



Marcus C. Hewitt

Partner

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Marc is an experienced health care and litigation attorney focusing on administrative litigation, health care disputes and regulatory matters, and represents health care providers in a variety of commercial and business disputes.

He handles numerous Certificate of Need (CON) matters for hospitals, dialysis providers, nursing and assisted living facilities, diagnostic service providers and other private providers, involving a variety of services and facilities. He represents clients in a variety of regulatory disputes including false claims act, Medicaid clinical coverage policies, Medicare cost reporting, licensure and certification, provider enrollment disputes, appeals and settlement of post-payment audits and recoupment, and others.

Marc also advises health care providers on regulatory compliance and related issues before the North Carolina Department of Health and Human Services and Department of Insurance, including managed care, formation and compliance of HMO entities, joint ventures, fraud and abuse, licensure and others.

He also works on health care-related commercial and business disputes, including those involving contract, unfair business practices, fraud and intra-company disputes. Among others, Marc has represented providers in civil disputes over hospital management and financing agreements, medical billing and reimbursement, medical staff matters, diagnostic imaging services and failed implementations of electronic health records (EHR) and practice management systems.

Before Fox Rothschild

Marc was a partner and Health Care Practice Leader at Smith Moore Leatherwood LLP, which combined with Fox Rothschild in 2018. Before private practice, he served as a judge advocate in the U.S. Marine Corps from 1996 to 2000.

Beyond Fox Rothschild

He is a member of the North Carolina Society of Healthcare Attorneys and the Health Law Section of the North Carolina Bar Association, and served as President of the North Carolina Society of Health Care Attorneys from 2013 to 2014.

Honors & Awards

- Named to "The Best Lawyers in America" list for Health Care Litigation (2016-2021), Health Care Law (2018-2021) in North Carolina by *Best Lawyers*
- Named to North Carolina *SuperLawyers*, Listed Health Care (2018, 2019); Rising Stars Edition (2009-2011)



- Selected by *Triangle Business Leader* Magazine as a "Top Lawyer" in the area of Health Care
- President, North Carolina Society of Health Care Attorneys, 2013-2014
- Rated AV Preeminent™ by Martindale-Hubbell®

Practice Areas

- Health Law
- Litigation
- Physicians, Dentists, Veterinarians & Other Health Professionals
- Institutions
- Appellate Practice

Bar Admissions

- North Carolina

Education

- University of North Carolina School of Law (J.D., 1996)
- University of North Carolina at Chapel Hill (B.A., *with distinction*, 1993)
 - Economics

Memberships

- North Carolina Bar Association
 - Health Law Section Council (2016-present)
- North Carolina Society of Health Care Attorneys - President (2013-2014)
- Wake County Bar Association
 - Habitat for Humanity Committee Chair (2001-2005)
 - Young Lawyers Division (2000-2005)
- American Health Lawyers Association

Board of Directors

- SearStone Continuing Care Retirement Community, Board of Directors (2013-present)
- Habitat for Humanity of Wake County, Board of Directors (2005-2010)