

Melissa Zambri

She | Her | Hers

Partner

Albany

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Education

- Albany Law School, *Cum Laude; Albany Law Journal of Science & Technology*, Executive Editor, JD
- Union College, MBA
- Siena College, *Summa Cum Laude*, BS

Practices & Industries

- Health & Human Services Providers
- Higher Education
- Health Care

Admitted to Practice

- New York

Biography

Melissa serves as co-leader of Barclay Damon's Health Care Practice Group and is co-team leader of the Health Care and Health & Human Services Providers Teams.

In her practice, Melissa focuses on enterprise development and regulatory guidance for the health care industry. She provides counsel to individual practitioners, owners, administrators, executives, and employees of health care practices and health care-related facilities, including physicians, licensed medical personnel, providers of services to the developmentally disabled, hospitals, clinics, home-health agencies, senior residences and assisted-living facilities, laboratories, health care trade associations, durable-medical-equipment providers, alcohol- and substance-use-disorder treatment facilities, physician practice-management companies, mental-health programs, and medical-transportation companies.

Melissa assists health care clients with certificate-of-need applications, compliance programs, audits, investigations and self-disclosures, HIPAA compliance, and licensure issues. She also helps clients obtain approvals to operate health care facilities and to complete significant transactions. She counsels providers on federal anti-kickback and self-referral requirements, regulations governing federal- and state-funded health care programs, including Medicare and Medicaid, and other regulatory requirements applicable to health care providers.

In addition to her practice, Melissa is an adjunct professor for Albany Law School's Online Graduate Programs, where she teaches Health Care Compliance and HIPAA Compliance. She is also an adjunct professor at Clarkson University, where she teaches Legal Aspects of Health Care.

Melissa is a member of Barclay Damon's Management Committee and managing director of the Albany office.

Bar Associations

- American Bar Association, Health Law Section
- New York State Bar Association, Health Law Section, Former Chair, and Committee on Fraud, Abuse, and Compliance

Selected Memberships & Affiliations

- Barclay Damon's Women's Forum
- American Health Lawyers Association

Representative Experience

- Provided regulatory guidance to a NYS performing provider system.
- Assisted in the purchase of an OASAS-licensed facility, which included negotiation, licensing work, and due diligence regulatory review.
- Prepared a comprehensive HIPAA-compliance manual for clients serving the developmentally disabled.
- Served as general counsel to a 200-bed community hospital, which involved coordinating all of the hospital's legal work and counseling its administration and board during the hospital's acquisition by a larger hospital system.
- Served as general counsel to a New York-based not-for-profit assisted-living provider, which involved licensing all four of its client residences and helping obtain ALR, enhanced, and special-needs licensure and certification. Melissa also drafted a winning HEAL grant application, which resulted in the client receiving $3.8 million from the NYS Department of Health to build a new assisted-living facility with enhanced capabilities.
- Assisted in the combination of a not-for-profit Article 28 diagnostic and treatment center and a hospital system.
- Served as health care regulatory counsel to a not-for-profit provider serving the developmentally disabled. In this role, she provided advice on compliance issues, gave board training on compliance, and provided counsel regarding a $3 million audit by the Office of the Medicaid Inspector General.
- Serves as health care compliance counsel to a significant provider serving the developmentally disabled. In this role, she performs monthly audits of programs and provides compliance training to staff, board members, and management as well as assistance on all health care compliance matters.
- Drafted an assisted-living program (ALP) application for which the client was given conditional approval to construct a new assisted-living residence with ALP and special-needs beds.

- Provides clients with compliance advice and annual board and management training on a regular basis.
- Successfully defended HIPAA complaints to the US Department of Health and Human Services Office of Civil Rights.
- Represented a provider challenging a certificate-of-need application of a competitor hospital.
- Assisted with inspection and licensing issues with the NYS Office for Persons With Developmental Disabilities.
- Assisted numerous providers with self-disclosure to the NYS Office of the Medicaid Inspector General.
- Provided counsel to a large pharmacy chain regarding a pharmacy audit by the NYS Medicaid Inspector General.
- Assisted clients in the purchase of a pediatric medical practice.

Prior Experience

- Hiscock & Barclay, LLP, Partner

Selected Community Activities

- Albany Law School, National Alumni Association, Board Member
- Proctors Theatre, Board of Directors, Chair
- Clifton Park Soccer, Former Travel Coach, Board Member, and Secretary
- Miss Shen Softball, Former Board of Directors Member and Former Coach

Selected Honors

- *The Best Lawyers in America*®: Health Care Law, 2013–2027
- *The Best Lawyers in America*®: Albany "Lawyer of the Year": Health Care Law, 2026
- Selected to *Super Lawyers* Upstate New York: Health Care, 2026
- State of New York Supreme Court, Appellate Division, Third Judicial Department, Mark R. Sonders Award, 2025
- *Albany Business Review*, Power 50 Duos List, 2025
- Albany Law School, Distinguished Teaching Award, 2023

Selected Speaking Engagements

- Barclay Damon LLP, New York Health Care Compliance Symposium, "Hot Topics in Privacy," Co-Presenter
- Cerebral Palsy Associations of New York State and The Arc New York, Compliance & Quality Connections Conference, "A Year of Change: On the Compliance Carousel," Panelist
- Cerebral Palsy Associations of New York State Annual Conference, "Ask the Lawyer: Compliance and Quality Assurance," Co-Presenter
- Cerebral Palsy Associations of New York State, Human Resources Professionals Conference, "Navigating Complaints and Investigations for Human Resources Staff," Co-Presenter
- Association for Community Living, Inc. Management Symposium, "OMIG's Amended Compliance Program Regulation: What Providers Need to Know," Co-Presenter; "HIPAA Privacy Rule Changes: A Preview of What's Expected," Presenter

Selected Media

- *New York Law Journal*, "Attorney Retires as Lawmaker, but Is Remaining Plugged in at Barclay Damon"
- *Albany Business Review*, "The Business of Law Is Changing"
- *New York State Bar Association Health Law Journal*, “New York State Fraud, Abuse and Compliance Developments”
- Thomson Reuters/Aspatore’s *Inside the Minds: Health Care Law Enforcement and Compliance*, “Blowing the Whistle on Yourself: Requirements to Disclose Mistakes Made Continue to Increase,” Chapter Author

Selected Alerts & Blog Posts

- Attention Providers! OMIG Adopts 12-Month Review Period for Newly Initiated Compliance Program Reviews Beginning July 1, 2025
- OMH's New Self-Disclosure Notification Protocol: What Providers Need to Know
- NYS Submits 1115 Waiver Amendment (Health Equity Reform) to CMS
- The No Surprises Act: What Does It Mean for Covered Providers?
- NYS DOH Hosts Webinar on the Availability of Funds for Residential Health Care and Other Providers