Patrick Formato

EXECUTIVE PARTNER



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This biography is provided for informational purposes only and does not constitute legal advice.

PRACTICE AREAS

- Cannabis Law Group
- Corporate & Securities Law
- Commercial Contracts
- Mergers & Acquisitions
- Health Law
- Insurance Audit and OMIG Audit Defense Attorneys
- Buying and Selling Medical Practices
- Health Care Mergers & Acquisitions
- Health Law Managed Care
- Hospital Representation
- Practice Formation & Corporate Structure
- Nursing Homes
- Physician WCB Authorization & IME Issues

Patrick Formato is an Executive Partner, Director of the Health Law Practice group at Abrams Fensterman, LLP.

Mr. Formato represents a variety of health care providers including skilled nursing facilities, diagnostic and treatment centers, ambulatory surgery centers, urgent care centers, imaging centers, home health care agencies, assisted living facilities, management service organizations, physicians and physician groups in connection with mergers and acquisitions, fraud and abuse, government investigations,

corporate structure, regulatory issues, corporate compliance, managed care, Medicare and Medicaid audits, managed care agreements, partnership disputes, employment, shareholder and partnership agreements, certificates of need, real estate and general business/corporate matters.

Recognized by his peers and clients as a knowledgeable and talented health care attorney, Mr. Formato has been asked by many health care and professional organizations to present programs on such topics as fraud and abuse, corporate compliance, reimbursement, and provider contracting.

In addition to lecturing, Mr. Formato has written articles and has been published in professional and industry journals and newsletters. He has also authored several chapters and served as an Editor of the Legal Manual for Physicians that was published by the New York State Bar Association in conjunction with the Medical Society of the State of New York, and is a contributing author of “The Biggest Legal Mistakes Physicians Make and How to Avoid Them.” Mr. Formato has been designated as a New York Super Lawyer since 2013, a distinction earned by only 5% of the lawyers in the NY metro area and received the Leadership in Law award from the Long Island Business News in 2013. Mr. Formato has been selected by his peers for inclusion in The Best Lawyers in America® in the practice area of health care law since 2020.

He received a J.D., cum laude, from Albany Law School and a B.A., cum laude, from the State University of New York at Albany. Active in legal and professional associations, Mr. Formato is a member of the American Health Lawyers Association, the New York State Bar Association’s Health Law Section, and the Nassau County Bar Association’s Hospital and Health Law Committee. He also served as Chairman of the Health and Hospital Committee of the Nassau County Bar Association, and was a member of the Executive Committee of the Health Law Section of the New York State Bar Association.

REPRESENTATIVE MATTERS

- Successfully represented a physician group in connection with a joint Federal and State Civil False Claims investigation and Qui Tam action which resulted in both the US Attorney’s office and the New York State Attorney General’s office decision to decline to intervene in the case and resulted in the Qui Tam relator’s withdrawal of its action.
- Represented three skilled nursing facilities and related real estate entities in a $100 million plus sale of the operations and real estate of the nursing homes.
- Represented a Not-For-Profit skilled nursing facility in connection with its sale and associated receivership and 510/511 petition.
- Represented a physician group in its acquisition of dozens of other practices and corporate restructuring which eventually yielded a private equity sales transaction.
- Successfully represented an ambulatory surgery center in connection with the Centers for Medicare and Medicaid’s proposed termination of the facility from the Medicare program.
- Represented large anesthesia group in connection with its merger with another large anesthesia group.
- Represented owner of several assisted living facilities in connection with a partnership dispute and eventual separation and purchase and sale agreement.

- Represented owner of assisted living facilities in connection with the buy out of her partners.
- Represented psychology practice in a complicated sales transaction.

BAR ADMISSIONS

- New York
- New Jersey

EDUCATION

- Albany Law School at Union University, Albany, New York
  - J.D. (Cum Laude)
- State University of New York, Albany, New York
  - B.A. (Cum Laude)

HONORS AND AWARDS

- Society of St. Johnland Annual Golf Classic Honoree, 2022
- New York Metro Super Lawyers, 2013-Present
- The Best Lawyers® in America, 2020 – Present
- Long Island Business News' Who's Who in Healthcare Professionals and Healthcare Law, 2020
- Leaders in the Law – Health Law, New York Magazine, June 2018
- Long Island Business News' Leadership in Law Award, 2013

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS

- American Health Lawyers Association, Member
- New York State Bar Association, Health Law Section, Member
- Nassau County Bar Association, Past Chairman, Health and Hospital Committee

PUBLISHED WORKS

- The 10 Biggest Legal Mistakes Physicians Make When Negotiating Buy-ins (Chapter 12), Contributing Author, The New Partner's Perspective
- Legal Manual for New York Physicians, Sixth Edition (2 vols.), Co-Editor
- Legal Manual for New York Physicians, Fourth Edition, Co-Editor
- On the Role of the Medicaid Fraud Control Unit, Author, New York State Bar Association Health Law Journal
- The "Step-Up" in Enforcement of Nursing Homes: Recent Survey Trends, Co-Author, New York State Bar Association Health Law Journal

- Continuum of Care in New York State, Co-Author, NYSBA Elder Law Section, Long Term Care Conference
- Navigating a Fraud and Abuse Concern: Skilled Nursing Facility Arrangements with Ancillary Providers , Author, New York State Bar Association Health Law Journal

FEATURED PUBLICATIONS

- **Abrams Fensterman Earns Nine 2027 Best Law Firms® Rankings** — 11/05/2026
  https://www.abramslaw.com/media/awards/abrams-fensterman-earns-nine-2027-best-law-firms-rankings
- **44 Abrams Fensterman Attorneys Recognized in 2026 New York Super Lawyers® and Rising Stars** — 10/25/2026
  https://www.abramslaw.com/media/awards/44-abrams-fensterman-attorneys-recognized-in-2026-new-york-super-lawyers-and-rising-stars
- **12 Abrams Fensterman Attorneys Recognized in Best Lawyers® 2027** — 08/21/2026
  https://www.abramslaw.com/media/awards/12-abrams-fensterman-attorneys-recognized-in-best-lawyers-2027
- **Abrams Fensterman Sponsors 2026 Zimmet Conference** — 08/14/2026
  https://www.abramslaw.com/media/events/abrams-fensterman-sponsors-2026-zimmet-conference
- **Abrams Fensterman Named Tier 1 Best Law Firm® in Health Care Law – Long Island (2026)** — 11/10/2025
  https://www.abramslaw.com/media/awards/abrams-fensterman-named-tier-1-best-law-firm-in-health-care-law-long-island-2026
- **7 Abrams Fensterman Practices ranked in 2026 Best Law Firms®** — 11/06/2025
  https://www.abramslaw.com/media/awards/7-abrams-fensterman-practices-ranked-in-2026-best-law-firms
- **40 Abrams Fensterman Attorneys Named in 2025 New York Super Lawyers** — 10/29/2025
  https://www.abramslaw.com/media/awards/40-abrams-fensterman-attorneys-named-in-2025-new-york-super-lawyers
- **10 Abrams Fensterman Attorneys Recognized in Best Lawyers® 2026** — 08/25/2025
  https://www.abramslaw.com/media/awards/10-abrams-fensterman-attorneys-recognized-in-best-lawyers-2026
- **Abrams Fensterman and Capital Health Consulting Announce Strategic Partnership, Effective as of January 1, 2025** — 02/19/2025
  https://www.abramslaw.com/media/announcements/abrams-fensterman-and-capital-health-consulting-announce-strategic-partnership-effective-as-of-january-1-2025
- **Abrams Fensterman Recognized as a Tier 1 Law Firm for Health Care in Long Island by Best Lawyers® for 2025** — 11/07/2024
  https://www.abramslaw.com/media/announcements/abrams-fensterman-recognized-as-a-tier-1-law-firm-for-health-care-in-long-island-by-best-lawyers-for-2025
- **7 Abrams Fensterman Practices ranked in 2025 Best Law Firms®** — 11/07/2024
  https://www.abramslaw.com/media/awards/2025-best-law-firms-in-america-ranks-7-abrams-fensterman-practices
- **33 Abrams Fensterman Attorneys Recognized on 2024 New York Metro Super Lawyers® and Rising Stars Lists** — 10/23/2024
  https://www.abramslaw.com/media/awards/33-abrams-fensterman-attorneys-recognized-on-2024-new-york-metro-super-lawyers-and-rising-stars-lists
- **9 Abrams Fensterman Attorneys Recognized in Best Lawyers® 2025** — 08/15/2024
  https://www.abramslaw.com/media/awards/9-abrams-fensterman-attorneys-recognized-in-best-lawyers-2025
- **Congratulations to our 2024 Best Lawyers & Ones to Watch** — 12/11/2023
  https://www.abramslaw.com/media/awards/congratulations-to-our-2024-best-lawyers-ones-to-watch
- **Health and Human Services Department Releases Nursing Home Owner, Manager Disclosure Rule** — 12/08/2023
  https://www.abramslaw.com/media/announcements/health-and-human-services-department-releases-nursing-home-owner-manager-disclosure-rule

- **New Notice Requirement for Health Care Transactions** — 05/03/2023
  https://www.abramslaw.com/media/announcements/new-notice-requirement-for-health-care-transactions
- **Office of the Medicaid Inspector General Releases Compliance Guidance** — 03/27/2023
  https://www.abramslaw.com/media/announcements/office-of-the-medicaid-inspector-general-releases-compliance-guidance
- **The 10 Biggest Legal Mistakes Physicians Make When Negotiating Buy-ins–The New Partner's Perspective** — 02/14/2023
  https://www.abramslaw.com/media/announcements/the-10-biggest-legal-mistakes-physicians-make-when-negotiating-buy-ins-the-new-partners-perspective
- **COVID-19 Public Health Emergency Extended** — 12/14/2022
  https://www.abramslaw.com/media/announcements/client-alert-covid-19-public-health-emergency-extended
- **Governor Signs into Law Bill Adding to Nursing Homes' Pandemic Emergency Plan Requirements** — 12/08/2022
  https://www.abramslaw.com/media/announcements/governor-signs-into-law-bill-adding-to-nursing-homes-pandemic-emergency-plan-requirements
- **Updates to Nursing Home Residents' Rights** — 05/01/2022
  https://www.abramslaw.com/media/announcements/client-alert-updates-to-nursing-home-residents-rights
- **New Certificate of Need Regulations** — 02/16/2022
  https://www.abramslaw.com/media/announcements/client-alert-new-certificate-of-need-regulations
- **CLIENT ALERT: Department of Health to Propose New Healthcare Regulations** — 10/06/2021
  https://www.abramslaw.com/media/announcements/client-alert-department-of-health-to-propose-new-healthcare-regulations
- **Congratulations to Our 2020 Super Lawyers & Rising Stars** — 11/30/2020
  https://www.abramslaw.com/media/announcements/congratulations-to-our-2020-super-lawyers-rising-stars
- **CLIENT ALERT: Executive Order 202.30** — 05/11/2020
  https://www.abramslaw.com/media/announcements/client-alert-executive-order-20230
- **CMS Issues Final Rule-09/28/16: Skilled Nursing Facilities Pre-Dispute Arbitration Agreements and More** — 10/31/2016
  https://www.abramslaw.com/media/announcements/cms-issues-final-rule-09-28-16-skilled-nursing-facilities-pre-dispute-arbitration-agreements-and-more
- **Howard Fensterman Congratulates Eighteen Abrams Fensterman Attorneys Named 2016 Super Lawyers Seventeen others Tapped as Rising Stars** — 10/13/2016
  https://www.prnewswire.com/news-releases/howard-fensterman-congratulates-eighteen-abrams-fensterman-attorneys-named-2016-super-lawyers-300344344.html
- **Recent Focus of the OMIG: Increased Compliance Program Scrutiny of Medicaid Providers** — 04/30/2016
  https://www.abramslaw.com/media/announcements/recent-focus-of-the-omig-increased-compliance-program-scrutiny-of-medicaid-providers
- **LIBN – Who's Who in Real Property & Health Care Law** — 06/05/2015
  https://www.abramslaw.com/wp-content/uploads/2023/07/2015622124526_000.pdf
- **Congress Passes New MACRA Law, Repeals Medicare's Sustainable Growth Rate Formula** — 04/30/2015
  https://www.abramslaw.com/media/announcements/congress-passes-new-macra-law-repeals-medicares-sustainable-growth-rate-formula
- **The Biggest Legal Mistakes Physicians Make and How to Avoid Them (Chapter 12)** — 04/16/2015
  https://seak.com/blog/uncategorized/10-biggest-legal-mistakes-physicians-make-negotiating-buy-ins-new-partners-perspective/
- **Abrams Fensterman Celebrates Selection of Twelve Attorneys Named to the 2013 Super Lawyers List & Seven Others Named to the Rising Stars List** — 09/25/2013
  https://www.abramslaw.com/media/announcements/abrams-fensterman-celebrates-selection-of-twelve-attorneys-named-to-the-2013-super-lawyers-list-seven-others-named-to-the-rising-stars-list

- **Law Firm Abrams Fensterman Announces Successful Representation in Real Estate, Health Care Acquisition** — 09/24/2013
  https://www.abramslaw.com/media/announcements/law-firm-abrams-fensterman-announces-successful-representation-in-real-estate-health-care-acquisition
- **HIPPA Omnibus Rule** — 05/29/2013
  https://www.abramslaw.com/media/events/hippa-omnibus-rule
- **Small Physician Practice: There Are Options; What is Right for You (Different Integration Models)** — 05/20/2013
  https://www.abramslaw.com/media/events/small-physician-practice-there-are-options-what-is-right-for-you-different-integration-models
- **Long Island Business News: Medical Marriages** — 12/14/2012
  https://www.abramslaw.com/wp-content/uploads/2023/07/20137151944_000.pdf
- **Public & Private Sectors Unite Against Health Care Fraud** — 07/31/2012
  https://www.abramslaw.com/media/announcements/public-private-sectors-unite-against-health-care-fraud
- **Regional Meeting** — 04/29/2012
  https://www.abramslaw.com/media/events/regional-meeting
- **American College of Health Care Administrators Meeting** — 03/18/2012
  https://www.abramslaw.com/media/events/american-college-of-health-care-administrators-meeting
- **Abrams Fensterman Cautions Health Care Clients: Office of Inspector General is Aggressively Asserting its Authority to Exclude Owners, Officers and Managing Employees of Sanctioned Entities From Participation in Federal Health Care Programs** — 08/03/2011
  http://express-press-release.net/88/Abrams-Fensterman-Cautions-Health-Care-Clients-35345671-print.php
- **Government Targets Corporate Executives in New Effort to Combat Health Care Fraud** — 07/31/2011
  https://www.abramslaw.com/media/announcements/government-targets-corporate-executives-in-new-effort-to-combat-health-care-fraud
- **Regional Membership Meeting** — 05/17/2011
  https://www.abramslaw.com/media/events/regional-membership-meeting
- **Control Receivables and Manage Liabilities** — 05/03/2011
  https://www.abramslaw.com/media/events/control-receivables-and-manage-liabilities
- **CMS Issues Final Rule Expanding Civil Monetary Penalties for Nursing Homes** — 03/31/2011
  https://www.abramslaw.com/media/announcements/cms-issues-final-rule-expanding-civil-monetary-penalties-for-nursing-homes
- **Medicaid Audits and Mandatory Compliance Programs** — 03/16/2011
  https://www.abramslaw.com/media/events/medicaid-audits-and-mandatory-compliance-programs
- **Is Your Practice Website Legally Compliant?** — 06/30/2010
  https://www.abramslaw.com/media/announcements/is-your-practice-website-legally-compliant
- **President Signs Bill Halting Medicare Physician Payment Cut** — 06/30/2010
  https://www.abramslaw.com/media/announcements/president-signs-bill-halting-medicare-physician-payment-cut
- **$350 Million Dollar Settlement With United Healthcare/Ingenix Will Compensate Providers for Insurer's Failure to Properly Reimburse for Out-Of-Network Services** — 05/31/2010
  https://www.abramslaw.com/media/announcements/350-million-dollar-settlement-with-united-healthcare-ingenix-will-compensate-providers-for-insurers-failure-to-properly-reimburse-for-out-of-network-services
- **Family Health Care Decisions Act** — 05/04/2010
  https://www.abramslaw.com/media/events/family-health-care-decisions-act
- **OMIG Regulations for Provider Compliance Programs** — 11/30/2009
  https://www.abramslaw.com/media/announcements/omig-regulations-for-provider-compliance-programs
- **Compliance Alert** — 08/31/2009
  https://www.abramslaw.com/media/announcements/compliance-alert

- **Compliance Programs Now Mandatory!** — 09/30/2006
  https://www.abramslaw.com/media/announcements/compliance-programs-now-mandatory
- **NYSBA – Continuum of Care in New York State** — 10/20/2001
  https://www.abramslaw.com/media/publications/nysba-continuum-of-care-in-new-york-state