

Health Law Advocates *Legal Network Update*

HLA Pro Bono Legal Network Listserve

Last year HLA launched the
*Pro Bono Legal Network
Listserve!*

The Listserve is now being
used by *Pro Bono Legal
Network* members to seek
and give advice on HLA
referral matters from fellow
Legal Network members.

Once you join the Listserve,
HLA will send you guidelines
for using the Listserve.

To join the Listserve [click
here](#)

Dear *Pro Bono Legal Network* Members,

*If you are seeking to handle a pro bono matter,
but have not found a case in our Pro Bono Legal
Network to fit your needs, please do not hesitate to
reply to this email to let us know and we will identify a
case to meet your interests.*

Thank you for your support of Health Law Advocates!

*** Cases Available for Referral ***

If you wish to accept or discuss a specific referral matter reply to this
email or call Matt Selig at 617-338-5241 x2986.

We have 3 cases available for referral today.

D.B. -- D.B., a woman diagnosed and treated for breast cancer, was terminated from her long term disability benefits after a review of her ability to perform work. **D.B.** is represented by an attorney who appealed her benefit termination through an internal plan process and then in federal district court. In federal court, **D.B.'s** attorney sought discovery of the insurer's internal guidelines and training materials for claims reviewers. The discovery request was denied and ultimately the district court ruled against D.B. in her appeal. **D.B.** and her attorneys appealed the case to the First Circuit. **HLA seeks a pro bono attorney to draft an amicus brief to the appeals court supporting D.B.'s position on discovery of the insurer's claim review guidelines and training materials.**

**HLA Law and
Policy Forum:
Brown Bag Luncheon
Series**

**Massachusetts
Attorney General
Martha Coakley**



Topic:
**The
Attorney General's
Office
and Health Care**

**February 11, 2009
12:00 p.m.**

**Location:
Suffolk University
Law School
Faculty Dining Room
4th Floor
120 Tremont Street
Boston, MA**

RSVP Required
Call 617-338-5241 or
Email tboland@hla-inc.org

P.M. -- P.M., a 51 year old recently disabled Boston man, received notice in January that his insurance coverage in an HMO was terminated retroactively to December 1, 2008 for failure to pay premiums. **P.M.** received extensive medical care, including a two day ICU stay, after December 1 and now is being charged for his medical care. Over the past several months, **P.M.** has also had intermittent coverage through a government-sponsored plan. In particular, **P.M.**'s coverage was interrupted in the past few months because a state agency lost materials **P.M.** submitted to document his eligibility. **P.M.** has filed for bankruptcy with the help of an attorney. **P.M. needs a pro bono attorney to assist him in seeking retroactive insurance coverage from his public or private insurer to cover his medical bills.**

N.T. -- N.T., a 48 year old Somerville man, is unemployed and has an inner ear condition that prevents him from working full time. He applied for a government-sponsored health plan in January 2008. He was awarded only very limited coverage, likely because of an error by a state agency calculating his income level. After trying to correct his coverage beginning in October 2008, **N.T.** was finally upgraded by the state agency to more comprehensive coverage in December 2008. However, **N.T.** has medical bills for about \$6,000 from hospital stays in January and October 2008. **N.T. needs a pro bono attorney to represent him in efforts to gain retroactive insurance coverage for his medical bills.**

*** Special Thanks ***

Thank you to Merritt Dattel of Van Dam & Traini for accepting the case of **M.L.**, a 41 year old Athol woman, living with her husband, two children and grandneice. The family was deemed eligible for a government-sponsored program to help pay for their employer-sponsored health plan premiums. The family received assistance for several months until they received a notice stating that they should not have been deemed eligible for the state program and must pay back almost \$1,200 in assistance. **M.L.** and her family cannot afford to pay this amount back to the state and it appears they were eligible for the state program all along.

Lawyer of the Month

*Our Pro Bono Legal
Network Lawyer of the
Month feature will
resume in the next Legal
Network Email Update.*

Thank you to Michael Yamauchi of Foley & Lardner LLP for accepting the case of **F.M.**, a 67 year old Burlington woman who owes nearly \$9,000 to a nursing home. After a short stay at the nursing home, **F.M.** told the staff that she needed to be discharged because she had no insurance coverage for a continued stay. The staff informed her she should stay because they could get her coverage through a government-sponsored health plan. However, **F.M.** was denied coverage by the government health plan and **F.M.** was left with no coverage for part of her nursing home stay.

Thank you to Georgia Maheras of Health Care For All for accepting the case of **L.O.**, a Framingham woman in her forties who needs extensive oral health including full lower dentures and upper implants. **L.O.** is enrolled in a government-sponsored health plan which has denied coverage for much of her dental work.

**** Success Story ****

Mark Bronstein of the Law Office of Mark Bronstein successfully represented **M.T.**, a 60 year old Boston woman whose disability benefits had been terminated and who was being asked to repay some of her benefits because of an alleged overpayment. **Attorney Bronstein** won reinstatement of **M.T.**'s disability benefits and ended the insurer's collection efforts by proving its benefit termination was in error.

Legal Network Members,

Thank you very much for your steadfast support of HLA's Legal Network!

If you have not been able to accept a case in recent months, we would greatly appreciate it if you could accept a *pro bono* referral from HLA in the near future.

If you are looking for a particular type of case to handle, please let me know and we would be happy to identify a case in your interest area.

- Matt



Matt Selig

HLA Deputy Director

The HLA Legal Network Update is sent to attorneys on the first and third Monday of each month.

Please Contact Matt Selig with any questions at selig@hla-inc.org or 617-338-5241 x2986.

www.healthlawadvocates.org