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By Julie Marquis

Jury's Huge Award in HMO case Renews Debate on Patient's Rights

In reference to the \$120 million verdict by a San Bernardino County jury against Aetna U.S. Health Care of California re-ignites the ongoing debate concerning HMOs and a patient's right to sue.

One of the greatest fears by insurers and employers are not just large verdicts, but changes in the federal law, known as ERISA, will cause lawsuits such as the Goodrich's to multiply - resulting in increased costs for health care and eroding profits.

The debate will probably include the expansion of the consumer's right to sue. The Goodriches were only able to sue because Teresa's husband was a public employee and therefore exempt from the federal law which prevents most employer-based insurers from being sued.

Industry insiders acknowledge the verdict as a wake-up call to insurers advising that they review and change their grievance procedures or risk the sting of multi-million dollar verdicts.

"If this company [Aetna] and others will heed this message, there will be no more of these cases," says William Shernoff, whose firm represented Teresa Goodrich.