BOND SCHOENECK & KING ATTORNEYS

Samuel P. Burgess

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Profile

Sam Burgess combines his law degree with his MBA and experience so clients receive legal advice with a business perspective and a genuine interest in their business. Businesses of all types and sizes turn to Sam for assistance in a wide variety of transactions, from business formation and governance issues to mergers, acquisitions, and joint ventures, to financing and succession planning.

Sam has particular experience working with entities owned by professionals, including physicians, dentists, physical therapists, and design professionals. He assists them with their corporate transactions, including structuring their entities, growing through mergers and acquisitions, answering corporate governance and operational questions, and handling corporate reorganization, selling, and succession planning issues. He frequently assists with shareholder agreements, valuations, corporate redemptions, employee purchases, and third-party sales.

He also advises healthcare clients on regulatory issues and compliance with state and federal law, with a focus on the application of the Stark Law and the Anti-Kickback Statute. He advises all types of clients on the scope of “protected health information” and the protections necessary under the Health Insurance Portability and Accountability Act regarding the transfer and disclosure of such information. He also drafts and negotiates agreements with providers, vendors and other third parties to ensure adequate confidentiality provisions are included.

Representative Experience

- Provides all aspects of general counsel services to a large physical therapy practice, including corporate reorganization, governance, operations, and planning.
- Provides all aspects of general counsel services to dental practices, including employment agreements, shareholder agreements, and physician buy-in agreements.
- Assists many small to mid-size private physician practices with employment agreements, shareholder agreements, vendor agreements, and other everyday contractual requirements.
- Represents shareholders with resolving disputes with other shareholders, including the negotiation and drafting of purchase and sale documents between the shareholders.

Education

- University of Illinois Chicago (J.D., *summa cum laude, Valedictorian*)
- Missouri Baptist University (M.B.A.)
- St. John Fisher College (B.S.)

Bar/Court Admissions

- New York

Practices

- Business and Transactions
- Essential Resources for Business
- Cybersecurity and Data Privacy
- Health Care
- Mergers and Acquisitions
- The Cannabis Industry

- Represented a dentist with the purchase of the assets of the practice of a retiring dentist.
- Represented an employee services provider in its sale to a national group.
- Represented a veterinarian in the sale of a professional entity to a national group.
- Represented a specialty physician in the purchase of assets and real estate of another private practice.
- Represented individuals in the formation of an entity and purchase of an existing bar, including with its liquor license application.
- Represented a group of individuals in the formation of an entity and the purchase of assets and real estate associated with sports facility.
- Represented a transportation company in its purchase of the assets and real estate from a competitor.
- Represented a retiring physician in the sale of the assets of his practice to a local practice.
- Represented the owner of a furniture store in the sale of his ownership of the store as well as the sale of the real estate.
- Represented one of the owners of an insurance agency with the buy-out of the other owners.
- Helped a chiropractic practice with the purchase of the assets of another practice.
- Assisted a professional practice in the redemption of a shareholder from the practice and related entities.
- Represented a physician practice in the sale of its assets to a hospital and continuing employment arrangement.
- Represented a physical therapy practice in the negotiation and sale of its practice to a regional company.
- Represented an individual in the formation of an entity and the purchase of a janitorial business.

Honors & Affiliations

- Listed in:
  - *The Best Lawyers in America*® Health Care Law, 2026, 2027
  - *The Best Lawyers in America*® Ones to Watch, Health Care Law, 2023-2025
- American Health Lawyers Association
- Leadership Greater Syracuse, Class of 2022
- Fayetteville Manlius Youth Lacrosse Association, Board Member/Secretary

Representative Presentations

- New York State Travel Advisory Briefing, MACNY, July 16, 2020

Representative Publications

- Quoted in "Vaccination Requirements Could Pit Safety Concerns vs. ADA, Title VII," *Business Insurance,* July 22, 2020