



# THE HEALTH LAWYER

## ANDREW WACHLER USES CREATIVE STRATEGIES TO SERVE HIS CLIENTS IN HEALTH CARE LAW

Andrew Wachler has been practicing health care law for over 25 years. As the principal of Wachler & Associates P.C., he counsels health care providers and organizations nationwide in a variety of legal matters. He earned his bachelor's degree from the University of Michigan and his law degree from the Wayne State University Law School. He is a member of the American Health Lawyers Association, the American Bar Association in the health law section, the Michigan Bar Association and the Oakland County Bar Association.

**To what do you attribute your success?** Professionally, as a health care lawyer managing a health care law firm, I think one of the attributes you need for success is the willingness to work hard on a consistent and long-term basis. If there is another way, I have not found it. Second is to surround yourself with exceptional people. Sometimes I feel like a conductor harmonizing the various strengths of the different people in our office in order to operate optimally and efficiently. Finally, I think one of the components of being successful is not so much how you conduct yourself when everything is running smoothly, but your willingness to get back in the saddle after you have fallen off your horse.

**What advice would you give someone who wants a law practice such as yours?** Develop your specialty and be willing to work hard and make some personal sacrifices. Focus on providing service to your clients and providing an excellent work product. Possess or develop good

communication and problem-solving skills. Plant seeds by doing for others, and they will sprout over time. The model that we have developed over the past 30 years may not be the model of the future given the fast pace of change in the law and technology. However, I think these attributes would serve any lawyer well.

**What accomplishments are you most proud of?** Professionally, I am most proud of sustaining and growing our law firm for what will be 30 years on Jan. 1, 2015. I started the practice as a sole practitioner in 1985. I had \$5,000 to my name and loaned it to the practice to buy stationery, business cards and a word processor. I loaded my files on a flatbed cart and rolled them down Congress Street from 333 West Fort Street to the Buhl Building. To weather the trials and tribulations of 30 years of a health law practice and still be surrounded by such an exceptional group of attorneys gives me a sense of pride.

**Who is your mentor, and why?** Personally, my mentor is my dad, Jeff Wachler, who will turn 87 in August, exercises regularly and just started a new job working with my brother, Gary, at Wachler Estate Collection. He is the kind of person who leads by example and seems to improve with age. He is amazing. Professionally, my first mentor was Bob Goren, who I only worked with for a short time, but who taught me that you can still be a *mensch* (gentleman) and practice law. The person who I would consider as my true mentor in health care law is Gil Frimet. Gil is a brilliant, one-

of-a-kind person who taught me how to conduct myself in the practice of law. He taught me that in law your reputation is your greatest asset and that you should give of yourself and share your knowledge with other attorneys, and it will come back to you severalfold. He taught me to focus on providing service to others and the rest will work out. I also met my wife, Lori, while working at the office, so I owe him a lot.

**What were your best career decisions?** My best career decisions were joining a health care law firm where I received training in the specialty, and ultimately, starting my own firm. At the time that I started the firm, I had a very nice offer of partnership with an established law firm. I was only 31, had low house payments and no kids, so I thought if there was ever a time where I could take a risk of starting on my own, this would be the time.

**What is something your mother was always right about?** Well, I come from a family of jewelers, and they are artistically inclined. My brother, Link, is so talented that by second grade he was drawing *Flintstone* cartoons that were amazing. I never proceeded beyond stick figures, but I was a good student and won most family arguments. My mother always told me I should become a lawyer. From a more philosophical perspective, my mother has said, "Don't expect thanks from your kids for all the things you do for them when they are younger. You will get your thanks when you observe them providing the love, patience and commitment to their own children." I thought it was insightful and generally believe it to be true.

**How do you motivate others?** First, I think you have to lead by example. Second, we want to provide lawyers with an opportunity to learn a specialty and develop a local and national reputation by encouraging them to speak and write on health care issues. Finally, we want to create an environment that their investment in the future will be rewarded and a belief that, as a team, we can accomplish things much greater than we can individually.

**What excites you about law and owning your own practice?** Health care law is intellectually stimulating and challenging, and is always changing. It is an exciting time in health care with all of the changes we are seeing as part of the Affordable Care Act. I also find it exciting and rewarding to develop young lawyers and watch them evolve and grow in the profession. Finally, I cannot honestly answer this question without saying that I am excited that my son, Dustin, is joining the practice.

**What is new in health care law that our readers may want to know?** There is something new every day. The Affordable Care Act is changing the way health care is delivered and the practice of health care law. Right now, we are challenging health care plans, which have terminated doctors without cause in order to reduce the number of physicians in their network. Although the patients sign up for the health plans thinking that their doctor is part of the plan, the health plan is trying to terminate the doctor without giving the patient the freedom of choice to remain with that doctor until their enrollment period comes up, or alternatively, disenroll from the plan and switch plans, so they continue to see their doctor. We feel that the physician-patient relationship is paramount and that a patient's right to see their primary care physician trumps the proprietary interest of the health plan to reduce its network without honoring the patient's freedom of choice.

We also think consumers should know about the Patients Right to Independent Review Act (PRIIRA), which allows patients to challenge

insurance company decisions denying reimbursement for their medical care. Although most of our practice consists of representing providers of health care, I find it extremely rewarding to help an individual obtain the necessary procedure or medical care that they are entitled to.


**What is your idea of a perfect day off?** Waking up in Charlevoix on a beautiful, sunny day and playing tennis with my brother, Glenn, who is 11 years younger than me. I would have match point against me, and then I would rally and snatch victory from the jaws of defeat. The rest of the day I would spend with my wife, Lori, and spend the evening outside with good friends, watching the day turn into night. I hope to have my share of perfect days this summer.

**What is your favorite Detroit moment?** There are really so many to choose from. I opened my practice in Detroit in January 1985, and I got married in Detroit in June 1985. Both of my children were born in the city of Detroit. But my favorite moment was when the Detroit Red Wings won their first Stanley Cup in many years. At the time, Chris Osgood was the starting goalie for the Wings and played exceptionally during the year. In the early games of the playoffs, Osgood faltered and the Wings brought in Mike Vernon as their goalie, and he was stellar. My son, Jordan, who was 7 at the time, was wearing an Osgood jersey. We ended up in the locker room after the game. It was the greatest of times, but my favorite part was listening to Mike Vernon's good-natured ribbing of Jordan for wearing "the wrong" goalie jersey. 🏆 — Denise Ilitch, Esq.

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