

Mark R. Ustin

Partner

Albany

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(518) 313-1403



Mark R. Ustin is a regulatory attorney and lobbyist. Mark has extensive experience assisting health and human services providers and related entities navigate the complicated statutory, regulatory, and policy landscape surrounding service delivery and payment. He assists clients with promoting and responding to legislation, regulation, and other government actions impacting their interests. He also steers clients through state processes to secure millions of dollars in government grants and other public funding streams.

In his work across the healthcare industry, Mark advises academic medical centers, community hospitals, critical access hospitals, federally qualified health centers, physician and other professional practices, nursing homes, assisted living providers, home health agencies, behavioral health providers, developmental disability service providers, managed care organizations, pharmaceutical manufacturers, and other technology and life science companies around the country.

Mark provides regulatory counsel and strategic business advice on everything from complex business transactions to the day-to-day concerns facing stakeholders in and around the healthcare sector. He also regularly represents clients before New York state government, including the Department of Health (including the Office of Health Insurance Programs, which oversees the State Medicaid Program), Department of Financial Services, State Education Department, Empire State Development (New York State's economic development agency), Department of Agriculture and Markets, Office of Mental Health, Office for People with Developmental Disabilities, and Office of Addiction Services and Supports, as well as the New York State Legislature and the Governor's Office.

PRACTICE AREAS

New York State Regulatory & Government Relations

Healthcare

Cannabis

EDUCATION

St. John's University School of Law, J.D.

Fordham University, B.A.

AFFILIATIONS AND APPOINTMENTS

New York State Bar Association, Health Law Section, Chair-Elect and Legislative Committee Chair

ADMISSIONS

New York

Mark was previously a partner at an AmLaw 200 firm and served in Governor George Pataki's administration as Assistant Counsel to the Governor for Health, Mental Hygiene, and Aging. He also served as Deputy Director and General Counsel to the Commission on Health Care Facilities in the 21st Century (the "Berger Commission"), which was charged with restructuring the hospital and nursing home industries statewide. Earlier in his career, Mark served as Counsel to the Senate Health Committee and began his career in private practice as an associate at Farrell Fritz.

Experience

- On behalf of an international provider of health information technology services, helped to enact legislation expanding the drug coverage information available to patients.
- Helped conclude a joint venture between two large radiology practices and an independent practice association and management services organization in the New York City area, allowing new radiology services to be delivered in a previously underserved market.
- On behalf of the Hospice and Palliative Care Association of New York State, helped to establish a new Department of Health office and program to support hospice education and advance care planning.
- Helped to build the service delivery and payment model for a provider of luxury travel spa services that pivoted to provide COVID testing during the recent pandemic.
- On behalf of an international developer of plasma-derived therapies, worked with New York State to update outmoded statutes and regulations governing source plasma donation, increasing the ability to site source plasma donation centers in New York State and collect plasma used to develop life-saving medications.
- Provide ongoing contracting advice to an international provider of clinical laboratory testing services in the organ donation space.
- On behalf of the New York State Ophthalmological Society, helped to obtain State approval for the use of medical assistants in the administration of eye drops in professional offices.
- Helped a provider of genetic testing services obtain Medicaid coverage for whole exome sequencing in New York State.

- Provide pro bono counsel to the 30+ medical students selected each year to participate in the Diversity in Medicine scholarship program sponsored by the Associated Medical Schools of New York, pursuant which students from under-represented backgrounds receive tuition in return for future service in an underserved area.
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Community Work

- St. Catherine's Center for Children, Board of Directors, President
 - Albany Law School, Adjunct Professor
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Recognition

- Best Lawyers in America, Government Relations Practice and Health Care Law, 2022-2024
- Long Island Business News, Who's Who in Healthcare Law, 2023
- City & State New York, Law Power 100, 2023
- City & State New York, Health Power 100, 2021-2024
- City & State New York, 2021 Responsible 100
- Schneps Media, Healthcare Heroes, 2022