

MANAGED CARE ABUSE



“We are dedicated to seeking justice for individuals and families who suffered injuries as the result of managed care companies placing profits over the welfare of the patient.”



LEOPOLD & KUVIN^{PA}
CONSUMER JUSTICE ATTORNEYS

“TOGETHER WE CAN ACHIEVE JUSTICE.”



Because of the outrageous conduct of managed care companies in denying medically necessary care, it is possible to bring an intentional infliction of emotional distress claim. Often these claims can be brought not only on behalf of the insured but also, when the aggrieved party is a minor, on behalf of both minor and parent.

Although the threshold for such a claim is high – one that constitutes extreme and outrageous conduct that goes beyond all possible bounds of decency, and is shocking, atrocious and utterly intolerable in a civilized community – it is winnable.

Leopold-Kuvin has represented many clients who have suffered significant injuries as the result of the desire for profits over the welfare of the patient. Although we wish that managed care companies never exhibited the type of outrageous conduct that leads to patients suffering serious injury, the fact is that it does happen. However, as more victims come forward, managed care companies are being forced to reveal their practices, which often place corporate greed over patient need.



Years of abuse by managed care companies are now coming to light, illuminating the dark recesses of a huge, complex industry with power over the lives of millions...

A Duke University study finds that almost 50% of cancer patients' bone marrow transplant claims initially rejected by insurers, were approved after the patient hired an attorney. Yet the delay or denial of payments – which often violates state law and enables healthcare companies to reap profits by retaining millions – continues. It seems clear that patients whose managed care company has failed to make, or has delayed, payment for medical services are best advised to hire an attorney.

Managed care companies often use specialists to deny care to patients and control costs. Specialists are physicians employed by managed care companies. Their primary role is to discharge patients as quickly as possible to save money and increase profits. They have had no prior contact with the individual patients, whose primary care physician no longer directs their care and treatment.

According to the ACP-ASIM Observer, Prudential HealthCare-South Florida told its 3,000 physicians to transfer the acute care of patients to specialists. Physicians were shocked to learn they would have to hand over care of their specialized patients. The use of specialists for the purpose of controlling costs erodes the longstanding tradition of the doctor-patient relationship. Yet, starting March 15, 1999, specialists began caring for Prudential members in nine sub-acute facilities. The Prudential program is one of the country's most aggressive attempts to use mandatory specialists, potentially affecting 230,000 patients in a single geographic area.

Leopold-Kuvin knows how specialists function within the managed care system, and are ready to assist if your client is denied care or receives inappropriate care due to the intervention of a managed care company's specialist.



Leopold-Kuvin is at the forefront of unveiling managed care negligence. For example, we represented a 5-year-old cerebral palsy victim, whose special care was improperly terminated by one of the largest managed care companies in the nation. It culminated in what is believed to be the largest punitive damage verdict on behalf of an individual claimant in Florida. Through diligent work, we uncovered illegal actions, unconscionable corporate behavior and the plight of other critically ill children who were similarly terminated from special care. Leopold-Kuvin is uniquely qualified to represent patients who are victims of the systematic refusal to pay for necessary or life-saving treatments, and who have been deceived by managed care companies and who place patients second to corporate profits.

Our knowledge, experience and expertise in Managed Care/HMO Abuse litigation may benefit you and your client. The following represent some of the types of Managed Care/HMO Abuse we have successfully litigated:

- Denial of Care
- Failure to Pay Timely
- Specialist
- Severe Injury
- Class Action Suits

We co-counsel cases throughout Florida. For information call 1.877.515.7955 Together we can achieve justice.