

Your World First

CMS  
Law . Tax

Healthcare



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## Our services for the healthcare industry

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Our specialist lawyers combine in-depth industry knowledge with detailed practical experience. Our clients include healthcare companies in Germany and beyond, investors, banks and multipliers as well as all types of service providers. The latter comprise not only private and local owners and operators, but also church institutions in particular and their facilities.

The size and flexibility of our practice guarantee local access to extensive personnel resources at all times. We offer tailored support whenever you need us: from experienced individual lawyers to an entire transaction team.

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## From prevention to follow-up care

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Our integrated services cover the entire healthcare chain:



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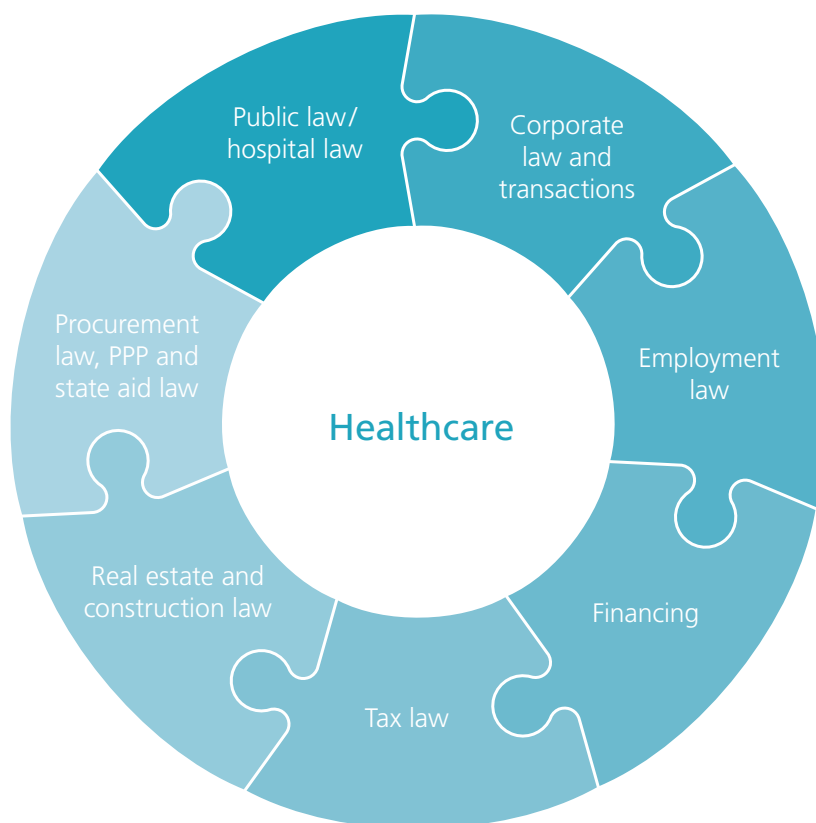
## One-stop legal advice

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We offer proven industry knowledge and the expertise and experience gained from many successful projects, large and small.

You benefit from one-stop legal advice based on a coordinated approach. This maximises efficiency and ensures effective support.

If your project also requires expertise from other divisions, we will be happy to put together an appropriate team.



Thanks to its broad setup, CMS is able to advise on relevant interfaces...

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## Seize opportunities in the healthcare market and avoid legal risks

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### Pragmatic legal advice – in tune with your needs

Added value: our lawyers in the healthcare sector are among the leading experts in the market. Their legal advice is informed by an awareness of the commercial context and relevant industry expertise.

### One-stop service to meet your specific requirements

Maximum efficiency: as one of the few genuinely full service law firms, we are your competent partner across all areas of commercial and healthcare law, with a truly interdisciplinary mindset and approach.

### Tailored support to help you achieve your objectives

Focused on your objectives: our lawyers speak your language. We understand your issues, your market environment and your needs. We are thus able to provide your company or facility with highly relevant and effective support.

### Maximum commitment: we find solutions – quickly, precisely, reliably

Safety through experience: our proactive approach is reflected in a strong track record of successfully managed projects over the years – from which your project can also benefit.

Ongoing legal advice on day-to-day business, support for complex transactions or for an exceptional project. Whatever your company needs to handle, we would be pleased to assemble a suitable interdisciplinary team, if requested local, national or international, with the ability to provide competent, cost-effective advice in Germany and throughout the world, 24x7.



The lawyers had a fresh attitude to old problems with a can-do attitude.

*Chambers Europe, 2016*

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# CMS at your side

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We provide legal and strategic advice in the following areas:

- Acquisition and sale of healthcare companies and their facilities, in particular M&A and private equity transactions, including auction and tendering procedures
- Transformations and restructuring of corporate groups
- Support for privatisations and PPP projects
- Restructuring and rescue, acquisition of companies out of insolvency
- Establishing, structuring and financing funds that invest in healthcare real estate
- Project development for new care home properties and advice during construction when modifying existing properties
- Succession arrangements for private care home operators

- Organisation, requirements planning and financing of hospitals
- Privatisation, outsourcing and change of funding agency
- Divestments, mergers and new-build projects
- Medical centres and new forms of care, including outpatient care in hospital
- Operator agreements, especially leases and management agreements, for both owners and operators/funding agencies
- Collective and individual employment law, social security law, including the law relating to chief physician contracts, employing external staff via service companies and agencies
- Cross-sector provision of services, especially alliances and joint ventures
- Specific issues relating to church funding agencies
- Healthcare compliance
- Consolidated entities, charitable status, VAT

CMS is a strategic partner of



Young Excellence in Healthcare (YEH) is an interdisciplinary network bringing together young professionals from the healthcare sector. It seeks to develop an intelligent framework for delivering health services in the world of tomorrow. CMS advises YEH strategically and exclusively on all legal matters. CMS also acts as a sounding board for the legal issues and healthcare policies YEH seeks to promote.



...highly recommended firm in pharmaceuticals and healthcare ...

*JUVE German Commercial Law Firms 2016 (GCLF)*



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CMS Hasche Sigle is one of the leading commercial law firms. More than 600 lawyers serve their clients in eight major German commercial centres as well as in Beijing, Brussels, Hong Kong, Moscow, Shanghai and Tehran. CMS Hasche Sigle is a member of CMS Legal Services EEIG, a European Economic Interest Grouping that coordinates an organisation of independent law firms. CMS EEIG provides no client services. Such services are solely provided by CMS EEIG's member firms in their respective jurisdictions. CMS EEIG and each of its member firms are separate and legally distinct entities, and no such entity has any authority to bind any other. CMS EEIG and each member firm are liable only for their own acts or omissions and not those of each other. The brand name "CMS" and the term "firm" are used to refer to some or all of the member firms or their offices.

**CMS locations:**

Aberdeen, Algiers, Amsterdam, Antwerp, Barcelona, Beijing, Belgrade, Berlin, Bratislava, Bristol, Brussels, Bucharest, Budapest, Casablanca, Cologne, Dubai, Duesseldorf, Edinburgh, Frankfurt, Geneva, Glasgow, Hamburg, Hong Kong, Istanbul, Kyiv, Leipzig, Lisbon, Ljubljana, London, Luxembourg, Lyon, Madrid, Mexico City, Milan, Moscow, Munich, Muscat, Paris, Podgorica, Prague, Rio de Janeiro, Rome, Sarajevo, Seville, Shanghai, Sofia, Strasbourg, Stuttgart, Tehran, Tirana, Utrecht, Vienna, Warsaw, Zagreb and Zurich.

CMS Hasche Sigle Partnerschaft von Rechtsanwälten und Steuerberatern mbB, registered office: Berlin (Charlottenburg District Court, PR 316 B), list of partners: [s. website](http://s.website).  
**[cms.law](http://cms.law)**

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## References

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### Outpatient care

- **BC Partners** | Advice on acquisition of the synlab Group and on investment in lab service provider FutureLab.
- **3i, Neuhaus Partners, HgCapital** | Advice on sale of majority stake in mail-order pharmacy DocMorris to Celesio.
- **Baigo Capital** | Advice on investment in the EuroEyes Group.
- **Medical Care Unit (MVZ)** | Ongoing advice for various service providers on establishment and operation of medical centres.
- **Alternative investment funds (AIF)** | Advice on acquisition of companies offering outpatient intensive care, including ongoing advice on employment, financing and real estate law.
- **Private hospital group** | Corporate law restructuring of various day and practice clinics in Rhineland-Palatinate.
- **Elisabeth Vinzenz Group** | Advising on acquisition of the Franziskus Hospital in Berlin and on group-wide restructuring, notarial services relating to re-alignment of the group structure, advising several hospitals on employing locum doctors and on alliances, comprehensive advice on employment and medical law.
- **Albertinen-Diakoniewerk (hospital owner in Germany)** | Advice on establishment of an employers association for the church in connection with strikes threatened by the ver.di trade union and the Marburger Bund (doctors' association), design of collective employment conditions, transfer arrangements, conciliation agreements with the parties to the collective agreement (ver.di and Marburger Bund).
- **Klinikum Stadt Soest (clinic)** | Ongoing advice for Klinikum Stadt Soest on major extensions to the hospital buildings and refurbishment of the original building with respect to public procurement law, PPP law, planning and construction law, corporate law and employment law, also advice on restructuring the hospital, including establishment of a service company.

### Inpatient care

- **Charité – University Hospital Berlin** | Employment law advice on spinning off facility management to a private consortium.
- **Sana clinics** | Advising several hospitals on employing locum doctors, job cutting and supplying temporary workers via service companies and medical centres, including litigation; advising on a range of matters involving chief physicians; representing the company in various decision-making and individual procedures, advising and cooperating with the company's press office when dealing with the press and local politicians.
- **Fresenius** | Corporate law advice on restructuring, additional advice on structuring the biotech sector; advising the bank consortium on creating the new commercial paper programme.
- **Rems-Murr administrative district** | Advising the Rems-Murr administrative district on the spin-off of hospitals into a GmbH (private limited company).
- **Paracelsus clinics** | Advice on remodelling and extending the existing clinic in Osnabrück and the procurement procedures for construction of a new radiotherapy clinic.
- **Eichhof Foundation Lauterbach** | Comprehensive advice on employment, foundation and trademark law relating to the change in status from ecclesiastical to secular, advice on matters relating to works constitution law and ongoing employment law advice including contract design and litigation, also covering legislation relating to not-for-profit institutions.
- **Johanniter-Unfall-Hilfe e.V.** | Advice on employment law and social security law.

## Rehab

- **Lielje Group** | Advice on the sale of rehab clinics with a total of some 800 beds and 600 employees to the MEDIAN clinics group. Also advice on the sale of various other rehab clinics, including Nordsee Reha-Klinik II in St. Peter-Ording.
- **Rehab Clinic Group** | Advising on employment law aspects of restructuring, negotiating collective bargaining agreements, putting a children's rehab clinic on a new financial footing, restructuring and staff cuts in administration (joint operation).
- **MEDIAN clinics** | Advice on employment and medical law in relation to employing locum doctors and alliances with other service providers.
- **Maternus clinics** | Advice on employment and medical law in relation to employing external staff.
- **Silver Care Holding** | Formation and financing of the company as well as structuring and acquiring a portfolio of retirement, residential and care homes, sale of the group in an auction process.
- **DFH Deutsche Fonds Holding** | Providing comprehensive advice on designing a closed-end property fund for investment in a retirement residence ("Augustinum").
- **Merrill Lynch** | Advice on acquisition of a care home portfolio.
- **Pramerica, GHS** | Advice on acquiring eight retirement homes in Bonn, Hamburg, Munich and in the Rhine-Main area from US seller Sunrise.
- **ORPEA (Silver Care Group)** | Advice in relation to corporate law and real estate law issues with regard to acquiring a number of corporate groups in the care sector.

## Care services

- **Casa Reha Group** | Advising the initial investors on acquisition and sale of the Group. Advising the Group on acquisitions and in relation to corporate law, media, real estate law and litigation.
- **Deutsche Fachpflege Holding** | Structuring and acquisition of an investment portfolio relating to outpatient intensive care and sale of this group to a private equity investor.
- **Alloheim Retirement Residences** | Acquisition and sale of various retirement and care homes and advice on the subsequent sale of the owner company.
- **CURA Group** | Advice on employment and medical law in relation to chief physician contracts and employing locum doctors and agency care staff.
- **AWO** | Advice on the restructuring of an AWO regional association with several active companies, implementing the legal and commercial split of a hospital, with care home, that had initially been operated as one unit, planning the restructuring of several care homes and a hospital, reviewing the leases with regard to avoidance of insolvency, as well as operator agreements and public subsidies and the financing of the group.