



Rachel A. Alexander

Partner



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Rachel Alexander is a partner in the Health Care Practice at Wiley. She counsels clients on health care regulatory, transactional, and litigation matters with an emphasis on advising health plans regarding compliance with federal law including all government health care programs (e.g., Medicare, TRICARE, the Federal Employees Health Benefits Program, and Medicaid). Rachel is a seasoned litigator and represents clients in state and federal court, arbitration, and mediation in cases involving commercial disputes, government contract disputes, the False Claims Act, and other civil enforcement actions. Prior to entering the legal profession, Rachel spent over a decade in health care administration, primarily in contract negotiations and administration, working for industry-leading providers and health plans. Rachel's expertise with both health plan operations and health care law has aided clients in navigating issues of federal and state regulatory compliance; contract negotiation, administration, and procurement matters; internal and governmental investigations; and litigation attendant to these areas of law.

One key facet of Rachel's practice is representing health plans – particularly those offering a government-sponsored program – in negotiation, drafting, and administration of large ancillary services contracts, including pharmacy benefit management, dental, vision, and behavioral health contracts. In this capacity, Rachel has represented clients in negotiations and contract disputes with numerous industry-leading national vendors, including all of the major pharmacy benefit managers (PBMs).

Representative Matters



Practice Areas



- Health Care
- Government Contracts
- Pharmacy Benefit Manager (PBM) Contracting
- White Collar Defense & Government Investigations
- Health Care Transactions
- Issues and Appeals
- Litigation

Credentials



Education

- J.D., *magna cum laude*, The George Washington University Law School
- B.A., Rutgers College, Rutgers University

Bar and Court Memberships

- District of Columbia Bar
- Maryland Bar

- Provides legal counseling on all aspects of health care and government contracting, including drafting and negotiating contracts, subcontracts, and affiliate agreements.
- Provides legal guidance on FEHB, Medicare Part D/Medicare Advantage, Medicaid, and Telephone Consumer Protection Act (TCPA) regulatory issues.
- Provides legal expertise in counseling clients regarding Pharmacy Benefit Manager (PBM) contracting, administration and dispute resolution.
- Advises and defends health care government contractors with regard to government audits, investigations, and actions including False Claims Act (FCA), Anti-Kickback, and Stark issues.
- Directs and manages all phases of litigation and discovery with considerable experience resolving complex e-discovery issues.
- Advises on emerging health care technology regulations and legal trends including telehealth services, automated health care communications, and cybersecurity.
- Advises on and evaluates health care corporate compliance programs, including assessments of whether compliance programs meet evolving legal standards.
- Provides government contractors, particularly health care contractors, with legal analyses and preparation of requests for equitable adjustment (REAs), claims, and representation in Contract Dispute Act (CDA) litigation.

Professional Experience

- Co-author, "Litigation and agency actions heighten Medicare Advantage plans' FCA risks," *Compliance Today* (March 2022)
- Director, Managed Care and Insurance Contracting, HCR Manor Care (2001-2005)
- Director, Integrated Delivery Systems, (2000-2001), Contract Manager, (1997-2000), Kaiser Permanente of the Mid-Atlantic States

Affiliations

- Board of Trustees, Washington Ethical Society (2015-2019)
- Women's Bar Association of the District of Columbia (WBA)
 - Co-Chair, Health Law Forum (2013-2014)
 - Co-Chair, Insurance Law Forum (2012-2013)
- Women in Law Empowerment Forum (WILEF)
 - Co-Chair, WILEF DC (2015-2017)

- Global Advisory Board (2015-2017)