



→ Adam Herbst

Partner

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Adam S. Herbst is a partner in Sheppard Mullin's Healthcare practice and a nationally regarded leader at the intersection of law, policy, and healthcare delivery. His career spans nearly three decades across government, health systems, nonprofits, and the private sector, giving him a unique ability to advise clients not only as legal counsel but also as a strategist, operator, and policy architect. Adam is recognized as a leading authority on healthcare policy, Medicaid innovation, and system transformation. He has deep expertise in the corporate and transactional dimensions of healthcare, advising on mergers, acquisitions, affiliations, financings, and joint ventures involving hospitals, long-term care facilities, managed care organizations, private equity funds, and mission-driven nonprofits. He regularly structures governance arrangements, negotiates complex management and administrative services agreements, and guides providers and investors through multi-state regulatory approvals and compliance regimes.

Adam is also widely regarded for his mastery of Medicaid law, financing, and policy. He advises on 1115 waivers, state-directed payments, managed care contracting, and Medicaid reimbursement strategies across multiple states. His work includes HCBS waiver design, PACE program expansion, long-term and post-acute care reimbursement, and disability-focused services. He integrates financing rules with corporate structuring, helping clients build sustainable, compliant growth models while advancing care for vulnerable populations.

Before joining Sheppard Mullin, Adam served as Deputy Commissioner of the New York State Department of Health and Special Advisor to two Governors. In those roles, he led sweeping initiatives in Medicaid transformation, long-term care reform, and managed care modernization, and he chaired New York's Master Plan for Aging. During the COVID-19 pandemic, Adam played a critical leadership role in the State's emergency response—coordinating with federal partners, creating COVID-only nursing homes, ensuring hospital surge capacity, stabilizing long-term care, and supporting one of the largest vaccine distribution efforts in the country.

Adam's career is deeply rooted in the nonprofit and mission-driven sector. He has run a children's hospital, led a major community health center, and worked with faith-based organizations and disability service agencies to sustain programs through periods of growth, transformation, and financial stress. He has also advised nonprofits on governance, financing, and regulatory oversight, often stepping in to stabilize and preserve critical community services when other providers could not.

As a thought leader, Adam is a frequent speaker, writer, and advisor on healthcare transformation, Medicaid reform, health equity, aging, and disability policy. He has led high-profile webinars, authored widely read pieces on regulatory reform and system financing, and spoken before national and state associations, investor groups, and academic institutions. He teaches healthcare law and policy at Columbia School of Public Health, New York Law School and the University of Miami, and he is regularly sought out by policymakers and industry leaders to

frame strategies that respond to shifting federal and state priorities. Adam's clients value his ability to combine "inside baseball" knowledge of government processes with sophisticated corporate deal experience and a deep understanding of mission-driven care. Whether guiding a multi-state transaction, structuring a PACE or HCBS program, advising on Medicaid waivers, or supporting aging and disability service organizations, he brings a holistic approach that integrates law, policy, operations, and strategy.

Articles

- What Aging Really Looks Like in New York – And Why This Moment Matters
The Buffalo News, 08.24.2025
- The Medicaid Reckoning: Era of Fiscal and Policy Flux
MedCity News, 06.23.2025
- America's Aging Crossroads: Will We Rise to the Challenge or Fall Behind?
MedCity News, 03.31.2025
- Opinion: New York's future depends on investing in older adults
City & State New York, 02.14.2025
- Nursing Homes Need More Telehealth
Healthcare Business Today, 10.08.2020
- Hospital Industry Faces Reckoning: Where Do We Go From Here?
The Globe Post, 05.15.2020

Healthcare Law Blog Posts

- "California Issues Two-Year Freeze on PACE Applications: What Providers Need to Know," December 4, 2025
- "New York Adopts Major Certificate of Need Amendments Effective August 6, 2025," August 12, 2025
- "State-Directed Payments, Value-Based Care, and the 'One Big Beautiful' Bill: A Comprehensive Analysis," August 1, 2025
- "What Health Equity Means for CON – and Why It Matters Now," July 25, 2025
- "Policy Brief: Aligning Nursing Home Bed Planning with New York's Certificate of Need Reform Goals," July 17, 2025
- "New York's Master Plan for Aging: What Legal, Health, and Policy Leaders Need to Know," July 1, 2025
- "Congressional Budget Proposal Includes Adjustments to Dual-Eligible Enrollment Pathways and Medicare Savings Program Rules," June 24, 2025
- "Understanding the Federal Reconciliation Bill's Implications for MCO Tax Structure," June 18, 2025
- "Proposed Rule on Medicaid Tax Waivers: CMS Moves to Close a Loophole Shifting Costs to the Federal Government," May 28, 2025
- "CMS to Withdraw Federal Medicaid Match for Workforce, Social Needs, and Infrastructure: What States, Health Care Providers and Community Organizations Need to Know," April 16, 2025
- "Medicaid in the Crosshairs What Restructuring Could Mean for States, Providers, and Beneficiaries," February 24, 2025

- "Updated: The Future of Gender-Affirming Care – New Legal and Regulatory Considerations for Hospitals Providing These Services," February 12, 2025
- "Healthcare Industry Leaders Predict Four Areas to Watch After the U.S. Election: Takeaways from the Business of Health Care Conference Hosted by the Miami Herbert Business School," February 5, 2025
- "New York's Health Information Privacy Act: A Turning Point for Digital Health or a Roadblock to Innovation?," January 31, 2025
- "Navigating New York's Proposed Cost Market Impact Review," January 24, 2025
- "Building a Smarter Long-Term Care System in New York," January 10, 2025
- "Inside the World of Long-Term Care Certificate of Need (CON): An Exclusive Opportunity," January 10, 2025
- "Health Care at a Crossroads: Insights from the Post-Election Health Care Conference," January 10, 2025
- "The Legal and Economic Realities of Medicare Drug Pricing: Navigating Opportunities and Challenges," December 20, 2024

Media Mentions

U.S. States Work to Prepare for an Aging Population

Broadcast Retirement Network, 01.30.2026

New Yorkers want to age in place. A fragmented healthcare system is preventing that, say experts

Crain's New York Business, 12.11.2025

New York races to prescribe groceries and Uber rides in Medicaid experiment

Crain's New York Business, 09.04.2025

How 3 Top Trends Have Shaped Home-Based Care This Year

Home Health Care News, 08.08.2025

The Challenge of Realizing the Master Plan on Aging

The Capitol Pressroom, 07.18.2025

Hochul's Long-Awaited Plan for Seniors Focuses on Housing, Caregiver Workforce

Crain's New York Business, 07.02.2025

What the state budget does (and doesn't do) for seniors

The Capitol Pressroom, 06.26.2025

Trump Administration's Anti-Competitive Efforts Could Implicate 80/20 Rules

Home Health Care News, 05.13.2025

What the Supreme Court's Medicare DSH pay ruling means

Modern Healthcare, 05.01.2025

State Could Lose Billions in Future Medicaid Dollars Amid Federal Policy Change

Crain's New York Business, 04.15.2025

CMS Policy Shift on Medicaid
Politico Pro, 04.14.2025

CMS to End Federal Match for States' Medicaid Funding Requests
Fierce Healthcare, 04.11.2025

Repeal Of Social Needs Guidance Sows Medicaid Uncertainty
Law360, 03.19.2025

Speaking Engagements

"17th Annual Medicaid Innovations," February 3, 2026

"JPM Roundtable with Huron," January 12, 2026

"CON/HEIA," January 7, 2026

"Washington Analysis," November 19, 2025

"Provider Innovation Workshop in Miami," November 14, 2025

"Tennessee Bar Association Health Forum," November 12, 2025

"NYSBA Health Law Section," November 3, 2025

"Jewish Aging Services," October 30, 2025

"Chapters Health," October 21, 2025

"Big Beautiful Webinar Series," October 20, 2025

"Advisory Board Meeting," University of Miami Business School, October 16, 2025

"Miami Healthcare Breakfast Salon," November 18, 2024

Events

One Big Beautiful Bill Act Impact and 2026 Health Law Outlook
Sheppard Mullin San Francisco Office, 01.13.2026

Looking Ahead: Key LTC CON and PACE Topics for 2026
01.07.2026

The Future of Aging in New York
Studio Gather, 11.19.2025

The Big, Beautiful Webinar Series: Strategic Planning for Post-Acute/LTC Providers
10.20.2025

Health2Tech NYC
30 Rockefeller Plaza, New York, NY 10112, 09.17.2025

Part Two: The One Big Beautiful Bill Act Webinar Series
The Future of Healthcare in Florida
Webinar, 08.14.2025

Behind the Curtain: How CON, HEIA, and Policy are Reshaping Long-Term Care in New York
07.24.2025

The Big, Beautiful Webinar Series - Part One: An Introduction to the One Big Beautiful Bill Act
07.21.2025

French American Innovation Day: Bridging Health Innovation - French & New York Perspectives
Financial Panel
06.20.2025

AI in Healthcare: What's Real, What's Hype, and What's Next
Webinar, 05.29.2025

Home Care Association of NYS Annual Conference
Major Directions & Roles for Home & Community Based Services in the Evolving Health Care System
New York, 04.30.2025

Home Care Association Sheppard Mullin Reception
04.29.2025

Home Care Forum 2025
Inside Albany | The Future of Home Care, Aging Services & the NYS Budget
Albany, New York, 02.24.2025

The Business of Health Care
Lightning Round: Recap and Q&A
University of Miami, 01.24.2025

Memberships

Advisory Board, NSU MD

Advisory Board, Department of and Center for Health Management and Policy at the University of Miami Herbert
Business School

American Health Lawyers Association

New York State Bar Association

Podcasts & Webinars

Looking Ahead: Key LTC CON and PACE Topics for 2026
01.07.2026

The Big, Beautiful Webinar Series: Strategic Planning for Post-Acute/LTC Providers
10.20.2025

Part Two: The One Big Beautiful Bill Act Webinar Series The Future of Healthcare in Florida
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Behind the Curtain: How CON, HEIA, and Policy Are Reshaping Long-Term Care in New York
07.24.2025

The Big, Beautiful Webinar Series - Part One: An Introduction to the One Big Beautiful Bill Act
07.21.2025

Inside the World of Long-Term Care Certificate of Need (CON)
02.04.2025

Practices

Governmental
Healthcare

Industries

Healthcare

Education

J.D., Albany Law School

M.B.A., Union College

B.A., American University, *summa cum laude*

Admissions

New York

New Jersey