure and are committed to delivering practical, self-help solutions. Our uniqueness lies not only in our specialisation in health law but also in our approach to practising law. We firmly believe that legal knowledge is most effective when applied proactively, before issues arise. In addition to minimising disputes and litigation, our goal is to use the law to create value, uphold what is right, build a solid foundation for business development, and safeguard relationships.

We understand the unique challenges faced by health sector clients, including complaints, investigations, and regulatory scrutiny. Our team is adept at managing these complexities, offering proactive and thorough support to secure the best possible outcomes for our clients. Navigating the intricate regulatory frameworks governing the health sector is essential for our clients' success. Whether it's professional regulation, public health obligations, or compliance with employment and health & safety laws, our lawyers provide strategic advice to ensure regulatory compliance.

Our aim is to help clients harness the benefits of these innovations while navigating legal requirements effectively. We pride ourselves on building lasting partnerships with our clients. Through collaboration and a deep understanding of their needs, we deliver practical, holistic solutions that drive success in the health sector.

Areas we work in:

- Health specific law
- Competition
- Construction
- Corporate and Commercial (including M&A and takeovers)
- Dispute Resolution
- Employment and Health & Safety
- Governance
- Insurance
- Intellectual Property

- Judicial Reviews and Statutory Appeals
- Privacy, Data Protection and Technology
- Procurement
- Product Recalls
- Prosecutions
- Public and Regulatory Law
- Real Estate
- Restructuring & Insolvency
- Retirement Village Act
- Tax

Who we work with

- Private surgical hospitals
- Aged care providers / retirement villages
- Public sector agencies
- Primary care providers
- Clinical specialist groups
- Individual health professionals
- Te Whatu Ora, Health New Zealand (formerly District Health Boards)
- Health regulatory authorities
- Professional colleges and associations
- Health technology innovators
- Participants in the therapeutic supply chain

Representative Experience

- **Health regulatory authorities:** Providing extensive advice to regulators on all aspects of the Health Practitioners Competence Assurance Act and assisting in complex governance issues, conflicts of interest, and the establishment of special purpose committees.
- **Professional Conduct Committees:** Prosecuting professional disciplinary charges for various health professions appointed under the Health Practitioners Competence Assurance Act 2003, including complex professional misconduct cases involving treatment issues; sexual misconduct; fraudulent behaviour; and the misuse of drugs.
- **Government agencies:** Advising on statutory, administrative and public law responsibilities of public health and disability organisations under the Pae Ora (Healthy Futures) Act 2022 and the predecessor legislation the New Zealand Public Health and Disability Act. We have advised different types of public health and disability organisations on all legal responsibilities, the interface with the Crown Entities Act, Public Finance Act, Public Audit Act, and other public sector legislation.
- **Multiple clients:** Advising on the establishment of online clinics. Extensive experience in advising on regulatory and other issues when establishing new health provider businesses – including but not limited to medical cannabis,

cosmetic medicine, preventative medicine, and allied health services.

- **Retirement village acquisitions:** Advising a NZX listed company on the sale, purchase and ongoing operation of various retirement villages.
- **Primary Healthcare:** Advising small and large businesses, not for profits, IPAs and PHOs on all aspects of their primary healthcare businesses, including structure, governance, contracting, planning and funding, borrowing, audit, acquisitions and divestments, mergers, succession and growth planning, privacy and data security.
- **Health authorities:** Advising health authorities to establish a national alliancing and partnering processes for the delivery of primary healthcare services, leading workshops and providing specialist advice in respect of national standard partnering agreements, charters and standards review processes.
- **General Practice:** Advising General Practice, on behalf of all PHOs in New Zealand, in respect of the national PHO contracts and negotiating the terms of the same with the Ministry of Health.
- **Medical companies:** Advising overseas pharmaceutical companies on clinical trial agreements and indemnity arrangements in New Zealand. Assisting on commercialisation of novel pharmaceutical ingredient with international partners to develop a regulatory approved drug for human use. Assisting with recalls.
- **Pharmac pharmaceutical contracts, and regulatory issues:** Acting on contract negotiations on behalf of suppliers of pharmaceuticals with the Government funding agency (Pharmac) and issues in relation to Medsafe registration. Advice on various regulatory issues including sponsorship issues, and prescribing non-approved medicines.
- **Cannabis:** Advising on regulatory and commercial issues associated with cannabis products including advising an international listed company on the regulatory and commercial issues associated with cannabis reform in New Zealand, particularly medicinal supply.
- **Large pharmaceutical company:** Assisting, by drafting, the New Zealand Country Transfer Agreement for the sale of its subsidiary business. This was a global transaction run from the USA. Our work involved assisting in due diligence, advising on how to transfer current contracts, GST agreements during the transitional phase and liaising with the business and its counsel in other jurisdictions
- **Regulatory Reform:** Advising on the Therapeutic Products Bill, which will re-write the regulatory environment for medicines and medical devices.

Your Key Contacts

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