



→ Christine M. Clements

Partner

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Christine Clements is a partner in the Healthcare Team in the firm's Washington, D.C. office.

Areas of Practice

With more 25 years of experience in managed care law issues, Christine's practice includes federal healthcare government contract programs such as the Medicare Advantage Program, the Medicare Prescription Drug Benefit, the Federal Employees Health Benefits Program and Medicaid managed care. She advises health plan clients on the issues most important to them, including contract applications and service area expansions; responses to requests for proposals; rate development and bidding; medical loss ratio and other financial and reporting requirements; risk adjustment; Star ratings; sales and marketing strategies and compliance; benefit design; employer/union group offerings; provider and vendor contracting and payment; internal audits; fraud and abuse, including the discount, managed care and group purchasing organizations safe harbors; and compliance programs.

Christine advises clients undergoing government audits and investigations. She also represents clients in administrative appeals including appeals of Centers of Medicare and Medicaid Services application denials, assessments of civil money penalties and Star rating/quality bonus payment determinations.

Christine also counsels health plan and other healthcare industry clients on Health Insurance Portability and Accountability Act (HIPAA) privacy and security issues. She advises clients on permitted uses and disclosures under HIPAA and security breaches and business associate agreements, and she assists clients with other HIPAA compliance issues.

In addition, Christine advises clients on state law requirements such as insurance and HMO licensure requirement, net worth and other financial requirements, market conduct and other audits, state mandates and extraterritoriality requirements.

Further, Christine advises healthcare providers and suppliers including accountable care organizations and pharmacies, as well as intermediaries such as management service organizations. She also advises healthcare industry clients in connection with mergers and acquisitions, strategic alliances and joint ventures, value-based contracting matters, and other strategic planning issues.

Previously, Christine served as Chief Medicare Counsel at Aetna Inc., where she was responsible for the company's Consumer Segment. In this role, she was the lead attorney for the company's Medicare Advantage and Medicare Prescription Drug Benefit businesses, Medicare Supplement products and other retiree plans.

Christine has written and presented on the Medicare Advantage and Medicare Prescription Drug Benefit programs, the Federal Employees Health Benefits Program, value-based contracting arrangements and the HIPAA Privacy Rule, among other topics.

Honors

Recommended Lawyer - Healthcare, *Legal 500 US*, 2019-2021

Articles

- Why the Health Care Industry Should Be Concerned About Section 889 of the 2019 National Defense Authorization Act
AHLA Weekly, 01.17.2020

Healthcare Law Blog Posts

- "D.C. Circuit Gives New Life to CMS Overpayment Rule," August 17, 2021
- "Federal Court Decides ACA "Sabotage" Case," March 12, 2021
- "New Guidance on Health Plans' COVID-19 Coverage Obligations," March 2, 2021
- "Trump Administration Finalizes The Transparency in Coverage Rule," November 12, 2020
- "CMS Issues the 2022 Medicare Advantage Advance Notice Part I – Risk Adjustment," September 24, 2020
- "HHS OIG Issues Report Critical of Medicare Advantage Risk Adjustment Practices," September 24, 2020
- "Supreme Court Issues Long Awaited Ruling on Affordable Care Act Risk Corridors Program," April 27, 2020
- "CMS Issues Guidance on Risk Adjustment and Telehealth Services," April 10, 2020
- "Key Health Care Provisions of the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act")," March 30, 2020
- "Families First Coronavirus Response Act Imposes Benefit Mandates on Insurers and Group Health Plans," March 19, 2020
- "Medicare Advantage Plans, Medicare Prescription Drug Plans and FEHBP Carriers Take Note: CMS and OPM Announce Actions to Address the Threat of Coronavirus," March 12, 2020
- "Top 10 Provisions of CMS Proposed Rule: Medicare Advantage and Part D Programs for CY2021 and CY2022," February 13, 2020
- "CMS Proposes Changes to the Medicare Advantage and Part D Programs for CY 2021 and 2022," February 6, 2020
- "Why the Health Care Industry Should Be Concerned About Section 889 of the 2019 National Defense Authorization Act," February 3, 2020
- "Congress Continues to Focus on Prescription Drug Pricing," December 27, 2019
- "CMS Plans Updates to Star Ratings," August 29, 2019
- "Is Prescription Drug Pricing The Cure For Partisanship?" July 25, 2019
- "SCOTUS Rejects CMS DSH Policy, Calls CMS Guidance Practices Into Question," June 6, 2019

- "Arkansas and Kentucky Halt Medicaid Work Requirements," April 26, 2019
- "OCR Seeks Ideas on HIPAA Rule Changes to Promote Value-Based Care and Coordinated Care," December 14, 2018
- "CMS Issues Proposed Rule on Modernizing Part D and Medicare Advantage to Lower Drug Prices and Reduce Out-of-Pocket Expenses," November 28, 2018
- "Blog Series: CMS Proposed Rule on Policy and Technical Changes to the Medicare Advantage, Medicare Prescription Drug Benefit, Medicaid Fee-For-Service, and Medicaid Managed Care Programs for Years 2020 and 2021," October 29, 2018
- "How Broad is the Managed Care Safe Harbor?," October 26, 2018
- "CMS' Medicare Advantage Overpayment Rule: Arbitrary, Capricious, and Vacated," September 7, 2018
- "CMS Proposes Massive Changes to ACO Program – Pushing Providers to Accept Downside Risk," August 16, 2018

Media Mentions

OCR Probes HIPAA Impediments to Care Coordination
Renal and Urology News, 03.14.2019

Speaking Engagements

Presenter, "Policy Update #2: The Latest Activity in Washington, D.C. and Why It Matters," Health Plan Alliance, May 29, 2020

Presenter, "MA and PDP CY2021 – 2022 Proposed Rule," Health Plan Alliance 2020 Fly in: Medicare Advantage Product Design and Implementation, February 10-11, 2020

Presenter, "Federal And State Regulatory Updates Impacting Drug Pricing And Pharmacy Benefit Management Programs," Health Plan Alliance Pharmacy Summit, May 29-30, 2019

Presenter, "CMS' Medicare Advantage Overpayment Rule Takes a Permanent Vacation: What's Next for Payors and Providers Alike," Sheppard Mullin Healthcare Webinar, October 16, 2018

Presenter, "Medicare Part C and Part D Quality Star Ratings: What Plan Lawyers Should Know and Care About," Blue Cross Blue Shield National Summit, Orlando, Florida, May 1-4, 2018

Events

The Sweeping Landscape of Potential Liability For Risk Adjustment Activities: Providers and Vendors Beware, It's Not Just a 'Health Plan Issue' Anymore
10.14.2021

Women in Healthcare Leadership Collaborative (WHLC) Presents: A View from the Capitol
2020 Healthcare Policy, Legal and Regulatory Predictions
Sheppard Mullin, New York and Sheppard Mullin, San Francisco, 01.23.2020

Healthcare - What You Need to Know in 2020
Roundtable and Networking Event
Sheppard Mullin, Washington D.C., 12.05.2019

American Health Lawyers Association Health Plan Law and Compliance Institute
Value-Based Contracting: Will It Blow Up Fee-for-Service?
11.15.2019

Healthcare Webinar
Will Fee-For-Service "Blow Up?": Planning And Key Considerations For Value-Based Payment Arrangements
via GlobalMeet, 02.26.2019

CMS' Medicare Advantage Overpayment Rule Takes a Permanent Vacation: What's Next for Payors and
Providers Alike
Sheppard Mullin Healthcare Webinar
10.16.2018

Memberships

Member, American Bar Association
Member, American Health Lawyers Association

Podcasts & Webinars

The Sweeping Landscape of Potential Liability For Risk Adjustment Activities: Providers and Vendors Beware,
It's Not Just a 'Health Plan Issue' Anymore
10.14.2021

Practices

Corporate
Public Company Corporate Governance and Compliance
Government Contracts, Investigations & International Trade
False Claims Act
Healthcare
Digital Health

Industries

Healthcare

Education

J.D., American University Washington College of Law

B.A., George Washington University

Admissions

District of Columbia

Maryland