

DEBORAH GERSH

ROPES & GRAY LLP



PIONEER SPIRIT Deborah Gersh was raised in a family of health care professionals and knew she wanted to practice health care law. But when she found few opportunities in the 1990s, Gersh decided to start in franchising. "I still wanted to do health care, and I wrote an article about how you can't really franchise health care services. This led to a transaction involving the sale of a practice, where I began to differentiate myself."

TRAILS BLAZED Gersh recognized early the transformative trends of value-based health care and digital health. "When value-based care initiatives came out, they had the protection of the federal government, which also waived regulations to allow those to do these programs. We were able to build a value-based care program for clients in the private sector by utilizing many of our learnings from the guidance from the federal government." Gersh represented Medtronic with the launch of a first-of-its-kind diabetes remote monitoring system, allowing patients to stay home and lower costs. "This has become much more sophisticated with telehealth and other systems, but this early work enabled that process." Also recognizing the importance of digital health, Gersh represented Advocate Aurora Health to deliver a new preventative care model through a digital wellness platform. "Back then, it wasn't called telehealth, and we dealt with many privacy challenges to give them more touches with chronically ill patients."

FUTURE EXPLORATIONS Gersh sees the continued growth of telehealth and remote health care access. "The pandemic will not end soon and will continue to force people to deal with doctors remotely. We will see more sharing of risk and in bigger doses. And we will also see an impact on the sharing and use of data and the laws that protect it—with health care getting caught in the crosshairs."