



PHONE

202-861-5419

EMAIL

xbaker@groom.com

EDUCATION

Duke University School of Law

JD

Boston College

MA

Boston College

BA

ADMISSIONS

District of Columbia

Minnesota

U.S. Court of Appeals Fifth Circuit

U.S. Supreme Court

A. Xavier Baker

Principal

Xavier Baker is a strategic partner and trusted advisor to managed care organizations, health insurance issuers, plan sponsors, and pharmacy benefit managers because he helps them navigate an increasingly complex and challenging body of federal and state laws and policy considerations. His practice spans federal healthcare programs, such as Medicaid Managed Care and Medicare Advantage, and commercial health insurance under both the Affordable Care Act and ERISA, from legislation and rulemaking through implementation and controversy.

Healthcare is a bipartisan, evergreen focus area for regulators, consumers, and advocates; as recognized by both Democratic and Republican Administrations, it is both a [big deal](#) and [complicated](#). That is why clients turn to Xavier—he helps clients futureproof their strategies, design the future of healthcare, and triage competing business demands with tact, urgency, and clarity.

He thrives when distilling complexity into actionable solutions and brings both an insatiable intellectual curiosity and indefatigable sense of humor to serving his clients. His clients are well served by this when facing state and federal investigations, novel litigation, and pursuing innovative benefit designs and service offerings. Representative engagements include:

Conducting an internal investigation regarding compliance with Medicare Part D and other issues on behalf of the client's Special Litigation Committee in response to shareholder derivative suits;

Serving as one of the principal architects of the health insurance industry's successful pursuit of risk corridors payments under the ACA in *Maine Community Health Options v. U.S.*, 590 U.S. ____ (2020);

Successfully representing a Medicaid managed care organization in administrative disputes and litigation with a State concerning actuarial soundness of capitation rates and related issues;

Resolving without sanctions or admissions of wrongdoing multiple investigations by the U.S. Department of Health and Human Services Office of Civil Rights regarding health plans' alleged noncompliance with non-discrimination requirements under Affordable Care Act Section 1557;

Advising managed behavioral healthcare organizations in response to state market conduct exams, federal investigations, and state attorneys general investigations regarding compliance with the Mental Health Parity and Addiction Equity Act; and

Providing strategic advice on regulatory compliance and benefit design issues in plain English directly to C-suite leadership on Medicaid managed care and ACA issues.

Finally, Xavier is committed to public service and maintains an active *pro bono* practice. During his career he has counseled a special advisory committee regarding the D.C. Medical Liability Captive Insurance Company, provided health care policy analysis on a diversified set of public policy initiatives to combat pediatric asthma in Washington, D.C, co-authored an amicus brief cited by the majority in *Whole Woman's Health v. Hellerstedt*, 579 U.S. 582 (2016) on behalf of interested health care provider professional organizations, and helped nonprofit organizations submit comments on proposed healthcare rulemakings. One of the most meaningful experiences of his practice was successfully representing a Rwandan immigrant seeking political asylum, helping her to obtain her Green Card, and reuniting her with her children through derivative asylum.

PREVIOUS EXPERIENCE

- Past Member, Board of Directors, McClendon Center

PROFESSIONAL AFFILIATIONS

- American Health Law Association, former Vice Chair Payers Plans and Managed Care Practice Group
- American Bar Association, Administrative Law and Health Law Sections
- Leadership Council on Legal Diversity, Fellow (2017)
- Hispanic National Bar Association
- Hispanic Bar Association, D.C.

HONORS & DISTINCTIONS

- Boston College, Henry J. McMahon Award
- Duke University School of Law, Justin Miller Award for Intellectual Curiosity
- *National Law Journal*, Health Care Law Trailblazer (2020)