

Theresa Cross

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Overview

Theresa advises clients in the healthcare industry on a wide range of operational and legal matters, including regulatory compliance, mergers and acquisitions, tax exemption, and state and federal privacy matters.

Theresa's experience includes advising clients engaged in strategic transactions, including hospital, physician practice, ambulatory surgery center and physical therapy practice acquisitions, and private equity investments. She regularly counsels clients on regulatory and compliance issues, including telehealth licensure requirements, federal and state anti-kickback statutes, Medicare and Medicaid reimbursement, the Stark Law, and state corporate practice of medicine doctrines. In addition, Theresa's practice includes assisting healthcare clients in antitrust matters and investigations and litigation relating to the False Claims Act (FCA), the federal Anti-Kickback Statute (AKS), and the Stark Law brought by federal agencies and qui tam whistleblowers.

Prior to joining Benesch, Theresa served as a legal fellow for a nationally renowned pediatric health system, where she counseled the system on regulatory and compliance issues and implemented business form solutions. While in law school, she externed at a large academic medical center. Theresa is a member of the American Health Lawyers Association and the Illinois Association of Healthcare Attorneys. She is also a regular contributor to *The Law of Medical Practice in Illinois*, an annual publication for professionals in the Illinois healthcare system, where she authors the chapters on Emergency Medical Treatment and Antitrust.

Representative Matters

- Represented one of the largest inpatient psych hospital chains in the U.S. against nine EMTALA (Emergency Medical Treatment and Labor Act) violations brought by the Centers for Medicare and Medicaid (CMS) and referred to the U.S. Office of Inspector General (OIG). The allegations against the client were the result of a surprise onsite EMTALA audit by CMS. The Benesch team prepared and represented the client through the due process hearing held in front of a panel of QIO physicians. Upon review of the hearing materials, the OIG decided not to pursue civil money penalties against the client which could have exceeded $111,000 per violation.
- Lead Counsel representing a nephrology centered value based care company in the sale of 51% ownership to a large regional healthcare system. The strategic partnership intends to grow the value based care services it offers patients and payors in the region.

Credentials

EDUCATION

- Loyola University Chicago, 2019, LL.M. in Health Law
- DePaul University, 2016, J.D.
- Northern Illinois University, 2013, B.A. & B.S.

BAR & COURT ADMISSIONS

- Illinois
- U.S. District Court for the Northern District of Illinois

Memberships

- Member, Illinois Association of Healthcare Attorneys
- Member, American Health Lawyers Association

Awards & Recognition

- Listed, *Best Lawyers®* Ones to Watch, Health Care Law; Corporate Governance and Compliance Law; 2023-2026

News & Insights

- 126 Benesch Attorneys Recognized in 2027 Best Lawyers® Rankings
  August 20, 2026 | Press Releases
- California AG's Carbon Health Settlement Raises the Stakes for MSO-PC Structures and Continuity Planning in California
  July 16, 2026 | Client Alerts & Insights
- 129 Benesch Attorneys Recognized in 2026 Best Lawyers® Rankings
  August 21, 2025 | Press Releases
- Benesch Advises TowerBrook Capital Partners on Acquisition of Majority Stake in Industry-Leading Berkeley Research Group
  February 27, 2025 | Press Releases
- 132 Benesch Attorneys Recognized in 2025 Best Lawyers® Rankings
  August 14, 2024 | Press Releases
- Mark J. Silberman and Theresa Cross published article in Crains Content Studio | "Preparation for the next COVID wave: The Enforcement Wave"
  December 20, 2023 | Contributed Content & Presentations
- Ronald S. Betman and Theresa Cross mentioned in Crain's Chicago People on the Move
  December 4, 2023 | Media Mentions
- Department of Justice Announces Department-Wide Safe Harbor for Voluntary Self-Disclosures Discovered During the M & A Process
  October 19, 2023 | Client Alerts & Insights
- Theresa Cross mentioned in Cook County Record | "Benesch Adds Associate to Healthcare Team in Chicago"
  October 17, 2023
- Benesch Adds Associate to Healthcare Team in Chicago
  October 12, 2023 | Press Releases