

MICHAEL H. COHEN

(619) 361-1371

LEGAL EXPERIENCE

Offit Kurman July 2026-Present
Affiliate Counsel

Cohen Healthcare Law Group, A Professional Corporation 1999 – 2026
Founding Attorney

- National healthcare regulatory and transactional boutique; more than 2,000 clients served; virtual practice with national client base
- Practice areas: Anti-Kickback Statute, Stark Law, CPOM, HIPAA, Medicare, telemedicine, digital and mobile healthcare, healthcare facility licensing, fraud and abuse, FDA, FTC, contract manufacturing, business formation, acquisitions, concierge medicine, contract drafting and negotiation, management agreements, IP/licensing, mobile medical apps, MSO structuring, pharmacy law, diagnostic and laboratory services, ketamine practice, addiction medicine, aesthetic medicine, and medical spas
- Counsel to Management Services Organizations (MSOs): drafting MSO agreements, advising on CPOM compliance, structuring management fee arrangements, and resolving MSO-related contractual and regulatory disputes

Burkhalter, Michaels, Kessler & George 1999
Attorney — General Corporate Practice

Shereff, Friedman, Hoffman & Goodman 1993
Attorney — Litigation Practice

- Drafted briefs and memoranda in litigation practice; court appearance attorney

Davis Polk & Wardwell 1990 – 1992
Associate, Corporate Department

- Represented issuers, underwriters, banks, and various entities in three-year rotation through banking, securities, and M&A departments

United States District Court, Southern District of New York 1986 – 1987
Law Clerk to the Honorable Thomas P. Griesa, Chief Judge

- Drafted bench memoranda and opinions; observed civil and criminal trials
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TEACHING EXPERIENCE

Harvard Medical School 2000 – 2005

Lecturer on Medicine; Assistant Professor of Medicine; Assistant Clinical Professor of Medicine

Director of Legal Programs, Harvard Medical School Osher Institute

Director of Legal Programs, Division for Research and Education in Complementary and Integrative Medical Therapies

Director of Legal Programs, Center for Alternative Medicine Research and Education, BIDMC

- Developed policies and procedures for integrative medicine across 14 Harvard-affiliated hospitals
- Received NIH award as Principal Investigator of a three-year grant

- Principal Investigator on additional grants; Co-Investigator on numerous others
- Dozens of publications in peer-reviewed medical, legal, and professional journals

Harvard T.H. Chan School of Public Health 2005 – 2011
Adjunct Assistant Professor
Course Director, Complementary and Alternative Medicine: Health Law and Policy

University of the West Indies LLB Program at College of the Bahamas 2005 – 2007
Visiting Lecturer, Associate Professor

Arizona State University — East Campus 1999 – 2000
Visiting Professor

Chapman University School of Law 1996 – 1999
Associate Professor of Law
 Taught Civil Procedure more than a half-dozen times and Conflicts of Laws, among other courses

Widener University School of Law 1993 – 1996
Associate Professor of Law

Brooklyn Law School 1993
Adjunct Instructor

Courses taught: Civil Procedure, Conflicts of Laws, Constitutional Law, Criminal Law, Health Care Law, Insurance Law, Intellectual Property, International Organizations, Legal Research and Writing, Moot Court, Private International Law.

EDUCATION

Fortieth Anniversary Senior Fellow, Center for the Study of World Religions 2002 – 2003
Harvard Divinity School

M.F.A., Creative Writing 1990
University of Iowa, Iowa Writers' Workshop

M.B.A. 1988
University of California, Berkeley — Haas School of Management

J.D. 1986
University of California, Berkeley — Boalt Hall School of Law

B.A., Political Science 1983
Columbia University, Columbia College

BAR ADMISSIONS

California, 1999
 New York, 1988
 Massachusetts, 1988
 Washington, D.C., 2001
 Nevada, 2025

AWARDS & GRANTS

G. Joseph Tauro Distinguished Scholar — Boston University School of Law	1984
CJS Award; Am. Jur. Award — Boston University School of Law	1984
Invited to Law Review — Boston University School of Law	1984
Invited to Law Review — Boalt Hall School of Law, UC Berkeley	1984
Invited Faculty, Medical Institute for Law Faculty — Cleveland Clinic / Cleveland-Marshall School of Law	1995

Research Grants (Selected)

- Principal Investigator — NIH/National Library of Medicine: Legal and Social Barriers to Alternative Therapies (2002–2005)
- Principal Investigator — The Greenwall Foundation: Pediatric Use of Complementary Therapies by Parents: Ethical and Policy Choices (2004–2005)
- Principal Investigator — American Specialty Health Plan: Credentialing Practices, Malpractice Liability Policies, and Guidelines Governing Recommendations Involving Dietary Supplements (2000–2002)
- Co-Investigator — NIH/NCCAM: Models of Integrative Care in an Academic Health Center (2000–2002)
- Co-Investigator — NIH/NCCAM: International Center for Research on Complementary and Alternative Medicine (2003–2005)
- Co-Investigator — Medtronic Foundation: Credentialing, Liability and Dietary Supplements Policies (2000–2002)
- Co-Investigator — The Epilepsy Foundation: Asian Herbal Products for Epilepsy (2004–2005)
- Research Collaborator — Hospital for Sick Children Foundation (Toronto): Decision-Making About Complementary and Alternative Therapies for Children and Youth (2004–2005)
- Consultant — M.D. Anderson Cancer Center Integrative Medicine Program / NCI (2005)
- Consultant — Ministry of Science and Research of North Rhine-Westphalia, Germany: Governmental Regulations for Traditional Chinese Herbal Medicine (2004)

PROFESSIONAL SERVICE & EDITORIAL BOARDS

- Faculty, The Leadership Program in Integrative Healthcare at Duke University (2014)
- Consultant, Institute of Medicine, National Academy of Sciences, Committee on Complementary and Alternative Medicine Use by the American Public (2003–2004)
- External Advisory Committee, University of Texas M.D. Anderson Cancer Center, Integrative Medicine (2005)
- Board Member, Society of Integrative Oncology (2005)
- Core Faculty Member, Asian Medicine and Healing Program, Harvard Medical School Osher Institute (2005)
- Advisory Board Member, Integrative Pediatrics Council (2006)
- Editorial Board, Integrative Medicine: A Clinician's Journal (2004)
- External Reviewer: Pediatrics; Journal of Law and Religion; Alternative Therapies in Health and Medicine; Medical Journal of Australia; American Journal of Law, Medicine and Ethics; University of Michigan Press (2000–2005)
- National Advisory Board, Corporate Health Improvement Program, University of Arizona School of Medicine (2004)
- Research Advisory Council, Religion, Health and Healing Initiative, Harvard Divinity School (2001–2002)

- Advisor to Dr. Eisenberg, Federation of State Medical Boards, Model Guidelines for Complementary and Alternative Therapies (2000–2002)
 - Advisor to Dr. Eisenberg, Massachusetts Special Commission on Complementary and Alternative Medical Practitioners (2002–2003)
 - Board of Directors, APMA Education and Legal Foundation (1995–2000)
 - Board of Directors, American Preventive Medical Association (1995–1997)
 - Co-Editor, Legal Matters, Alternative and Complementary Therapies (1995–1996)
 - Legal Editor, Alternative Healthcare Management (1998–1999)
 - Member, American Health Lawyers Association
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PUBLICATIONS

Books

- Cohen MH. Complementary and Alternative Medicine: Legal Boundaries and Regulatory Perspectives. Baltimore: Johns Hopkins University Press; 1998.
- Cohen MH. Beyond Complementary Medicine: Legal and Ethical Perspectives on Health Care and Human Evolution. Ann Arbor: University of Michigan Press; 2000.
- Cohen MH. Future Medicine: Ethical Dilemmas, Regulatory Challenges, and Therapeutic Pathways to Health and Healing in Human Transformation. Ann Arbor: University of Michigan Press; 2003.
- Cohen MH. Healing at the Borderland of Medicine and Religion. Chapel Hill: University of North Carolina Press; 2006.
- Cohen MH. Legal Issues in Integrative Medicine. Washington, D.C.: NAF Press; 2005.
- Cohen MH. Creative Writing for Lawyers. New York: Citadel Press; 1990.

Selected Peer-Reviewed Articles in Medical Journals

- Over 100 articles in publications including Annals of Internal Medicine, Archives of Internal Medicine, Pediatrics, Journal of Medical Ethics, Medical Journal of Australia, Epilepsy and Behavior, and others. Selected:
- Ernst EE, Cohen MH. Informed consent in complementary and alternative medicine. Arch Intern Med 2001;161:2288-2292.
- Cohen MH, Eisenberg DM. Potential physician malpractice liability associated with complementary/integrative medical therapies. Ann Intern Med 2002;136:596-603.
- Eisenberg DM, Cohen MH, et al. Credentialing complementary and alternative medical providers. Ann Intern Med 2002;137:965-973.
- Cohen MH, Kemper KJ. Complementary therapies in pediatrics: A legal perspective. Pediatrics 2005;115:774-780.
- Cohen MH, et al. Emerging credentialing practices, malpractice liability policies, and guidelines governing complementary and alternative medical practices: a descriptive study of 19 integrative health care centers. Arch Int Med 2005;165:289-295.
- Gilmour J, Harrison C, Asadi L, Cohen MH, Vohra S. Pediatric use of complementary and alternative medicine: legal, ethical, and clinical issues in decision-making. Pediatrics 2011;128:S149-154. [and 8 companion articles in same issue]

Selected Articles in Law Reviews and Journals

- Cohen MH. Reconstructing the implied covenant of good faith and fair dealing as a tort. Calif L Rev 1985;73:1291-1331.
- Cohen MH. A fixed star in health care reform: the emerging paradigm of holistic healing. Ariz State L J 1995;27:79-173.
- Cohen MH. Holistic health care: including complementary and alternative medicine in insurance and regulatory schemes. Ariz L Rev 1996;38:83-164.

- Cohen MH. U.S. dietary supplement regulation: belief systems and legal rules. *Hastings W Law J* 2000;11(1):3-21.
 - Cohen MH. Negotiating integrative medicine: a framework for provider-patient conversations. *Negotiation J* 2004;30(3):409-433.
 - Cohen MH. Healing at the borderland of medicine and religion: regulating potential abuse of authority by spiritual healers. *J Law and Relig* 2004;18(2):373-426.
 - Cohen MH, Ruggie M. Integrating complementary and alternative medical therapies in conventional medical settings: legal quandaries and potential policy models. *Cinn L Rev* 2004;72(2):671-729.
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OTHER CREDENTIALS

- Registered Yoga Teacher (RYT certified) (2000)
- Hospice volunteer, Veterans' Administration Hospital, Los Angeles (1998)

ADR CREDENTIALS & NEUTRAL SERVICES

Panel Memberships

- American Arbitration Association (AAA) — Healthcare Arbitration Panel
- WIPO Arbitration and Mediation Center — Neutral Panel
- American Health Lawyers Association Dispute Resolution Service (AHLA DRS) — Arbitration Panel Member since December 2022
- National Arbitration and Mediation (NAM) — Panelist since March 2026

ADR Practice

- Currently serving as sole arbitrator in active complex commercial healthcare arbitration involving multiple parties and multiple counterclaims under Delaware, California, and federal law, with significant motion practice including orders on motions to dismiss complex counterclaims
- Handling healthcare regulatory arbitration matters through AHLA Dispute Resolution Service; approximately four matters including one settled
- Subject-matter focus: healthcare regulatory and transactional disputes including Anti-Kickback Statute, Stark Law, CPOM, MSO structuring, physician employment, healthcare M&A, telemedicine, digital health, and HIPAA

ADR Training

- Arbitration Training — American Health Lawyers Association (December 2022)
- Advanced Mediation Skills Practicum — Los Angeles County Bar Association, Center for Civic Mediation (October 2013)
- Certificate of Training in Mediation and Conflict Resolution — Center for Dispute Resolution, Santa Monica, California (Spring 2013)

ADR Scholarship

- "Negotiating Integrative Medicine: A Framework for Provider-Patient Conversations," *Negotiation Journal* (2004) 30(3):409-433
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