

## Beth L. Roberts

Partner

Washington, D.C.

### Biography

For the past two decades, Beth Roberts has helped life science companies optimize the value of their innovations. She helps clients navigate the complex coding, coverage, and reimbursement challenges faced by their new technologies.

Beth counsels on Medicare and other health care issues and lobbies the U.S. Congress and regulatory agencies on her clients' behalf. Her clients include health care providers; pharmaceutical, biotechnology, and medical device manufacturers; investors; and professional and trade associations.

Beth is a creative problem solver who is passionate about improving patient access to care. She works collaboratively to solve bet-the-company issues in innovative ways. She helps turn reimbursement challenges and changes into business opportunities. She also explains complicated laws and regulations in a simple and straightforward way.

Beth guides clients from reimbursement strategy through implementation. She applies for new International Classification of Disease (ICD-10), Health Care Common Procedure Coding System (HCPCS), and Current Procedural Terminology (CPT) codes. She helps clients obtain favorable coverage for their products through the Local Coverage Determination (LCD) and



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### Languages

English

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### Practices

Health Law

Government Relations and Public Affairs

Medical Device and Technology Regulatory

Pharmaceuticals and Biotechnology Regulatory

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### Industries

Life Sciences and Health Care

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National Coverage Determination (NCD) processes and advises on the opportunities and pitfalls of coverage with evidence development (CED) and parallel review. She also helps clients obtain appropriate payment, often through new technology add-on payments (NTAPs), drug and device pass-through payments, and new technology ambulatory payment classifications (APCs). Over and above, Beth advises on seizing opportunities through the Centers for Medicare and Medicaid Innovation (CMMI), including Accountable Care Organizations (ACOs) and the Oncology Care Model (OCM). When existing mechanisms do not work, Beth creates new solutions through policy initiatives or by amending the law.

Beth gains great satisfaction from her pro bono work and giving back to the community.

## Representative experience

On behalf of associations and individual clients, drafted amendments to most of the major Medicare and Medicaid legislation over the past two decades.

Obtained drug and device pass-through payments, new technology APCs, and NTAPs for several new drugs, devices, and procedures.

Secured continued Medicare coverage for osseointegrated implants after CMS proposed to reclassify them as non-covered hearing aids.

Successfully lobbied for a provider association and a major trade association for statutory language for more favorable Medicare reimbursement.

Enabled an implantable device manufacturer to commercialize its core product by obtaining appropriate Medicare reimbursement for its category B device.

Helped secure a statutory mandate for Medicare coverage and adequate payment rates for a

## Areas of focus

Health Legislation and Policy

Hospitals and Health Care Providers

Legislation

Medical Devices

Pharmaceuticals and Biotechnology

Cell, Tissue, and Gene Therapies

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## Education and admissions

### Education

J.D., The University of Texas School of Law, with honors, 1993

B.S., The Wharton School of the University of Pennsylvania, magna cum laude, 1988

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## Memberships

Board Member, California Life Sciences Association

Board Member, Washington Baltimore Center for Psychoanalysis

Member, American Health Lawyers Association

Member Health Law Section, District of Columbia Bar Association

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## Bar admissions and qualifications

District of Columbia

Pennsylvania (inactive)

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breakthrough new technology by a small medical device company.

Gained a retroactive reimbursement increase for a lifesaving therapy by working with a biotechnology company to articulate legal basis for its action.

Facilitated coverage and reimbursement for a client's new medical procedure by successfully obtaining a Category I CPT code.

## Awards and rankings

- Healthcare (District of Columbia), *Chambers USA*, 2017-2020
- Health Care, *Washington, D.C. Super Lawyers*, 2013-2019
- Mary Allen Memorial Award, *Washington Baltimore Center for Psychoanalysis Inc.*, 2019
- Life Sciences Regulatory Star, *LMG Life Sciences*, 2013-2019
- Healthcare: Service Providers, *Legal 500 US*, 2019
- Healthcare (District of Columbia), Recognised Practitioner, *Chambers USA*, 2016
- The LaSalle D. Leffall Hidden Hero Award, *C-Change*, 2013
- Outstanding Young Healthcare Lawyers of 2004, *Nightingale's Healthcare News*, 2004
- Top Lawyer, Food and Drugs, *Washingtonian*, 2004

## Latest thinking and events

- News
  - CMS proposes “reasonable and necessary” definition, expedited breakthrough device coverage process
- Awards and Rankings
  - Global law firm Hogan Lovells is pleased to announce the firm has been shortlisted in 11

## categories for the eighth Annual LMG Life Sciences Americas Awards 2020

- News
  - Medicaid Drug Rebate Program proposed rule on value-based pricing, line extension, PBM accumulators
- News
  - Expanded access to telehealth services during the COVID-19 pandemic
- News
  - The Coronavirus Aid, Relief, and Economic Security Act: Notable changes affecting Medicare and Medicaid
- Insights
  - CMS Medicaid initiative allows states to limit drug coverage, keep manufacturer rebate obligations