



## **MARK W. GARRIGA**

*Practice Group Leader, Health Law*

### **Jackson Office**

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*Mark is a former legislator who focuses his practice on health law, legislation, administrative appeals, and governmental litigation matters.*

## **PRACTICE AREAS AND INDUSTRY TEAMS**

- Health Law
- White Collar, Compliance and Government Investigations
- Administrative Law
- Government Relations
- Governmental Litigation
- Pharmaceutical, Medical Device and Healthcare Industry Team

## **EXPERIENCE**

### **Public Law**

- Health Law Regulations
- Administrative Law
- Healthcare Certificates of Need
- Public Records Requests and Disputes
- Medicaid Audit Hearings
- Procurement Disputes

### **Representative Legislation**

- Health Care Collaboration Act of 2017 (H.B. 926, codified at Miss. Code Ann. § 37-115-50.1) (drafting assistance and counsel).
- Co-Authored the Mississippi Court Reform Act (H.B. 548, codified at Miss. Code Ann. § 9-4-1, *et seq.*).
- Co-Authored State Port Tax Credit Act of 1994 (H.B. 1778, codified at Miss. Code Ann. § 27-7-22.7).
- Introduced and Co-Authored the Mississippi Product Liability Act (H.B. 1270, codified at Miss. Code Ann. § 11-1-63).
- Introduced and Co-Authored the Mississippi Punitive Damages Act (codified at Miss. Code Ann. § 11-1-65).

- MS Civil Justice Reform Act of 2004 (drafting assistance and counsel).
- **Representative Litigation**
  - Perkins v. McAdams, 234 So.3d 413 (Miss. 2017) (Election Contest).
  - Gunn v. Hughes, 210 So.3d 969 (Miss. 2017) (Brief of Amicus Curiae – Hon. Tate Reeves).
  - McDaniel v. Cochran, 158 So.3d 992 (Miss. 2014) (Election Contest – Sen. Thad Cochran).
  - Jackson HMA, LLC v. Miss. State Dep’t. of Health, et al., 98 So. 3d 980 (Miss. 2012) (agency authority to determine application of CON Laws to University Hospital).
  - Bay St. Louis – Waveland School District v. FEMA, CBCA 1739 (December 8, 2009) and (February 1, 2010) (first Hurricane Katrina FEMA arbitration hearing under ARRA).
  - PPG Architectural Finishes v. Lowery, 909 So.2d 47 (Miss. 2005) (statute of limitations construed to bar toxic tort claim).
  - Ballard v. Illinois Central R. Co., 338 F.Supp. 2d 712 (S.D. Miss. 2004) (federal jurisdiction established under Federal Arbitration Act and Convention on Recognition and Enforcement of Foreign Arbitral Awards).
  - Swan v. I.P, Inc., 617 So.2d 846 (Miss. 1993) (established doctrine of sophisticated user for toxic tort/product liability actions in Mississippi).

## BAR ADMISSIONS

- Mississippi, 1985
- U.S. District Courts
  - Mississippi: Northern, Southern
- U.S. Court of Appeals
  - 5<sup>th</sup> Circuit

## DISTINCTIONS

- *Martindale-Hubbell*®
  - AV®- Preeminent™ Peer Review Rated
- *Best Lawyers in America*®
  - Government Relations Practice, 2008-2022
  - Health Care Law, 2021-2022
  - Lawyer of the Year, Government Relations Practice, 2016
- *Super Lawyers*®
  - Mid-South Super Lawyers, Administrative Law, 2012-2019
  - “2013 Top Rated Lawyer in Healthcare,” *The American Lawyer*
  - Chair, Governor-Elect Transition Policy (Nov. 2011 – Jan. 2012)
  - Member, Governor’s Council for Judicial Appointments, 2012-2014
  - Fellow, Mississippi Bar Foundation
  - Lawyers Committee, National Center for State Courts
  - Board of Directors, Mississippi Rural Health Association

- Chief of Staff, Office of the Governor, State of Mississippi, 1994-1999
- Republican Nominee, Attorney General, State of Mississippi, 1999
- Representative, Mississippi House of Representatives, 1991-1994
- Gubernatorial Appointment, Mississippi Special Committee for Judicial Campaign Intervention, 2014 Judicial Election Cycle

## ASSOCIATIONS

- American Health Lawyers Association
- Federalist Society
- Capital Area Bar Association
- American Bar Association

## EDUCATION & HONORS

- University of Mississippi, J.D., 1985
- Mississippi State University, B.S., Banking and Finance, S.D. Lee Honors, 1981

## PAPERS, PRESENTATIONS AND PUBLICATIONS

- Guest, "[Initiatives Unconstitutional](#)," In Legal Terms, Mississippi Public Broadcasting, May 18, 2021.
- Guest, "[Marijuana in Mississippi](#)," In Legal Terms, Mississippi Public Broadcasting, March 23, 2021.
- Presenter, "MEMA's COVID-19 Emergency Relief Program – Grant Funding Under the Stafford Act and Coronavirus Relief Fund," Mississippi Municipal League, September 2020.
- Author, "[So Much for the Afterglow?](#)" *Pro Te: Solutio*, Vol. 13, No. 3, August 2020.
- Author, "The Hatch Act & Municipal Employees," *Mississippi Municipalities*; Volume 67, Number 3, 2018.
- Author, "[LAW ELEVATED – Blue Cross Policy Dispute Battle Revisited](#)," *Mississippi Business Journal*, June 8, 2018.
- Co-Author, "[LAW ELEVATED – Mississippi's Health Care Collaboration Act is Good Medicine](#)," *Mississippi Business Journal*, April 14, 2017.
- Presenter, "Tort Reform in Mississippi – A Journey, Not a Destination," Miss. Economic Council/State Medical Association, March 2014.
- Presenter, "Medicaid Audits and Appeals," Mississippi Rural Health Association, September 2013.

- Presenter, “Disaster Recovery Planning,” Continuing Legal Education Presentation, March 2012.
- Presenter, “Disaster Assistance, Working With FEMA and MEMA,” Miss. Association of Supervisors, June 2011.
- Presenter, “Overview of the Health Care Reform Act,” Butler Snow – Invited Professionals Seminar, April 2010.
- Presenter, “FEMA Arbitration Update,” Butler Snow – Invited Professionals Seminar, March 2010.