



Richard H. Blake

Member

Cleveland

P: 216.348.5839

Practice Focus

- Government compliance, investigations, and white collar defense
- Healthcare
- Litigation
- Data privacy and cybersecurity
- Environmental
- Government contracting and procurement

Richard is a Member and Chair of the firm’s Government Compliance, Investigations and White Collar Defense Practice Group. His impressive background includes more than 30 years of investigative and litigation experience in both government and private practice. After nearly 20 years as an Assistant United States Attorney with the Department of Justice and Senior Enforcement Attorney with the Department of Treasury, Richard now assists clients in a variety of criminal and civil matters. He has successfully assisted clients in cases involving allegations of healthcare fraud, opioid diversion, public corruption, HIPAA and data breaches, environmental law violations, securities and tax fraud, and government procurement fraud. He also conducts internal investigations tailored for the individual needs of his clients. One investigation he conducted for the Cuyahoga County Board of Commissioners addressed the potential impact of a large federal public corruption investigation on the county's financial condition and bond rating. The report was released by the county to the public and referred to in the media as "The Blake Report."

Richard is noted for his successful representation of the only public official in Ohio to be acquitted at trial of all corruption charges in the FBI’s largest investigation of public corruption in Northern Ohio. He has also appeared before the United States Congressional House Committee on Energy and Commerce as lead counsel for an Ohio-based pharmaceutical distributor during Congress’ investigation of opioid abuse nationwide. His experience in handling opioid diversion and related cases as a former federal prosecutor and now in private practice provides his clients with a level of expertise needed in the current environment of increased criminal and civil investigations.

Richard was the first federal prosecutor hired by the Justice Department to exclusively prosecute federal *qui tam* and civil false claims cases in the Northern District of Ohio, where he specialized in health care and defense procurement fraud cases. As an Assistant United States Attorney, Richard also worked in the Organized Crime Strike Force and Economic Crimes Unit, where he prosecuted cases involving organized crime racketeering, money laundering, health care fraud, insurance and tax fraud, domestic terrorism,

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defense procurement fraud, banking and securities fraud, and identity theft.

Richard provides training and advice on government compliance issues, False Claims Act, FCPA and securities matters, cybersecurity and data breaches. After leaving government service, he continued to serve as an instructor for the FBI, training its agents on health care fraud investigations, Civil False Claims Act and *qui tam* whistleblower matters, as well as HIPAA compliance issues. He has been a featured speaker for delegations of foreign law enforcement dignitaries visiting the United States with the State Department and Council on World Affairs, speaking on issues including federal criminal procedures, international money laundering, public corruption, and organized crime. He was honored with the 2006 President's Council on Integrity and Efficiency Award following his successful prosecution of a defense subcontractor who provided defective components to the Navy for use on nuclear submarines. He has also received numerous awards for his work as a federal prosecutor, including those from the Federal Bureau of Investigation, Department of Defense Criminal Investigative Service, Internal Revenue Service Criminal Investigation Division, United States Environmental Protection Agency, United States Secret Service and Office of the Comptroller of the Currency. Richard earned a J.D. from St. John's University in 1988. He received a B.B.A from City University of New York, Baruch College, in 1984.

Admissions - Court

- U.S. District Court for the Southern District of New York
- U.S. District Courts for the Northern and Southern Districts of Ohio
- U.S. Supreme Court

Admissions - State

- Connecticut
- New York
- Ohio

Education

- St Johns University
- City University of New York Baruch College

Honors and Awards

- Named one of the *Best Lawyers* in America (2016-2022)
- Selected for inclusion in *Ohio Super Lawyers* (2015-2022)
- 2010 Federal Bar Association Iron Lawyer, Northern District of Ohio
- 2006 President's Council on Integrity and Efficiency Award for Excellence and Distinguished Performance in Protecting United States Military Personnel and the Nation's Nuclear Programs

Professional Membership

- Ohio State Bar Association
- New York State Bar Association

- American Bar Association
- Cleveland Metropolitan Bar Association
- National Association of Criminal Defense Lawyers
- American Health Lawyers Association

Public Service and Volunteerism

- United States Army, Army Reserve (1984-1990)
- Federal court-appointed mediator, Northern District of Ohio in alternative dispute resolutions
- Volunteer Magistrate, Mayfield Village Juvenile Court Diversion Program
- SBMD Family Foundation, Board of Directors
- Former Adjunct Law Professor, Cleveland Marshall School of Law
- UCP of Greater Cleveland, Board of Directors

Alerts

- Sweeping ruling expands reach of the False Claims Act
- Medical equipment distributor gets \$646M compliance reminder
- Recent HIPAA settlement reinforces importance of encryption, risk analysis, and mobile device security

Blog Posts

- OCR announces enforcement discretion to allow uses and disclosures of PHI by business associates for public health and health oversight activities during COVID-19 pandemic
- Think twice before giving your Social Security number to your doctor
- Laboratories remain major focus of government investigations
- Justice Department suspends abusive forfeiture program

News

- McDonald Hopkins attorneys selected to 2022 Ohio Super Lawyers and Rising Stars Lists
- McDonald Hopkins Government Compliance, Investigations, and White Collar Defense team secures acquittals for Cleveland-area client
- 50 McDonald Hopkins attorneys recognized in The Best Lawyers
- 15 McDonald Hopkins attorneys selected to 2021 Ohio Super Lawyers and Rising Stars list
- Lawyer of the Year honorees Riley and Welin among 42 McDonald Hopkins attorneys recognized as 2021 Best Lawyers
- 41 attorneys from McDonald Hopkins recognized as 2020 Best Lawyers®
- Seventeen attorneys at McDonald Hopkins named 2019 Ohio Super Lawyers and Rising Stars
- "Tennessee Physician Pays \$200K for Role in Kickback Scheme"
- 22 attorneys at McDonald Hopkins named 2018 Ohio Super Lawyers and Rising Stars
- McDonald Hopkins hosts discussion on how antitrust laws affect businesses of all sizes
- McDonald Hopkins to host discussion on how antitrust laws affect all businesses
- 35 attorneys at McDonald Hopkins selected for inclusion in Best Lawyers® 2018

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- 39 attorneys at McDonald Hopkins selected for inclusion in Best Lawyers 2017
- 24 attorneys at McDonald Hopkins named Ohio Super Lawyers and Rising Stars
- 41 attorneys at McDonald Hopkins selected for inclusion in Best Lawyers® 2016
- McDonald Hopkins moves to a new home in the Arena District

External Publications

- “District Court Allows Relator to Add Qui Tam Charge to Existing Retaliatory Discharge Complaint,” (March 29, 2012)
- “Court Dismisses RICO Claim Against Provider, But Allows False Claims Act Retaliatory Discharge Count to Proceed,” (March 27, 2012)
- “U.S. Government to Receive \$15.85 Million Settlement from Lockheed Martin to Resolve False Claims Act Allegations,” (March 27, 2012)
- “Federal Court Rules in Whistleblower’s Favor on Question of “Original Source”, (March 22, 2012)
- “Another Round of Kyphoplasty Settlements Yields More Than \$12 Million in Payments to Resolve False Claims Act Allegations,” (February 08, 2012)
- “Corporate Leaders in Cross Hairs: Exclusions and Other Government Enforcement Trends Converge Against Individuals,” AHLA Hospitals and Health Systems Practice Group News Letter, (May 2011)
- “Congress Expands Scope of Federal False Claims Act,” Fine Print – The Ohio State Bar Association’s Quarterly Newsletter, (Summer 2009)
- “Attorneys say changes to False Claims Act will have impact on future litigation,” The Columbus Daily Reporter, (June 3, 2009) Contributor
- “Federal Prosecutors Target Off-Label Promotion of Prescription Drugs,” Cleveland Metropolitan Bar Journal, (November 2008)

Events

- White Collar Government Enforcement Trends | Tuesday, February 15, 2022
- Federal Bar Association Northern District of Ohio Chapter | Friday, December 1, 2017
- Everyday Antitrust Issues: Protecting Your Business From Criminal and Civil Liability | Thursday, November 2, 2017
- Doing Business in India: Opportunities and Compliance Risks | Thursday, October 13, 2016
- Laboratory Privacy and Security: How to Safeguard Your Data and Ensure Compliance with Tougher Enforcement of Government Guidelines | Thursday, June 23, 2016
- Traps for the Unwary: IRS Audits and Investigations | Tuesday, May 24, 2016
- 136th Annual All-Ohio Legal Forum of the Ohio State Bar Association | Thursday, April 28, 2016

Speaking Engagements

- "How to Protect Your Lab from Costly and Time-Consuming Government Investigations and Qui Tam Lawsuits--and What to Do If the Government Does Come Calling", Pathology Blawg webinar (June 25, 2015)
- "Public Corruption Investigations", Presentation to Ohio Auditor of State Annual Training, Cleveland, Ohio (December 12, 2012)

- "Fraud and Abuse Update", Ohio Health "Stark School" training for hospital executives and compliance personnel, Columbus, Ohio (November 11, 2012)
- "Public Corruption and Its Impact on the Regional Economy", 12th Annual Emerging Trends in Fraud Investigation and Prevention Conference, Columbus, Ohio (May 22, 2012)
- "Case Study Involving Northern Ohio Charter School Fraud", 12th Annual Emerging Trends in Fraud Investigation and Prevention Conference, Columbus, Ohio (May 22, 2012)
- "Criminal and White Collar Defense Issues, Part 2", Northeast Ohio Healthcare Financial Management Association Gerry Haggerty Annual Leadership Institute, Aurora, Ohio (May 16, 2012)
- "Criminal & White Collar Defense", Northeast Ohio Healthcare Financial Management Association, Chapter Meeting, Independence, Ohio (March 15, 2012)
- "Healthcare Fraud & Abuse Boot Camp Webinar Series, Part III: The Federal Anti-Kickback Law: An Overview, Recent Enforcement Trends & Impact of Healthcare Reform", Moderator for Webinar hosted by AHLA (March 1, 2012)
- Presentation to Ukrainian Delegation Council on World Affairs, International Visitor Leadership Program, Cleveland, Ohio (February 17, 2012)
- "Qui Tam and Regulatory Update for Hospitals and Providers", Top 10 Event, West Chester, Ohio (January 25, 2012)
- "A View From the Front Lines", J.P. Morgan Chase Legal Division, New Jersey (December 20, 2011)
- "Financial Issues in Healthcare", Akron Bar Association, Akron, Ohio (December 16, 2011)
- "Feds Gone Wild! How Prosecutors and Whistleblowers Use the False Claims Act and its Impact on Health Care Providers", Ohio Society of CPA's Health Care Conference, Columbus, Ohio (November 16, 2011)
- "Use of Internal Investigations for Municipalities", Ohio Municipal Attorneys Association, Dublin, Ohio (July 2011)
- "Navigating the Federal Funds Audit Process: School Spending Under the Microscope", Ohio Association of School Board Officials, NE Chapter Meeting, Valley View, Ohio (June 2011)
- "HIPAA Training for FBI Agents", Federal Bureau of Investigation Health Care Fraud Unit - Basic In-Service, Philadelphia, Pennsylvania (June 2011)
- "Stark School", - Ohio Health in-house training of hospital executives and compliance personnel (May 20, 2011)
- "Issues that Keep Health Care Executives Awake at Night", Ohio Health, Columbus, Ohio (February 9, 2011)
- "Financial Fraud Liability Issues", Guest Lecturer, Case Western Reserve Weatherhead School of Management, Cleveland, Ohio (March 17, 2011)
- "Public Corruption & Fraud and Their Impact on Current Economic Trends", Joint Institute of Internal Auditors, Association of Certified Fraud Examiners meeting, Fraud and Forensics Day, Independence, Ohio (February 7, 2011)
- Presentation to Colombian Law Enforcement Delegation, International Visitor Leadership Program, Cleveland, Ohio (January 31, 2011)
- "Financial Crime Litigation Techniques", NALS of Ohio, Winter Conference (January 22, 2011)
- "Recent Developments in False Claims Act: Strategies & Litigation", Cincinnati Bar Association, Cincinnati, Ohio (December 2010)
- "The Stored Communications Act: 20th Century Computer Law for the Digital Millennium", Ohio Prosecuting Attorneys Association 2010 Annual Meeting, Columbus, Ohio (December 2010)
- "Be Afraid: The Ugly Truth Behind Uncle Sam's Increased Medicare/Medicaid Enforcement Activities and Its

Impact on Hospitals", Revenue Cycle, Central Ohio Chapter of Healthcare Financial Management Association, Columbus, Ohio (June 2010)

- "When & How to Self-Disclose to the Government - Lessons Learned", Ohio Hospital Association, Columbus, Ohio (June 2010)
- "Be Afraid: The Ugly Truth Behind Uncle Sam's Increased Medicare, Medicaid Enforcement Activities and Its Impact on Hospitals", SW Ohio, Healthcare Financial Mgt. Assoc.: Educational Forums, Cincinnati, Ohio (April 2010)
- "Financial Fraud Liability Issues", Guest Lecturer, Case Western Reserve Weatherhead School of Management, Cleveland, Ohio (March 2010)
- "HIPAA Privacy Rules Medical Records Privacy", FBI Health Care Fraud Conference, Leesburg, VA (March 2010)
- "Prosecuting Health Care Fraud Investigations", FBI Health Care Fraud Conference, Leesburg, VA (March 2010)
- "Hot Topics", Ohio Hospital Association Medical Staff Leadership, Cleveland, Ohio (February 2010)