



## HEALTH LAW

**PATRICK C. DEVINE JR.**

*Hofheimer Nusbaum  
Norfolk*

by **Marjolijn Bijlefeld**

Patrick C. Devine Jr. had the good fortune to be in right place at the right time. Back in 1982, his father, a urologist, was among 350 physicians who wanted to start the Tidewater region's first HMO. Indeed, it would be only the second one in the state, and the elder Devine steered organizers to his son to help sort out the legal issues. Devine, just out of law school, credits the doctors for being the brains behind the idea. "I just helped them do it. They felt that managed care was a bitter pill to swallow, but if they invented it themselves, it could be better."

Setting up Health First HMO introduced him to a field that has become increasingly complex. "Health

law is a mix of general corporate and transactional law against a backdrop of technical regulations that give it a twist," says Devine. Over the past decade, the health care industry has seen many mergers and consolidations, sparking laws designed to protect consumers. "With the antitrust laws and privacy laws, there has been a litany of federal and state laws," notes Devine.

While he may have "stumbled," as he puts it, into health law, he has built an excellent reputation. As Paul Kitchen, executive vice president and CEO of the Medical Society of Virginia says, "You might stumble in, but you can't stay in unless you're damn good." Kitchen describes Devine as "an absolute student of the law" who has been able to draw disparate parties and experiences together in his practice. "He has done work for hospitals and physicians, and he has business clients and is active in the Chamber of Commerce. His practice has come together in such a way

us." The act provided guidelines on how the managed care industry could ease some of the administrative and contractual arrangements with physicians. The law would not have passed without the backing of the managed care industry. Encouraging parties with different interests to negotiate the best resolution produces a better outcome, Devine believes, for everyone.

As the son and grandson of physicians, Devine has a sense of what makes health care providers tick. "At the end of the day, for most of my clients — whether they're practitioners or providers — it's not all about money, but it's about making sure that patients are well cared for and recover quickly. The substantial majority of these guys didn't go to medical school for any reason other than wanting to do a little good," he says.

Devine received his law degree from the University of Richmond in 1981; his undergraduate degree from

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that he is able to synthesize the business community and the health care world showing them their mutual interests."

This skill was demonstrated when Kitchen called on Devine several years ago to assist the society with a major piece of legislation. Devine wrote and helped the group win approval for the Fair Business Practice Act, which Kitchen says "was a major victory for

Hampden-Sydney, and he earned a Master of Law and Taxation from the College of William and Mary. He's active in numerous civic organizations and serves as general counsel for the Virginia Health Quality Center, which gathers and analyzes information on quality of care and costs. In addition, he writes as a contributor for various publications and speaks on health law topics.