

PRACTICES

Corporate

INDUSTRIES

Healthcare
Pet Care

EDUCATION

University of Wisconsin Law School, J.D., 2010
cum laude

Canisius College, B.A., 2007
summa cum laude

BAR ADMISSIONS

Nevada

COURT ADMISSIONS

U.S. District Court for the District of Nevada
U.S. District Court for the District of Colorado
U.S. District Court for the Western District of Wisconsin
U.S. District Court for the Eastern District of Wisconsin
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Tenth Circuit

J. Malcolm (Jay) DeVoy

Partner

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Jay provides counsel to healthcare providers, entities, and other businesses to navigate professional, regulatory, and business challenges and risks.

He has experience providing counsel to medical providers and affiliated entities, such as surgical centers and other facilities, and responding to issues that arise throughout any business. Jay has successfully represented clients before their professional licensing authorities and other state agencies, on topics ranging from pharmaceutical regulations and laboratory operations to medical record protection, responding to governmental investigative demands, and accreditation issues.

Jay particularly focuses on the intersection of technology and his clients' medical activities. This includes advising clients about the latest developments in telemedicine implementation and payment. As a regular part of his practice, Jay helps his clients avoid costly losses arising from HIPAA breaches or Nevada's anti-SLAPP laws due to hasty responses to patient or competitor complaints.

When a dispute arises, Jay vigorously represents his clients in state or federal court. His experience includes both prevailing on and defeating critical motions, including motions for summary judgment and motions seeking temporary restraining orders and preliminary injunctions. Of particular importance, his understanding of privacy laws allows him to advise clients of issues that arise when HIPAA is implicated in litigation (and identify when it is not).

Prior to joining Holland & Hart, Jay practiced as a shareholder at DeVoy Law P.C.

EXPERIENCE

Jay regularly advises healthcare clients on a wide range of state and federal laws and regulations and how they can affect their business. These include:

- the Anti-Kickback Statute
- Stark Law
- the Civil Monetary Penalties statute
- Health Insurance Portability and Accountability Act ("HIPAA")

- Clinical Laboratory Improvement Amendments (“CLIA”)
- the Eliminating Kickbacks in Recovery Act ("EKRA"), and
- accompanying federal regulations and state law analogues

PUBLICATIONS

"Nevada Pauses Medicaid Enrollments for DMEPOS Providers," *Health Law Update*, April 17, 2026

"Relief for Nevada Providers: Medicaid Exclusion Requirement Waived Through 2026," *Health Law Update*, February 25, 2026

"AHLA Health Care Fraud Law: A 50 State Survey, Second Edition," *AHLA Health Care Fraud Law: A 50 State Survey, Second Edition*, Chapter Author, November 2025

"Don't Miss Nevada's Workshop on New Regs for Healthcare Professional Licensing Boards," *Health Law Update*, October 3, 2025

"CMS Updates EMTALA Signage for Hospitals," *Health Law Update*, August 29, 2024

"Key Compliance Takeaways for Companies from the DOJ's New Corporate Whistleblower Program," *Department of Justice Update*, August 20, 2024

"AHLA Health Care Fraud Law – A 50-State Survey, First Edition," *AHLA Health Care Fraud Law: A 50 State Survey, First Edition, Chapter Author*, October 2022

SPEAKING ENGAGEMENTS

"The State of Healthcare: Industry Leaders' Perspectives," Moderator, *Nevada Health Care Forum 2024*, October 17, 2024

"HHS' Revamped Section 1557 Anti-Discrimination Rules: Effects on Healthcare Entities," *Holland & Hart Health Law Webinar*, May 30, 2024

"Employment Law in Healthcare," *Panelist, Nevada Healthcare Forum 2022*, 10/06/2022

"Understanding EMTALA," *Holland & Hart Health Law Webinar*, 08/25/2022

RECOGNITION

- *Best Lawyers: Ones to Watch® in America*, Health Care Law, 2024, 2025
- *The Best Lawyers in America®*, Corporate Law, 2027
- Mountain States Super Lawyers® Rising Stars, Business Litigation, 2016-2019; Healthcare, 2020-2025
- *Nevada Business Magazine,* Top Rank Attorneys, 2022, 2024,

2026

- Legal Excellence Award, *Vegas Legal Magazine,* 2017

PROFESSIONAL AND CIVIC AFFILIATIONS

- American Bar Foundation, Fellow
- State Bar of Nevada Insurance and Health Law Section, CLE Chair
- American Health Lawyers Association, Member
- Health Care Compliance Association, Member
- Member, American Bar Association, Health Law Section and Litigation Section, Member
- Clark County Bar Association, Member