

Health Law Advocates *Legal Network Update*

HLA Law and
Policy Forum:
Brown Bag Luncheon
Series

Judy Norsigian

**Executive Director
Our Bodies Ourselves
Boston Women's Health
Book Collective**



Topic:

***Women's Health and
Policy Changes: Advocacy
Priorities for 2009***

**April 15, 2009
12:00 p.m. - 1:30 p.m.**

**Location:
AARP of Mass.
1 Beacon Street
23rd Floor
Boston, MA**

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

Dear *Pro Bono* Legal Network Members,

Thank you for your support of Health Law Advocates!

We hope you are available to accept one of our Pro Bono matters listed below.

**** 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 4 cases available for referral today.

R.W. -- R.W., a 45 year old Gardner man, had insurance premiums deducted from his salary by his employer for most of last year. However, **R.W.** recently discovered that his employer had not enrolled him in a health plan last year and he was actually uninsured for most of 2008. **R.W. needs an attorney to assist him with an appeal with a State agency to secure a waiver of the tax penalty for not complying with the State's Individual Mandate to acquire health insurance.**

C.T. -- C.T., a single Boston mother of two, divorced her husband in 1997 and remained on his employer's health plan pursuant to the terms of the couple's divorce agreement. Several years after the divorce, **C.T.**'s ex-husband remarried, but did not report his remarriage to his employer as required by his health plan. Last summer, the employer learned of the ex-husband's remarriage and removed **C.T.** from the insurance plan effective the day prior to the ex-husband's remarriage which was about six years ago. The retroactive removal of **C.T.** from the employer-sponsored health insurance has caused her to be billed for medical

**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](#)

expenses previously covered by insurance totaling more than \$2,100. Also, as a result of the retroactive termination of her health insurance, **C.T.** was unknowingly without health insurance for several months in 2008 and faces potential tax penalty as a result. ***C.T. needs an attorney to assist her in addressing the problems caused by her retroactive health insurance termination.***

M.S. -- M.S., a Hadley woman in her 80's, is being billed for health care and palliative care provided to her late husband **R.S.** **R.S.** had health insurance through a former employer and Medicare. Before he passed away, **R.S.** had a lengthy stay in a nursing home and then at an inpatient hospice. **M.S.** now has over \$5,000 in bills for her late husband's care. ***M.S. needs an attorney to determine if either of her late husband's health insurers should have covered the outstanding bills from the nursing home and hospice and if M.S. can be held responsible for these bills if there is not full coverage***

N.T. -- (Previously listed case - LN Attorney still needed!!!)
-- 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 George Thompson of Sager & Shaffer for accepting the matter involving the drafting and submission of an **amicus brief for HLA in the case of D.B.**, a woman diagnosed and treated for breast cancer who was terminated from her long term disability benefits after a review of her

ability to perform work. In a federal court appeal of **D.B.**'s benefit termination, **D.B.**'s attorneys 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 wishes provide an amicus brief to the appeals court supporting **D.B.**'s position on discovery of the insurer's claim review guidelines and training materials.

Thank you to Kim Troland of Robinson & Cole LLP for accepting the case of **P.M.**, a 51 year old recently disabled Boston man. **P.M.**, received notice in January that his insurance coverage in an HMO was terminated retroactively to Dec. 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 care. Over the past several months, **P.M.** has also had intermittent secondary coverage through a government-sponsored plan. **P.M.** needs assistance seeking insurance coverage from his public or private insurer to cover his medical bills for services in December.

Thank you to Attorney General Martha Coakley for appearing as our featured guest at HLA's Law and Policy Forum: Brown Bag Luncheon Series on February 11. **Thank you also to Suffolk University Law School** for hosting the event.

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.

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