Emma E. Trivax

Associate

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OVERVIEW

Emma represents a wide range of health care providers, including pharmacies, physician practices, management service organizations, dental service organizations, hospitals, clinical laboratories, skilled nursing facilities, ambulatory surgical centers, DMEPOS suppliers, and behavioral health providers.

Emma advises her clients on regulatory, transactional, and compliance matters, including: multistate licensure matters, fraud and abuses analyses (Stark Law, Anti-Kickback Statute, and other state and federal fraud and abuse laws); Health Insurance Portability and Accountability Act, and other data privacy and security matters, including AI use in health care settings; corporate practice issues; Medicare, Medicaid, and third-party payor billing or reimbursement issues; physician/hospital arrangements; telemedicine; and large-scale mergers and acquisitions. She is also experienced with commercial contracting matters in the health care and life sciences space, including clinical trial agreements and business associate agreements.

REPRESENTATIVE MATTERS

Health Care Transactions

- Provided strategic counsel to a dental service organization in a high-value acquisition of more than 60 dental facilities nationwide, enhancing their market presence significantly.
- Guided a national vision provider through a $5 million acquisition of multiple vision clinics, facilitating their expansion strategy.
- Assisted a pharmaceutical company in formulating a competitive bid for acquisition of assets from another pharmaceutical company, valued at more than $100 million, thereby strengthening their industry position.
- Performed regulatory diligence and assisted in the change-of-ownership process in connection with the acquisition of a multistate pharmacy.

Health Care Compliance

- Assisted a multistate dialysis facility with a portfolio-wide audit of just under 100 patient consent forms, recommending strategic consolidations and revisions to align with regulatory requirements and best practices in patient communication.

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- Developed a HIPAA compliance program for covered entities and business associates.
- Acted as the outside general counsel for a hospital system and various physician groups, advising on a range of corporate and health care compliance and regulatory matters.
- Defended a physician group in an alleged HIPAA violation lawsuit resulting in a successful outcome.
- Assisted a large health care facility respond to a HIPAA breach.
- Advised a health care financial technology provider on various compliance policies and procedures.
- Executed comprehensive multistate surveys on state licensure, change of ownership requirements, fraud and abuse prohibitions, corporate practice of medicine, and professional scope of practice.
- Provided ongoing regulatory and compliance advice to a multistate pharmacy, including the development of a corrective plan to enhance their adherence to federal and state rules and regulations.
- Counseled a multistate hospice care organization during an investigation into compliance practices.
- Advised a behavioral health group on regulatory and compliance matters related to Medicare and Medicaid, ensuring their operations align with legal requirements.

Investigations

- Conducted an investigation on behalf of a health system into allegations that a physician inappropriately conducted certain examinations.
- Conducted an investigation on behalf of a long-term care facility into allegations of nurse mistreatment of patients.
- Conducted an investigation on behalf of a national pharmacy regarding nurse misuse of the pharmacy's automated medication system.

Certificate of Public Need

- Prevailed in obtaining a certificate of public need for the addition of one operating room at a medical facility in Richmond, VA.
- Prevailed in obtaining a certificate of public need for the establishment of new cardiac PET/CT services in Virginia Beach, VA.
- Prevailed in obtaining a certificate of public need for the establishment of cardiac catheterization laboratory services in Virginia Beach, VA.

AWARDS

- *Best Lawyers in America*®: Ones to Watch: Health Care Law (2026-2027)
- State Bar of Michigan's "A Lawyer Helps" Pro Bono Honor Roll (2026)
- Lakeshore Legal Aid's "Clinic Champion Award" (2026)

TOP AREAS OF FOCUS

- Health Care + Life Sciences
- Health Care Regulatory

ALL AREAS OF FOCUS

- Corporate

- Health Care + Life Sciences
- Health Care Regulatory
- Health Care Transactions

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Member, State Bar of Michigan Health Care Law Section
- Committee Member, State Bar of Michigan Health Care Law Section Publications Committee
- Member, Oakland County Bar Association

EDUCATION AND CERTIFICATIONS

EDUCATION

- Wayne State University Law School, J.D., *cum laude, Order of the Coif*, 2020, Governor's Scholar
- University of Michigan-Dearborn, B.A., *summa cum laude; James B. Angell Scholar*, 2017, behavioral sciences

BAR ADMISSIONS

- Michigan

COURT ADMISSIONS

- U.S. District Court, Eastern District of Michigan

SPEAKING ENGAGEMENTS

- Speaker, "Navigating Staffing Complexities and Regulatory Considerations in Long-Term Care Facilities," Troutman Pepper, October 29, 2024.
- Keynote speaker, "Dr. Chatbot: AI in Healthcare," Oakland County Medical Society Annual Meeting, October 16, 2024.
- Presenter, "Federal and State Hospice Compliance," Dragonfly Health Conference, Pittsburgh, PA, October 10, 2024.
- Presenter, "Staffing Complexities and Regulatory Considerations," Oregon Health Care Association Webinar, August 22, 2024.
- Speaker, "Multistate Pharmacy Compliance 101 – Legal Landmines for Multistate Pharmacies," Troutman Pepper Webinar Series, March 19, 2024.
- Speaker, "Multistate Pharmacy Compliance 101 – Legal Landmines for Navigating Pharmacy Disciplinary Procedures," Troutman Pepper Webinar Series, January 16, 2024.
- Presenter, "What's Hip with HIPAA?," Dickinson Wright Health Care Webinar Series, July 2022.
- Presenter, "Monopoly Money: Do Non-Compete Agreements Violate Antitrust Laws and if So, How?," Dickinson Wright Health Care Webinar Series, June 2022.
- Presenter, "Risk-Based Contracting: How Does Taking on Risk Contribute to Value-Based Care?," Dickinson Wright Annual Health Law Summit, November 2021.

PUBLICATIONS

- Co-author, "OCR Announces Notable HIPAA Enforcement Actions Against Self-Funded Group Health Plans Following Ransomware Breaches," *Troutman Pepper Locke*, August 4, 2026.
- Co-author, "HIPAA Rulemaking Delays: Trends, Causes, and the Future of the Pending Security Rule Update," *Troutman Pepper Locke*, July 31, 2026.
- Co-author, "Pennsylvania Targets AI Chatbot for the Unauthorized Practice of Medicine," *Troutman Pepper Locke*, May 7, 2026.
- Co-author, "Getting Ahead of the New HIPAA Security Rule: Practical Steps You Can Take Now," *Healthcare IT News*, April 13, 2026.
- Co-author, "From Diligence to Post-Closing: What's Shifting in 2026 Health Care Transactions," *Troutman Pepper Locke*, January 20, 2026.
- Co-author, "Growing Health-Care, Private Equity Scrutiny Shadows 2026 Deals," *Bloomberg Law*, January 9, 2026.
- Co-author, "Heightened State Oversight Signals Investors to Refresh Health Care Investment Platforms," *Reuters* and *Westlaw Today*, December 11, 2025.
- Co-author, "Reproductive Health Data Privacy Laws in Flux – Compliance in an Ever-Changing Landscape," *Troutman Pepper Locke*, October 6, 2025.
- Podcast, "Medicaid Cuts: Potential Challenges and Legal Implications for Long-Term Care Facilities," *Assisted Living and the Law*, May 21, 2025.
- Podcast, "Evolving AI Legislation: Federal Policies, Task Forces, and Proposed Laws," *The Good Bot: Artificial Intelligence, Health Care, and the Law*, May 20, 2025.
- Co-author, "Federal Ruling on CMS Staffing Mandate Offers Relief for Long-Term Care Facilities," *Troutman Pepper Locke*, May 1, 2025.
- Co-author, "New Legal Developments Herald Big Changes for HIPAA Compliance in 2025," *Reuters Legal News*, April 7, 2025.
- Podcast, "Colorado AI Act," *The Good Bot: Artificial Intelligence, Health Care, and the Law*, February 20, 2025.
- Co-author, "Q4 2024 Health Care Conference Roundup: AI and Government Enforcement Are on the Rise," *Troutman Pepper Locke*, January 9, 2025
- Podcast, "Key Takeaways From the OIG's New Compliance Guidance for Nursing Facilities," *Assisted Living and the Law*, January 8, 2025.
- Co-author, "HIPAA Security Rule Revamp Is on the Horizon," *Troutman Pepper Locke*, January 6, 2025.
- Co-author, "Long-Term Care: Surveyors Beware," *McKnights Long-Term Care News*, December 24, 2024.
- Podcast, "Preparing for CMS Staffing Mandates," *Assisted Living and the Law*, November 21, 2024.
- Podcast, "Private Equity Investment in Long-Term Care," *Assisted Living and the Law*, October 17, 2024.
- Podcast, "Antitrust Considerations in Long-Term Care," *Assisted Living and the Law*, September 19, 2024.
- Co-author, "FTC's New Final Rule on Noncompetes: Implications for Physician Practices," *Reuters Legal News*, August 6, 2024.
- Co-author, "States Seek AI Guardrails in Health Care," *Westlaw Today*, July 9, 2024.
- Co-author, "Checking the Pulse: An Approach to Telehealth Privacy and Cybersecurity Due Diligence," *Troutman Pepper*, June 7, 2024.
- Co-author, "Great Expectations: HIPAA-Regulated Entities Asked to Know Users' Intent on Unauthenticated Webpages," *Troutman Pepper*, April 1, 2024.
- Co-author, "Final Rule Aligns 42 CFR Part 2 with HIPAA and HITECH," *Troutman Pepper*, February 20, 2024.
- Author, "Dr. Chatbot: Understanding the Regulatory Requirements for Artificial Intelligence in Health Care," *The Oakland County Bar Association's LACHES*, February 2024.
- Co-author, "New California Law Imposes Significant Data Management Requirements for Sensitive Health Data ," *Troutman Pepper*, January 23, 2024.

- Co-author, “Are P3s the Future of Public Health Care Construction Projects?,” *Troutman Pepper*, January 9, 2024.
- Co-author, “Navigating the Future of Pharmacy Law: Key Takeaways From the 2023 American Society of Pharmacy Law Conference,” *Troutman Pepper*, November 29, 2023.
- Co-author, “New Proposed Rules to Combat Health Information Blocking,” *Troutman Pepper*, November 8, 2023.
- Co-author, “7 Common Compliance Pitfalls for Multistate Pharmacies,” *Law360*, October 3, 2023.
- Co-author, “Multistate Pharmacies: A Prescription for Navigating the Regulatory Maze,” *Troutman Pepper*, September 13, 2023.
- Co-author, “Another Critical Item for Long-Term Care Facilities to Add to Their To-Do List — New Staffing Mandates,” *Troutman Pepper*, September 7, 2023.
- Co-author, “The Risks and Rewards of Value-Based Care in Health Care IT,” *Healthcare Business Today*, September 5, 2023.
- Co-author, “Enforcement of Information Blocking Penalties in Health Care IT Begins,” *Troutman Pepper*, August 29, 2023.
- Co-author, “Proposed Mental Health Parity and Addiction Equity Act Rules Clarify Technical Compliance Requirements, But Practical Challenges Remain,” *Troutman Pepper*, August 23, 2023.
- Co-author, “Storm Clouds Form Offshore Under Updated Florida Electronic Health Records Exchange Act,” *Troutman Pepper*, June 28, 2023.
- Co-author, “Patient Privacy and Security Resource: Business Associate Agreement Checklist and Considerations,” *Corporate Healthcare Compliance Manual*, April 21, 2023.
- Co-author, “The End Is Here — Or Is It? The Public Health Emergency Concludes, but Telehealth Expansion Remains,” *Troutman Pepper*, April 17, 2023.
- Author, “How Application Program Interfaces Apply to Healthcare Entities,” *Healthcare Michigan,* Volume 39, Number 3, March 2022.
- Co-author, “Our Good Faith Attempt at a Good Faith Estimate Rule Summary,” American Health Law Association (AHLA), February 2022.
- Co-author, “Best Practices for Vaccines and the Workplace,” *Michigan Bar Journal*, July 2021.
- Author, “Update to the ALJ Backlog for Medicare Appeals,” *Healthcare Michigan*, June 2021.
- Co-author, “Revenue Cycle: 3-Day Payment Rule,” *HCCA Complete Healthcare Compliance Manual*, April 2020.
- Co-author, “Medicare Auditors, Recent Reforms, and Federal Court Jurisdiction to Seek Injunctive Relief,” *Health Law Handbook*, 311 (Thomson Reuters ed., 2020).
- Author, “The Collateral-Claim Exception: A Unique Solution to the Harmful Backlog of Medicare Appeals,” *65 WAYNE L. REV. 687* (2020).
- Co-author, “Health Providers May Accept Provider Relief Fund Payments Without Knowing What They Signed Up For,” *State Bar of Michigan: Health Care Law Section*, June 29, 2020.

MEDIA COMMENTARY

- Recognized, “Pro Bono Appreciation,” *Detroit Legal News*, October 5, 2026.