

Alice Valder Curran

Partner

Washington, D.C.

Biography

Alice Valder Curran advises pharmaceutical manufacturers regarding drug pricing matters, with a particular emphasis on the Medicaid Drug Rebate Program, the Medicare average sales price (ASP) reporting requirement, the Health Resources and Services Administration (HRSA) 340B Drug Pricing Program, and the recently enacted Inflation Reduction Act (IRA).

Alice works directly with C-Suite executives on the government pricing (GP) implications of common commercial strategies, and the strategic role that these programs can play for certain drugs. Alice helps manufacturers of all sizes and stages to review product portfolios and identify the impacts the IRA may have on the company's own products and how it may impact the market more broadly. She also works with commercial and finance personnel on the nuts and bolts of implementing GP obligations and the IRA's provisions. She teams with her white collar colleagues on related enforcement matters, often taking the lead when interacting with enforcement authorities on the specifics of Medicaid, Medicare, and 340B programs.

Alice counsels pharmaceutical companies on the treatment of various commercial strategies in the government pricing calculations – from wholesaler, GPO, and managed care proposals, to product launch strategies and patient programs. Alice brings valuable insight on the strengths and weaknesses of commercialization trends across the industry. Alice



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Practices

Health

Industries

Life Sciences and Health Care

Areas of focus

Pharmaceuticals and Biotechnology

Education and admissions

Education

J.D., Columbia Law School, 1992

B.A., Pomona College, cum laude, 1989

develops GP policy documents, "reasonable assumptions" in support of calculation methodologies, and Centers for Medicare and Medicaid Services (CMS) and HRSA 340B recalculation disclosure submissions.

Policy advocacy rounds out Alice's practice. Her knowledge of these programs and how they impact a manufacturer's day-to-day operations, as well as its strategic interests, make Alice a sought-after resource for evaluating legislative and policy proposals.

Representative experience

Successfully advocated to DOJ that it accept a manufacturer's routine restatement of Medicaid pricing data in lieu of pursuing an FCA matter.

Successfully advocated to HRSA that two categories of long-standing policy guidance were nonbinding on manufacturers.

Convinced CMS that certain products were entitled to new and distinct baseline AMPs because of their differences from prior, related products.

Supported a successful manufacturer audit of a 340B-covered entity suspected of diversion and duplicate discounts.

Supported policy advocacy efforts with CMS regarding the treatment of value-based pricing arrangements under the AMP/BP/ASP reporting requirements.

Advised manufacturers regarding limited distribution arrangements under the 340B Drug Pricing Program.

Coordinated review of launch strategies and associated commercial contracts and patient programs for multiple new product launches.

Advised manufacturers regarding 340B ceiling price restatement obligations and refunds to covered entities.

Awards and rankings

- Life Sciences Star: Healthcare Pricing & Reimbursement, *LMG Life Sciences*, 2018 - 2020
- Regulatory Attorney of the Year: Pricing and

Memberships

Member, American Health Lawyers Association

Bar admissions and qualifications

District of Columbia

Reimbursement, *LMG Life Sciences*, 2018 - 2019

- Healthcare (District of Columbia), Rank 3, *Chambers USA*, 2022

Latest thinking and events

- News
 - CMS issues updates regarding ASP: negative ASP, radiopharmaceuticals, restatements, and skin substitutes
- News
 - Podcast: Talking the cure
- Sponsorships and Speaking Engagements
 - BIO International Convention
- News
 - CMS Issues Draft Guidance on Inflation Reduction Act (IRA) Drug Price Negotiation Program for 2027
- News
 - HRSA issues 340B Program final rule modifying administrative dispute resolution process
- Hogan Lovells Events
 - HL Women Conference 2024