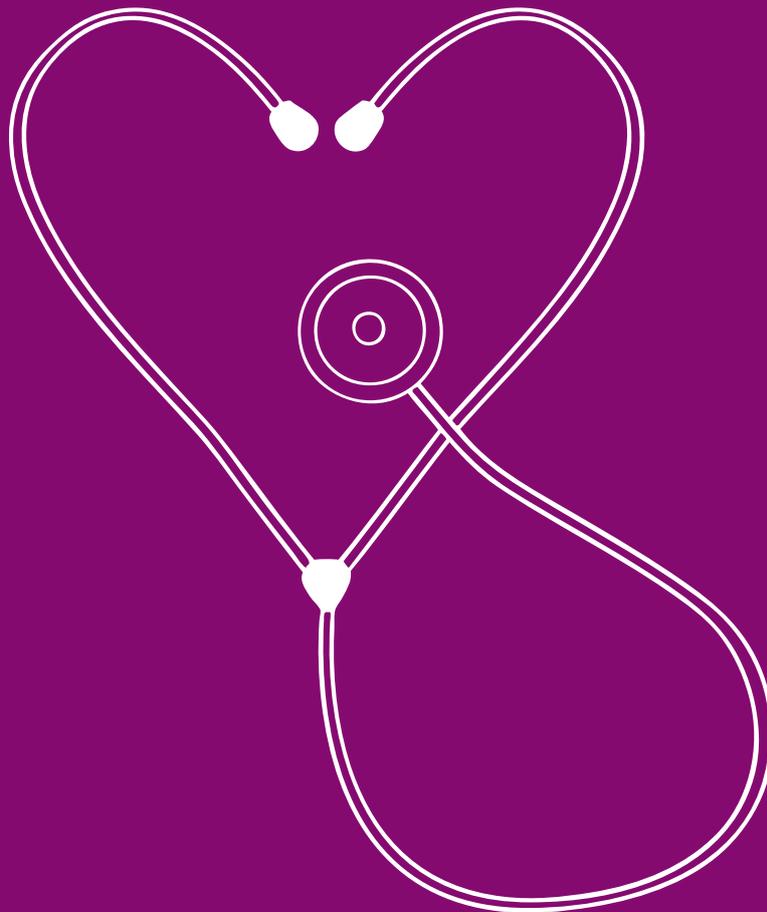


MASON
HAYES &
CURRAN

*Dublin, London
& New York*

Healthcare



Healthcare

About Us

We are the leading advisor to the healthcare sector in Ireland. Our healthcare practice has unrivalled depth and breadth working with local and international healthcare organisations in the public and private sector. Our advice ranges from strategic guidance on entering the Irish healthcare market to logistical management of services and organisations.

Our clients represent all aspects of the healthcare sector, from those developing and building new facilities to those operating established hospitals. We also provide services for healthcare professionals and their associations, intermediaries, insurance companies, senior care businesses and research organisations.

Our multi-disciplinary healthcare practice, led by John Gleeson, provides the full range of legal services required by our healthcare clients.

- Medical Law & Medical Malpractice
- Clinical Governance
- Children
- Healthcare Transactions
- Real Estate & Projects
- Professional Regulation & Public Law
- Employment Law & Benefits
- Commercial & Procurement



Ian O'Herlihy
*Partner, Head of
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Employment Law & Benefits

We have significant experience in the healthcare sector and provide ongoing employment law advice to several major public and private hospitals, supporting human resource professionals in managing their employees. We also advise nursing home organisations, pharmaceutical companies and medical equipment manufacturers and suppliers.

We are the market leader in advising on the impact and application of the Transfer of Undertakings Regulations which is a major consideration in healthcare transactions and outsourcing arrangements.

We also advise employers on a range of employment law issues including:

- Equality
- Redundancy
- Leave entitlements and working time
- Pensions and employee share schemes
- Corporate immigration
- Health and safety
- Industrial relations



Niamh Callaghan
Partner

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Governance & Structuring of Charities

We advise clients on the appropriate legal structures for charities, on all aspects of the Charities Act 2009, Companies Act 2015 and on matters related to the regulation of fundraising.

Our not-for-profit practice focuses on advising clients on the modernisation of existing trusts and other structures and on the restructuring of their organisations as incorporated entities.

We regularly advise clients on matters of corporate governance, including the applicable voluntary codes such as the Statement of Guiding Principles for Fundraising.

In addition, we regularly advises hospitals and other bodies in the healthcare sector on matters related to their governance and structure.

Niamh Callaghan is a board member of a hospital foundation.

Healthcare Governance

Hospitals have unique governance aspects which require expert advice. We use our acknowledged expertise to advise on all aspects of healthcare governance including:

- Corporate formation and corporate structuring advices
- Mergers and acquisitions
- Taxation and liability issues and profit-sharing arrangements
- Venture capital transactions including extensive legal due diligence capabilities
- Corporate finance, inward investment and joint venture transactions
- Corporate governance advices and corporate compliance services

In the wider healthcare sector, we have advised on significant transactions including acquisitions and disposals of medical device manufacturers, health insurance providers, pharmaceutical companies and related enterprises, which build upon our Life Sciences expertise.



Catherine Allen
Partner

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Professional Regulation & Public Law

Our public, disciplinary and regulatory lawyers are well-versed and experienced in the regulation, registration and disciplining of healthcare professionals.

Our experience includes acting for professional bodies, employer associations, pharmacies and healthcare professionals. We are also closely involved in all major developments regarding Freedom of Information in the healthcare sector.

We can provide a highly systematic and considered response to any allegations of misconduct both from the perspective of the medical practitioners and the governing authority.



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Medical Law & Medical Malpractice

Acting on behalf of both public and private hospitals, we have vast experience of advising our clients on a wide range of medicolegal issues including:

- Consent to treatment
- Patient confidentiality
- Legal capacity
- Coroners' Inquests
- Fitness to Practice Inquiries
- Records retention
- Clinical trials
- Mental Health Law
- The regulation and operation of nursing homes

We also have a widely respected practice representing the interests of hospitals and doctors nationally in the defence of malpractice actions in all areas of medical specialty including:

- Obstetrics
- Orthopaedics
- Accident and Emergency
- General Medicine
- Surgery
- Paediatrics
- ENT
- Psychiatry

Clinical Governance

We advise on the adoption of best practice in clinical governance. We have particular strengths in clinical risk management, clinical governance and corporate governance, which enable our healthcare clients to both sharpen their strategic focus and improve the running of their healthcare facilities. We have specialist expertise in advising healthcare clients on devising clinical governance strategies and setting up risk management programmes to include:

- Clinical governance strategies
- On-site investigation and advising on serious adverse clinical events
- Reviewing and revising hospital guidelines, policies and protocols

We provide advisory services on all medicolegal and ethical issues relating to healthcare including the implications of executing professional practices guidelines and advising on consent to treatment of adults, children and those lacking capacity. Our lawyers also serve on hospital ethics committees.



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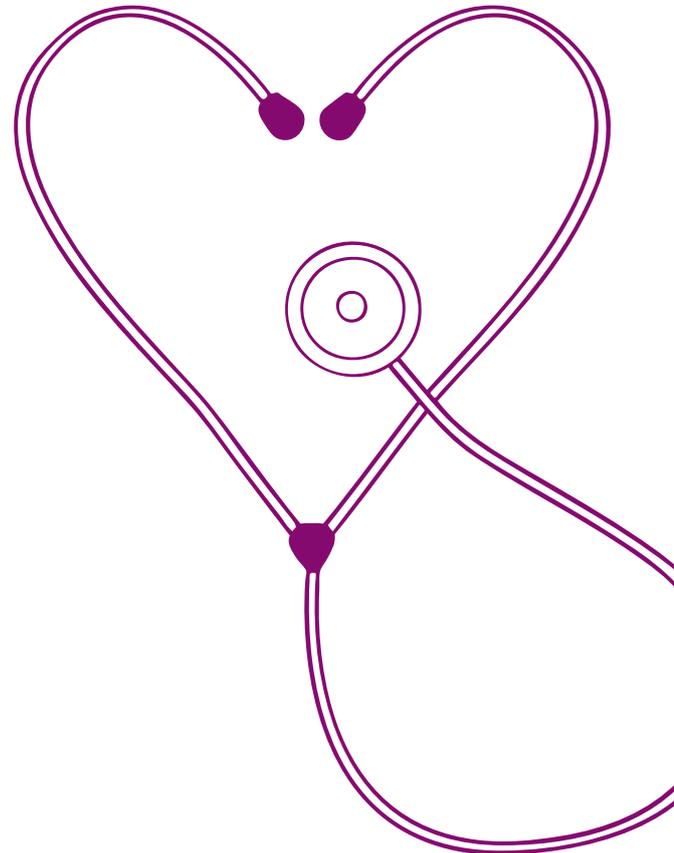
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Mental Health & Social Care

Our Healthcare and Mental Health Law team has extensive experience in all aspects of medical and mental health Law and related dispute resolution. As long-standing legal advisers to this sector, we have an in-depth understanding of the challenges confronting the HSE and are in a position to deliver strategic and practical advice to administrators, clinicians, institutions and professional staff on the intricacies of the law as it impacts on day to day practice affecting adults adolescents and children.

Our Social Care team has broad experience of advising clients in the healthcare sector on a range of issues including the safeguarding and protection of vulnerable adults, capacity and consent issues, wardship and inherent jurisdiction applications.





Kevin Hoy
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Real Estate & Projects

The real estate and projects capabilities of our Healthcare team enable us to assist on the full range of health sector projects. We advise on everything from a licence for temporary use of part of a building to construction contracts for hospitals. Unfortunately disputes are arising more frequently and we have a substantial amount of experience in acting in dispute resolution and in advising when a participant ceased to trade.

We have acted in relation to debt funding of healthcare facilities, tax based giving, leases, sales and purchases. We have acted for a private investor to put in place the first of a series of new primary care facilities in Ireland. We also have significant experience of issues arising in the acquisition and disposal of hospitals, re-organisation of hospital assets and planning matters. Our team members have acted on property transfers for numerous private and public hospital facilities.



Philip Nolan
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Commercial & Procurement

We understand the complex commercial healthcare environment and we have in-depth experience of drafting, reviewing and negotiating the full range of commercial contracts for clients in relation to:

- Public procurement and outsourcing contracts
- Information Technology
- Intellectual Property
- Data protection and patient file management
- R&D agreements, clinical trial and collaborative research agreements
- Competition and regulatory issues



Brian Horkan
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Children

We advise and represent health and social work professionals on medical, constitutional, administrative, family, civil and criminal law issues that can arise in their dealings with children and families.

We appreciate the sensitive and complicated nature of the relationships between health and social work professionals and the children and their families.

We regularly provide emergency advice and representation outside of business hours.

We advise and represent health authorities on:

- Statutory and non-statutory inquiries and investigations
- Superior and local court hearings on consent, medical treatment, child protection, constitutional law, judicial review, transnational law, child abduction, adoption
- Development of policies, protocols and practice guidelines

What others say about us...

Our Healthcare team

"high level of expertise in healthcare, with extraordinarily efficient and effective file management"

Legal 500, 2016

Our Healthcare team

"provides quality service that is mindful of the public purse"

Legal 500, 2015

Our Healthcare team

"...thorough with a robust approach to cases, and is very practical and straight-talking."

Chambers & Partners Europe, 2015



Client Service Law Firm of the Year
Chambers Europe Awards for Excellence, 2016

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