

Digital Health: A Multidisciplinary Approach

At the forefront of the Digital Health Environment, Digital Health projects raise complex and multi-faceted legal and regulatory considerations.

Covington's market-leading global Digital Health team has unmatched breadth and depth of experience providing clients with solutions to navigate the legal, regulatory and policy issues that affect their digital health products and services.

Overview

Our lawyers are at the leading edge of cross-sectional developments worldwide in regulation, data and information technology and have represented key players throughout the digital health ecosystem, including:

- pharmaceutical, medtech, and technology companies,
- emerging digital health companies,
- health data storage and analytics platforms,
- AI platform providers,
- investors, and
- trade associations.

Capabilities

Our team helps pharma and device clients operating in highly regulated environments and tech clients operating in relatively less regulated environments understand each other to create balanced and workable deal structures.

With exceptional service including an integrated approach across practices, offices, and jurisdictions in the U.S., Europe, Asia, the Middle East and Africa, we are uniquely positioned to help clients respond to these challenges anywhere in the world at any given moment.

Chambers
AND PARTNERS

**“Band 1” firm for Life Sciences across US,
UK, Europe, China and Global surveys**



“They are a highly skilled, integrated law firm that really is able to provide the full spectrum of services that we need both locally and globally.”

- Covington client

COVINGTON

BEIJING BOSTON BRUSSELS DUBAI FRANKFURT JOHANNESBURG LONDON
LOS ANGELES NEW YORK PALO ALTO SAN FRANCISCO SEOUL SHANGHAI WASHINGTON

www.cov.com

Capabilities



Regulatory and Public Policy

- Development strategies, regulatory pathways, and co-development approaches
- Classification determinations for software medical devices
- AI in drug discovery, development and commercialization
- Decentralized clinical trials
- Real world data and evidence



Privacy and Data Security

- Evaluating impact and compliance with privacy laws, like EU GDPR, HIPAA and emerging U.S. state privacy laws
- Managing third-party risk, including contracts with vendors and evaluating analytics and ad tech partner arrangements
- Cybersecurity
- Data governance



Commercial

- Collaborations
- Data licensing
- Technology: software agreements, cloud, AI, data analytics, professional services
- Regulatory infrastructure agreements
- Telehealth arrangements
- Terms of use and privacy policies



Market Access and Reimbursement

- Market access contracting and legal strategies
- Coding, coverage and reimbursement strategy and support in negotiations
- Value-based contracts



M&A and Corporate

- M&A
- Investment rounds
- Due diligence
- Corporate joint ventures
- Strategic tax advice



Liability Considerations

- Product liability laws
- Insurance claims
- Liability limitation structures and other planning



Government Contracting

- Procurement law
- Contracting with national health services



Antitrust and Competition

- Data portability, exclusivity, device interoperability, and other "access" issues
- Approvals for M&A, JVs, collaborations and other agreements



Health Care Compliance

- Fraud and abuse and interactions with health care providers
- Telemedicine and practice of medicine
- Compliance program development and implementation



Artificial Intelligence

- AI and data-driven drug discovery agreements
- AI and medical devices
- Ethics and governance



ESG

- Diversity, Equity, and Inclusion
- Product Responsibility and Consumer Protection
- Supply Chain Diligence
- Environmental Marketing Claims



Intellectual Property

- Patent portfolio and trade secrets strategies
- Enforcement and defense of IP rights
- IP diligence for transactions

Key Contacts



Wade Ackerman
Partner, Los Angeles
+1 424 332 4763
ackermanw@cov.com



Elizabeth Canter
Partner, Washington
+1 202 662 5228
ecanter@cov.com



Sarah Cowlshaw
Partner, London, Dublin
+44 20 7067 2043
scowlshaw@cov.com



Rujul Desai
Partner, Washington
+1 202 662 5427
rdesai@cov.com



Stefanie Doeblner
Partner, Washington
+1 202 662 5271
sdoeblner@cov.com



Van Ellis
Partner, Washington
+1 424 332 4763
vellis@cov.com



Nigel Howard
Partner, New York
+1 212 841 1020
nhoward@cov.com



John Hurvitz
Partner, Washington
+1 202 662 5319
jhurvitz@cov.com



Christina Kuhn
Partner, Washington
+1 202 662 5653
ckuhn@cov.com



Catharina Min
Partner, Palo Alto
+1 202 662 5658
cmin@cov.com



Daniel Pavin
Partner, London
+44 20 7067 2029
dpavin@cov.com



Kyle Rabe
Partner, Washington
+1 202 662 5736
krabe@cov.com



David Wildman
Partner, New York
+1 212 841 1202
dwildman@cov.com