

Ken Choe

Partner

Washington, D.C.

Biography

Ken Choe is uniquely situated to help our clients navigate the transformation of the health care regulatory landscape by the Affordable Care Act (ACA). Ken was Deputy General Counsel and Counselor to the Office of Health Reform at the Department of Health and Human Services (HHS), where he was lead agency counsel with respect to the ACA, as well as Medicare, Medicaid, and other healthcare financing programs administered by the Centers for Medicare & Medicaid Services (CMS). His knowledge and experience enable him to devise practical solutions and strategies for our clients.

Ken has singular knowledge of the legal considerations occasioned by the ACA, including the market rules that govern health insurance issuers and group health plans, the regulatory framework under which qualified health plans are offered on health insurance exchanges, the Medicaid eligibility expansion, and the Medicare Advantage reforms. In addition, he has considerable proficiency in Medicare coverage and reimbursement policies, as well as innovative payment and service delivery models, including accountable care organizations (ACOs).

Ken also has ample litigation experience, particularly in areas of administrative and constitutional law. He has appeared in state and federal trial and appellate courts



Phone

+1 202 637 5675

Fax

+1 202 637 5910

Email

ken.choe@hoganlovells.com

Practices

Administrative and Public Law

Government Relations and Public Affairs

Health Law

Insurance

Litigation

Industries

Insurance

Life Sciences and Health Care

Areas of focus

Administrative Procedure Act

across the country, and has participated in numerous matters before the Supreme Court.

Ken began his legal career as Special Assistant to the General Counsel at HHS. Between his periods of government service, he was a senior litigator and public policy advocate at the national headquarters of the American Civil Liberties Union.

Representative experience

Core member of government legal team in *National Federation of Independent Business v. Sebelius* and other challenges to Affordable Care Act.*

Lead agency counsel for implementation of Affordable Care Act, including provisions governing health insurance coverage and Medicare Advantage plans.*

Lead agency counsel for Medicare payment rules and guidance, Medicare Shared Savings Program, and Center for Medicare & Medicaid Innovation.*

*Matter handled prior to joining Hogan Lovells.

Awards and rankings

- General Counsel's Certificate of Appreciation, 2010
- Secretary's Certificate of Appreciation, 2010
- Secretary's Commendation, 2010
- Selected as a member of the Lawdragon Leading Lawyers in America for, 2014-2016

Latest thinking and events

- Webinar
 - U.S. Election 2016: Understand the outcomes and anticipate the change
- Hogan Lovells Publications
 - Senate Finance Committee releases details of drug pricing bill *Life Sciences & Health Care Alert*
- Hogan Lovells Publications

Health Care Services

Hospitals and Health Care Providers

Medical Devices

Pharmaceuticals and Biotechnology

Legislation

Insurance Products and Services

Education and admissions

Education

J.D., The George Washington University National Law Center, 1995

B.A., University of Virginia, 1992

Memberships

Member, American Bar Association, 2015

Member, American Health Lawyers Association, 2015

Member, Human Rights Watch LGBT Rights Program Advisory Committee, 2006-2009

Bar admissions and qualifications

District of Columbia

Court admissions

U.S. Court of Appeals, Eleventh Circuit

- U.S. Supreme Court ruling expands scope of Medicare notice-and-comment requirement
Health Alert

U.S. Court of Appeals, Sixth Circuit

U.S. Supreme Court

- Hogan Lovells Publications
 - MDRP and the U.S. territories: Manufacturer rebate obligations, but no mandatory coverage, in case of a section 1115 waiver?
- Hogan Lovells Publications
 - Insurance Horizons 2019
- Hogan Lovells Events
 - Boston: Life Sciences and Health Care Horizons 2019