

Supporting a Cancer Survivor to Navigate the Health Insurance System

Written by Charmagne E. Campbell-Patton

Utilization-Focused Evaluation

May 6, 2019

Reviewed and approved by client and Cancer Legal Care staff.

Abstract

Hans was diagnosed with stage IV pancreatic cancer in August 2015. He contacted Cancer Legal Care two years later for help getting some of his health insurance claims re-processed. He had received a grant to cover his second round of Chemotherapy out-of-pocket expenses, but had not been able to apply the grant because his claims were not processed in chronological order. Cancer Legal Care brought in a health insurance expert to help Hans deal with this issue. After several attempts to identify someone who could help, the health insurance expert succeeded in getting Hans' health insurance company to re-process his claims. Thanks to Cancer Legal Care's help, Hans was able to use his grant to cover the chemotherapy bill and meet his deductible

Background & Context

Hans is an IT consultant who lives in Bloomington, MN with his two teenage children and wife, Becky. In August 2015, Hans was diagnosed with stage IV pancreatic cancer. He had 20 tumors on his liver in addition to the tumor on his pancreas and was told the cancer was inoperable. His doctor said he had 6-12 months to live with chemotherapy, 3-6 months without. While this news was extremely difficult for Hans and his family, he remained positive and was determined to fight the cancer. He underwent several rounds of treatment starting in November 2015 and was cancer free by the summer of 2016.

As a consultant, Hans' income was variable and he was unable to work as consistently as he had been prior to his diagnosis. He estimates that his family's income was around \$75,000, which is about 300% of the federal poverty guidelines for a family of four.

Unfortunately, in the fall of 2017, his cancer returned. His doctor recommended another round of chemotherapy and radiation. Around this time, he was contacted by someone from Minnesota Oncology about a grant from CancerCare for up to \$5,000 to cover his next round of chemotherapy treatments, which were scheduled to begin in January 2018. When Hans found out about the grant, he described his reaction this way:

"I thought that was wonderful because that would be so helpful because I knew that my deductible would be coming up. I knew that I'd have to have chemo at least once in January of '18, which was my new insurance year with a new company."

Hans began chemotherapy in January 2018 at Minnesota Oncology. The chemo treatments were some of the first expenses Hans incurred in 2018, so should have been the first to be billed before he met his deductible. Unfortunately for Hans, his insurance provider processed the claims in the order in which they came, rather than in chronological order based on date of care. This difference meant that Hans had already met his deductible by the time his chemotherapy bills were processed rendering him unable to use the \$5000 grant from CancerCare to cover those expenses.

Hans ended up paying approximately \$5,000 towards the medical bills that were processed first, so he reached out to his insurance company to see if they would re-process the claims. His insurance company declined his request. In May 2018, he appealed it to the Minnesota Department of Commerce, which is the next level up. The arbiter there upheld the insurance provider and said that they have to stand by that original order. In June, he appealed to MAXIMUS, an independent federal arbiter of health insurance disputes, and they also upheld the original action by the insurance provider.

Legal Aid Request

Hans first reached out to Cancer Legal Care in August 2018 after having exhausted the avenues he could navigate on his own. He had heard about Cancer Legal Care when the Founder and Executive Director, Lindy Yokanovich, spoke at a meeting of his Pancreatic Cancer Support Group. While Hans had a strong grasp of what needed to happen in order for him to be able to use his CancerCare¹ grant, he had been unsuccessful in getting his insurance provider to reprocess the claims on his own and hoped that Cancer Legal Care might be able to help him.

Hans first spoke over the phone with Julie Olmsted, Senior Staff Attorney at Cancer Legal Care. Julie describes how, when Hans came to Cancer Legal Care,

“He was in this place where he wasn’t sure about next steps. There wasn’t really another avenue for him. I think he really wanted to see if resolution was possible because he thought he had a good case. He was also open to ‘If this isn’t possible, just let me know, and then I can at least set it down and stop worrying about it.’

Unlike some of Cancer Legal Care’s clients, Hans seemed to understand the legal issues he was facing, but had exhausted the options he could pursue on his own. Julie recalled,

“He certainly understood the processes and procedures of the insurance piece. I’m not sure if he knew how lawyers get involved or what the next step looked like, but he had been

¹ Not affiliated with Cancer Legal Care.

working on his own case for quite a while before he called us. He was pretty savvy about all of those steps.”

After Julie spoke with Hans, she talked with Lindsay Flint, Director of Legal Services at Cancer Legal Care, to discuss how they might be able to help him. Lindsay and Julie agreed that it would be helpful to bring in a colleague of theirs, Bill Foley. While Bill is currently on staff at Cancer Legal Care as their Health Insurance Advocate, at the time of Hans’ case, he was a volunteer. Bill is a retired health insurance executive who, according to Julie,

“knows the ins and outs of the system and lots of people in the trade. He does a lot of work with our clients helping them sort out things like this.”

After Bill agreed to work on Hans’ case, he, Julie and Hans had a call and then they began to collect the necessary documents. Bill described the process this way:

“The first thing I do is ask for the plan. Give me a copy of the plan that shows what your coverage is. Then the next thing we had him do is just send in a report listing all of his claims. When they were incurred, how much, who the doctor or hospital or pharmacy was, what the services were, how much was billed, how much was paid by [insurance provider] and sorted through that to make sure we could make some sense of that. And then, I worked through those details and there was a lot of questions—just background questions.”

After reviewing the documents, it was clear to Bill that the only way to fix the problem was to get the doctors and the pharmacy and the clinics and hospitals to work with the insurance provider to reprocess the claims in date-of-service order so that Hans could use his \$5,000 grant to cover his deductible and out-of-pocket expenses.

Bill called the insurance provider and was unsuccessful initially, so he began to work his network. He recalls,

“I tried a couple of other people that I know who have connections within [insurance provider] and ultimately found somebody who said, ‘well yeah, let’s take a look at that.’ That person, ultimately, was able to find somebody in a position at [insurance provider] who said, ‘okay, this sounds like it is worth some extra time and effort on our part.’

Legal Outcome

Once Hans’ insurance provider agreed to re-process the claims in chronological order, Bill was able to use his grant from CancerCare to cover the chemotherapy bill and meet his deductible. He was then able to request \$4,500 back from one of the providers because that charge was now

covered in full by his insurance. Julie shared, “*The net effect of working together was getting \$5,000 back in his pocket.*”

Bill stressed that the insurance provider did not have to do this – they had done nothing wrong in processing the claims in the order in which they had been received. He shared,

“[insurance provider] really deserves a lot of credit for being willing to take the time to go back and reorder these claims in a way that really benefitted the patient.”

A visual timeline of the case can be found in [Appendix I](#) and a system map of key players and their relationships can be found in [Appendix II](#).

Impact & Implications

As a result of the support he received from Cancer Legal Care, Hans was able to recoup the \$4,500 he had already paid to his provider and apply his grant from CancerCare to cover his chemotherapy bills and meet his insurance deductible. This financial result was significant for Hans, who had been unable to work consistently as a result of his treatments and was already on a payment plan for the bills he had received. Julie shared,

“He’s married and has two minor kids at home, so when we found out everything was reprocessed, he sent us the most beautiful thank you email, saying how this was going to go so far for his family and how appreciative he was that we stuck it out and helped him.”

Beyond the financial benefit to Hans and his family, he also described the peace of mind that came with having someone walk through the process with him:

“A lot of peace of mind knowing that they’re an entity there that I can use because insurance is vital to me and cancer patients everywhere because if I ever have a dispute—and sometimes maybe it is my misunderstanding or whatever, but to know that I have someone like Cancer Legal Care that is there to help me means a lot. And they don’t do—just for my own personal, they don’t do a lot of—enough promoting of themselves. I don’t think enough cancer patients know about them.”

Cancer Legal Care’s insurance expert, Bill, also described the importance of peace of mind not only for Hans, but for others in a similar situation:

“I think there is a certain comfort level when somebody gets ahold of Cancer Legal Care that, ‘oh, there is an attorney here working on my behalf.’ I think people feel a sense of confidence when they have somebody with a legal background who is looking into their case...this stuff gets very confusing...People who understand the crazy health care system

that we operate in and have maybe some contacts that can help get things resolved. I think there is a little bit of a peace of mind and it is all done at no cost to the client and family.”

Bill went on to stress that the insurance provider did not have to reprocess the claims. Both the State of Minnesota and the Federal Government had upheld the actions Hans’ insurance provider had taken in processing the claims in the order they were received. However, with Bill’s connections in the system, he was able to find someone who was willing to go above and beyond for Hans.

All told, getting Hans’ bills reprocessed took about 30-40 hours of Bill and Julie’s time, as well as the hours put in by the treatment and insurance providers in re-processing the claims. Bill estimated that all told, the case took anywhere from 50-100 hours of people’s time.

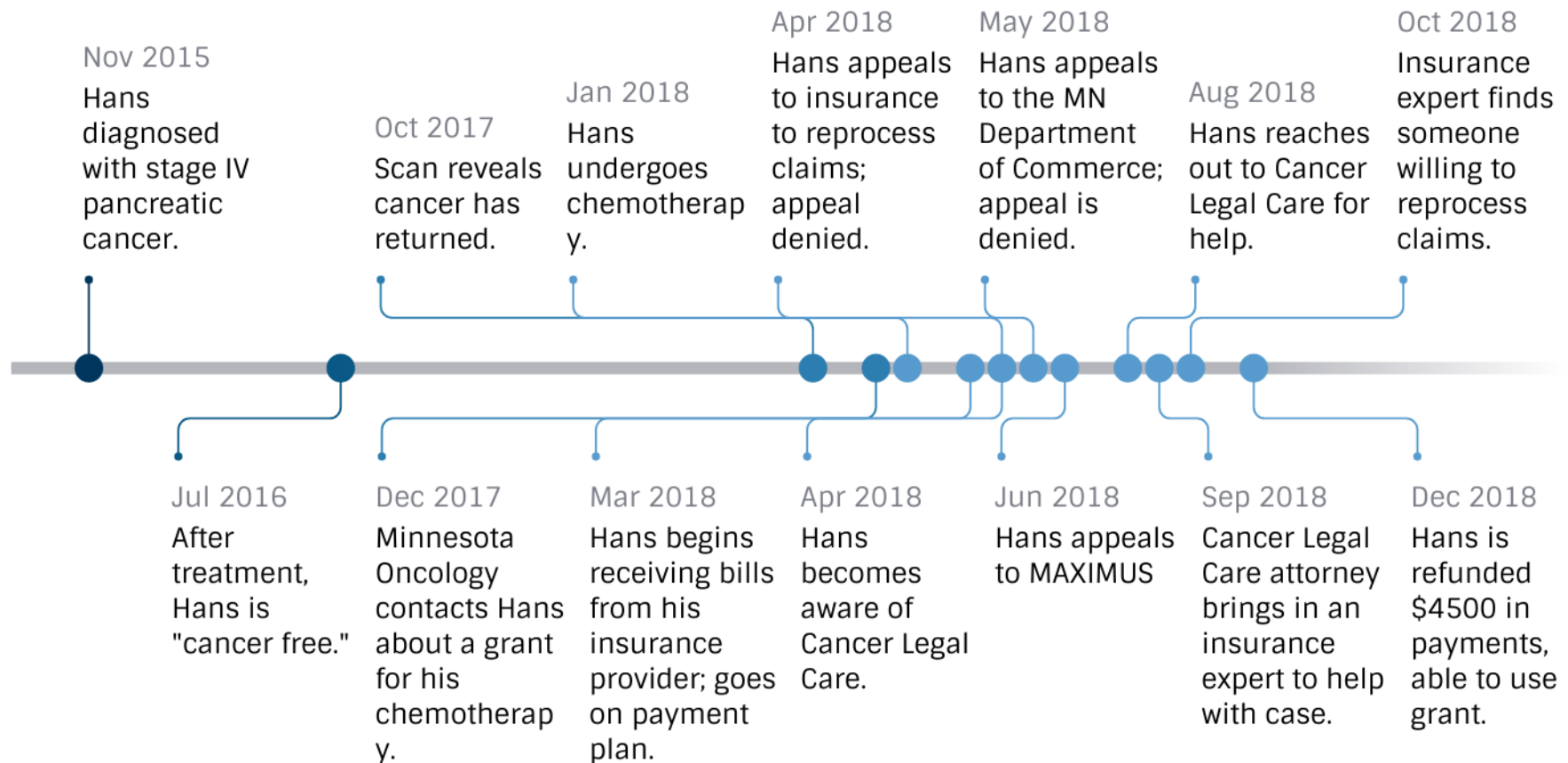
[A logic model outlining the key inputs, activities, outputs and outcomes in this case can be found in Appendix III.](#)

Summary

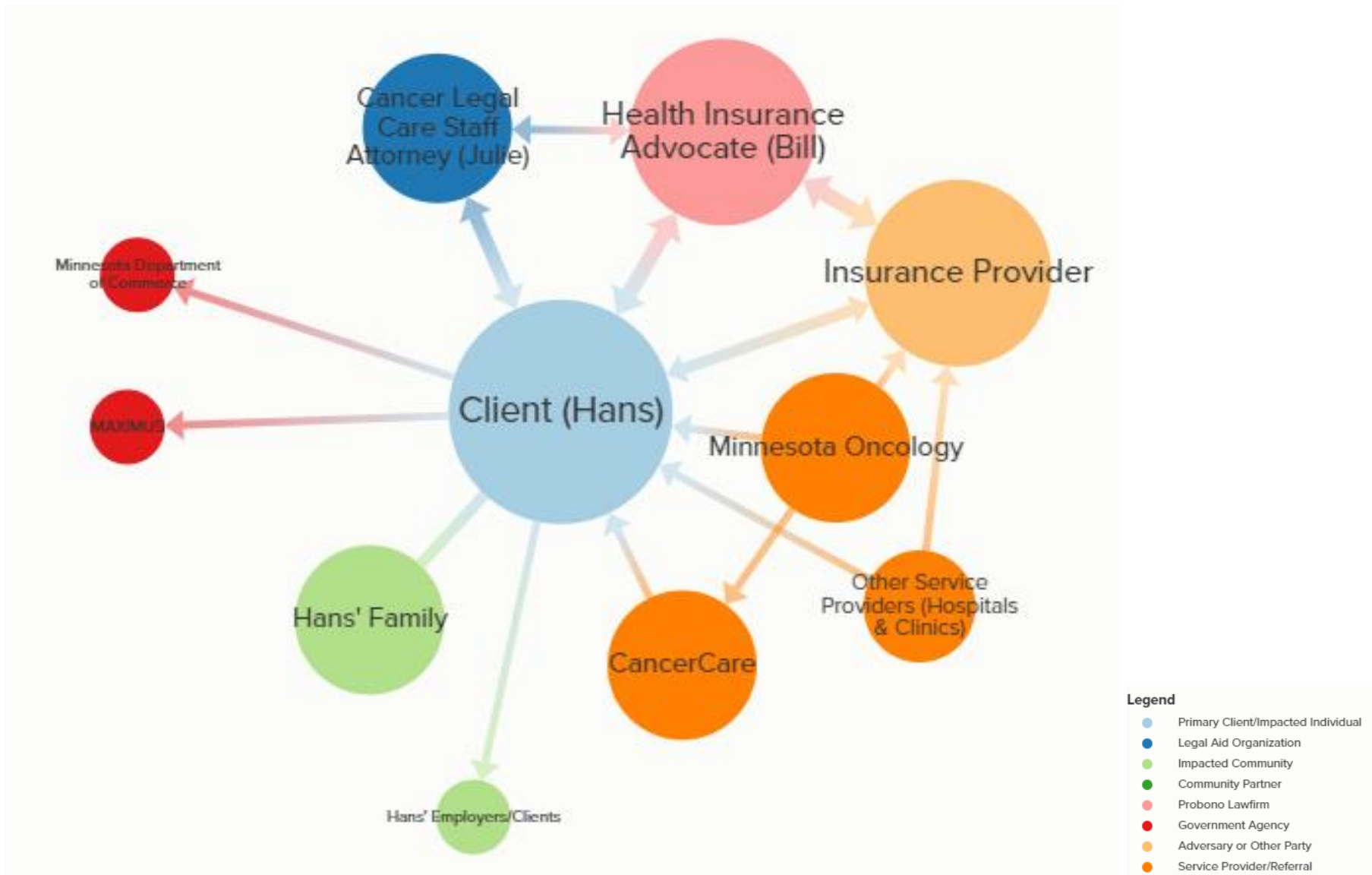
The U.S. Healthcare system is a complicated network of players that often requires persistence or personal connections to navigate effectively. While no one involved in this case did anything wrong, the client was being unnecessarily burdened financially while also battling stage IV pancreatic cancer. The help he received from Cancer Legal Care to recoup the out-of-pocket expenses he had unnecessarily incurred not only helped him financially, but also provided him with peace of mind and emotional support during a very difficult time in his life.

Appendices

Appendix I: Case Timeline



Appendix II: Case System Map



Appendix III: Case Logic Model

| Inputs | Activities | Outputs | Short-term Outcomes | Mid-term Outcomes | Longer-term Outcomes |
|---|---|--|---|--|---|
| Bank of America Funding | Build relationship with Hans over the phone. | Formal appeal to insurance provider | Hans understands his options and resources available to him during his cancer treatment. | Hans is able to continue to support his family financially. | Hans has a resource he can use as he navigates the collateral consequences of his cancer diagnosis and treatment. |
| Cancer Legal Care Staff Attorney Time | | Formal appeal to Minnesota Department of Commerce. | | | |
| Client (Hans)'s Time and Initiative | Call Cancer Legal Care for help. | Formal appeal to MAXIUMS. | Hans and his family have peace of mind during his cancer treatment. | | |
| | Provide documentation and information to Cancer Legal Care. | | | | |
| Health Insurance Advocate (Bill)'s time | Collect information | Relationships with insurance providers | Hans is able to recoup money paid out of pocket and apply the CancerCare grant to his chemotherapy bills. | Hans can share his story and help others to navigate similar situations. | |
| Providers' Time | Re-send bills to insurance in chronological order. | Bills re-sent in chronological order. | | | |
| | Refund original payments made by Hans. | \$4500 refunded to Hans and his family. | | | |
| Insurance Provider's Billing Processor's Time | Re-process bills in chronological order | Bills reprocessed in chronological order. | | | |
| CancerCare Grant | | \$5,000 Grant applied towards Hans' chemotherapy bills | | | |