

Bryan J. Texiera

ASSOCIATE

508-880-6677

Services

Conservatorship & Guardianship

- Appointment of Guardians and Conservators For Adults
- Guardianship and Conservatorship Litigation

Consumer Protection Law

- Consumer Fraud and Deceptive Practices
- Disability Insurance Appeals

Debt Collection

- Debt Collection Defense
- Debt Collection for Creditors
- Judgment Enforcement

Employment & Labor Law

- Discrimination and Retaliation
- Severance and Employment Agreements
- Unemployment Appeals
- Unemployment Overpayment Waiver Requests
- Wage and Hour / Overtime Claims
- Wrongful Termination

Estate Planning

- Advance Directives
- Asset Protection

Overview

Bryan J. Texiera is an Associate with Cohen Cleary, P.C., where he represents individuals, families, healthcare providers, fiduciaries, and businesses in a wide range of legal matters. His practice encompasses MassHealth and Medicaid eligibility and appeals, elder law, healthcare law, employment law, probate litigation, and civil disputes. Known for his thorough preparation and practical approach to problem-solving, Bryan works closely with clients to navigate complex legal and administrative challenges while pursuing efficient and effective resolutions.

A significant portion of Bryan's practice is dedicated to MassHealth and Medicaid long-term care matters. He has successfully recovered hundreds of thousands of dollars in previously denied benefits on behalf of skilled nursing facilities throughout New England and regularly advocates for clients in administrative and judicial appeals. His experience includes representing clients before the Office of Medicaid Board of Hearings and in actions for judicial review in the Massachusetts Superior Court. From initial eligibility determinations and hardship waiver requests to administrative hearings and court proceedings, Bryan handles every stage of the process with a strategic focus on achieving favorable outcomes through careful legal analysis, persuasive advocacy, and a comprehensive understanding of MassHealth regulations and policy.

Bryan also maintains a substantial employment law practice representing both employees and employers in a wide range of workplace disputes and compliance matters. He regularly advises and represents employees in matters involving wrongful termination, wage and hour violations, discrimination, retaliation, and unemployment benefit disputes.

Bryan regularly advises employers and employees regarding employment agreements and workplace compliance issues. His practice includes review and negotiation of employment agreements, severance and separation agreements, restrictive covenant agreements, including non-compete and non-solicitation provisions, and counseling regarding compliance with state

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- Estate Litigation
- Fiduciary Services
- Health Care Proxy
- Last Will & Testament
- Power of Attorney
- Special Needs Trust
- Trusts
- Trust Administration

Probate, Trust & Estate Administration

- Trust Administration
- Probate With a Will
- Probate Without a Will
- Estate and Trust Litigation

Healthcare & Nursing Home Law

- Guardianship (For Healthcare Facilities)
- Conservatorship (For Healthcare Facilities)
- Healthcare Debt Collection
- Contracts, Disputes, and Insurance Claims
- Regulatory Compliance
- Risk Mitigation and Training

Medicaid and Medicare

- Appeal of 30-Day Discharge Notices
- Appeal of Denial of Benefits
- Appeal of Notice of Medicare Non-Coverage (NOMNC)
- Medicaid Hardship Waiver Requests
- Medicaid/Medicare Applications

Personal Injury

- Automobile Accident
- Motorcycle Accident
- Slip and Fall Accident Lawyer
- Dog Bites

Real Estate Law

- Management/Protection of Real Estate
- Real Estate Disputes and Litigation
- Real Estate Purchase & Sale

and federal employment laws. He frequently advises clients concerning obligations and rights arising under statutes including the Americans with Disabilities Act (ADA), the Family and Medical Leave Act (FMLA), the Massachusetts Paid Family and Medical Leave Act (PFMLA), the Massachusetts Equal Pay Act (MEPA), and Massachusetts General Laws Chapter 151B.

His unemployment practice includes representation before the Department of Unemployment Assistance Hearings Office, appeals to the Board of Review, overpayment waiver proceedings, and appeals to the District Court involving the denial of unemployment benefits. Through diligent advocacy and careful preparation, Bryan has successfully secured unemployment benefits for numerous clients throughout the Commonwealth.

> "He was prompt in his responses to my inquiries, very detailed in the information and summaries he provided to me, and extremely courteous and professional.
>
> *Phil F.*

Experience

Bryan's experience includes representation of clients in:

- Lead counsel in MassHealth long-term care appeals, including representation of skilled nursing facilities and fiduciaries before the Office of Medicaid Board of Hearings and in Superior Court appeals pursuant to G.L. c. 30A
- MassHealth eligibility matters, hardship waiver applications and appeals, administrative hearings, and judicial review proceedings
- Employment law matters involving wrongful termination, wage and hour disputes, discrimination, retaliation, and unemployment benefit appeals
- Representation of claimants before the Department of Unemployment Assistance Hearings Office, the Board of Review, and District Court appeals involving denials of unemployment benefits
- Employment agreements, severance and separation agreements, and restrictive covenant matters, including non-compete and non-solicitation agreements
- Counseling employers and employees regarding compliance with state and federal employment laws, including the ADA, FMLA, PFMLA, MEPA, and Massachusetts General Laws Chapter 151B
- Probate and estate litigation, including uncontested estates, contested estates, trust disputes, and fiduciary conflicts
- Civil litigation and contract disputes for individuals and businesses

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Bar Admissions

Massachusetts

Maine

University of Massachusetts School of Law, 2022
Cum Laude

University of Massachusetts Dartmouth, 2020
Magna Cum Laude

New Hampshire (Pending)

Education

University of Massachusetts School of Law, 2022
Cum Laude

University of Massachusetts Dartmouth, 2020
Magna Cum Laude

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