

The Cancer Legal Resource Center CHRONICLE

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April 2010
National, Volume II

Dear Friend,

Welcome to the new *Cancer Legal Resource Center Chronicle!*

The Cancer Legal Resource Center (CLRC), a national, joint program of the Disability Rights Legal Center and Loyola Law School Los Angeles, provides free information and resources on cancer-related legal issues to patients, survivors, caregivers, healthcare professionals, and others coping with cancer. This monthly newsletter will provide you with information on cancer-related legal issues, events in the cancer community, and CLRC services.

Best Regards,

Joanna L. Fawzy Morales, Esq.
Director, Cancer Legal Resource Center

Get Involved!

Join the CLRC Professional Panel!

The CLRC is seeking attorneys to join its Professional Panel and help people navigate their cancer-related legal concerns. A volunteer attorney can make the difference! [Click here](#) for more info.

Support the CLRC Today!

[Click here](#) to make an online donation.

Volunteer!

What's New at the CLRC!

Last month, CLRC staff and student volunteers were busy advocating for cancer patients at outreach events across the nation.



On March 14th, the CLRC participated in the [2010 Susan G. Komen Los Angeles County Race for the Cure](#), where we provided over 2,500 Race attendees with valuable information on navigating health care and legal resources for people coping with cancer. The CLRC would like to send a big "Thank you!" to all of our supporters who contributed to the CLRC's Race team and to our volunteers, Anat Hovav and Gali Ben-Ami, who distributed information to Race attendees.

The CLRC also needs volunteers! If you are interested in helping out in the CLRC office or in attending events as a representative of the CLRC, please call us at (866) 843-2572 or [click here](#) to complete a volunteer application.



CLRC Volunteers Anat Hovav and Gali Ben-Ami distribute information at the Komen Los Angeles County Race

Stay Connected!

Follow us on:



[Click here](#) to become our fan on Facebook!



[Click here](#) to join our LinkedIn group!

April & May 2010 Events

For information about these events, contact us at 866-THE-CLRC(866-843-2572) or CLRC@LLS.edu.

To see the entire 2010 Events Calendar, [click here](#).

Navigating Managed Care - Webinar
April 13, 2010
11:30am-1pm PST
[Click here to register](#)



BLOOD & MARROW TRANSPLANT INFORMATION NETWORK

On March 20th, CLRC Director, Joanna Morales, traveled to Boston where she spoke at the [BMT InfoNet's](#) Celebrating a Second Chance at Life Symposium on "Employment Rights and Disability Insurance Options" and "Navigating the Insurance Maze."

During March, over 25 talented attorneys joined our national Professional Panel. The CLRC is always seeking attorneys with experience in areas such as employment, health insurance law, estate planning, government benefits, or family law to join its Professional Panel and help people navigate their cancer-related legal concerns. A volunteer attorney can make the difference! For information about the CLRC's Professional Panel, or to apply today, [click here](#).

CLRC Applauds Passage of Patient Protection and Affordable Care Act



The CLRC applauds the passage of the Patient Protection and Affordable Care Act (P.L. 111-148). This bill is a major step towards ensuring that all Americans, including those coping with cancer, have access to quality health care. Some key ways this law helps people with cancer:

1. Prohibits insurance companies from denying coverage to those with a pre-existing condition, such as a cancer diagnosis
2. Insurance companies are prohibited from establishing lifetime or annual caps on policies
3. Requires insurance companies to cover routine care costs for those who enroll in a clinical trial to treat cancer or another life-threatening illness
4. Reduces Medicare prescription drug costs for people who fall into the "donut hole" by giving them a \$250 rebate to help them cover the costs of their prescriptions in 2010. Additional

Cancer and the Law - Seminar
April 17, 2010
Asian American Senior Citizen's Service Center
Santa Ana, CA
10am-12pm PST

Balancing Cancer and Careers Seminar
April 14, 2010
5:30pm-7:30pm EST
Westin Buckhead
Atlanta, GA
[Click here to register](#)

Navigating Managed Care - Webinar (Spanish)
April 20, 2010
10am-12pm PST
[Click here to register](#)

St. Dominic Savio Health Fair
April 25, 2010
9am-2pm PST
Bellflower, CA

Navigating Managed Care - Webinar
April 27, 2010
10am-12pm PST
[Click here to register](#)

Association of Oncology Social Work Annual Conference
May 12-14, 2010
Wyndham Phoenix
Phoenix, AZ
[Click here to register](#)

35th Annual Oncology Nursing Society Congress
May 13-16, 2010
San Diego Convention Center
San Diego, CA

savings will start in 2011, saving someone with Medicare as much as \$3,000 a year, by 2020

5. Provides access to insurance through a temporary insurance program in each state for those who have been uninsured for several months and have a pre-existing condition
6. Small businesses will be eligible for tax credits of up to 50% of the cost of providing health insurance for their employees ...and much more!

If you are interested in learning more about the provisions in this landmark law and how it affects those coping with cancer, please consider joining the CLRC at our [2010 Cancer Rights Conferences](#).

2010 Cancer Rights Conferences



Online Registration is Now Open!

Cancer Rights Conferences 2010

Chicago: June 18, 2010
Loyola University Chicago School of Law

Los Angeles: October 8, 2010
Ronald Reagan UCLA Medical Center

[Click here to register or for more information.](#)

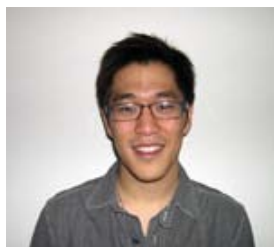
These free, one-of-a-kind conferences are, in part, made possible through a grant from the Lance Armstrong Foundation.

The Cancer Rights Conferences will each bring together 200 members of their respective regional cancer communities including patients, survivors, caregivers, healthcare providers, advocates, employers, and business and community leaders. Attendees will gain valuable knowledge about employment issues, navigating managed care, estate planning, consumer rights, health, disability, and life insurance options, and healthcare reform updates.

Student Spotlight!

This month, the CLRC staff spotlights student extern Ray Kim for reminding us of why we do our jobs. Ray arrived at the CLRC with a receptive attitude: he was learning and improving constantly and he worked hard from beginning to end. Ray also came to the CLRC

[Click here for more information](#)



with new eyes and experienced our caller's stories with deep empathy. His awareness of people's hardships and his understanding of the injustices faced in the cancer community has made him invaluable to our team.

Tell us a bit about yourself.

I went to Diamond Bar High School and did my undergraduate studies at Cal Poly Pomona, where I majored in Biotechnology and Political Science. I enjoyed my time there but I didn't enjoy having to park next to the cows as much. After graduating from Cal Poly I was accepted here into Loyola Law School.

What are some of your most valuable achievements, personal or professional?

I feel my most valuable achievement has been helping people who may have had difficulty in accessing legal assistance receive legal aid. While I was in undergrad I was able to work at a legal self help clinic and working at the CLRC has allowed me to continue to give legal aid to those who may have limited legal resources available to them.

What are your goals after law school?

Like most law school students, right now one of my goals is to get a job and pay off my loans. I hope that wherever my legal career may take me, I will have opportunities to help those who have limited access to legal resources. Being rich would be nice too.

Once you leave the CLRC, what will take away from the experience?

One thing I will leave with is an appreciation for the ability of people to adapt to difficult situations. I've heard many heart wrenching stories from callers, but what they all had in common was their extraordinary strength to pick themselves up and do what was necessary to move on.

For more information about volunteering with the CLRC, please call us at (866) 843-2572, visit the Externships and Volunteers section of our website, or [click here to complete a volunteer application](#).

Lance Armstrong Foundation Grant at Work

L I V E S T R O N G[®]

In February of 2009, the CLRC received a three-year grant from the [Lance Armstrong Foundation](#) to educate healthcare professionals about the legal burdens associated with cancer survivorship. The goal of the project is to empower healthcare professionals in the cancer community by training them to identify the presence of cancer-related legal issues for their patients and to offer appropriate referrals to legal resources as appropriate.



The HCP Manual: A Legal Resource Guide for Oncology Health Care Professionals is now available online and can be accessed by [clicking here](#). The HCP Manual provides concise information on issues that affect patients coping with cancer from diagnosis through survivorship.

HCP Survey:

In an attempt to strengthen our outreach and education efforts in the cancer community, we have composed an online survey to learn more about the demographics of patients, the frequently asked questions and concerns raised by patients, and thoughts on the role healthcare professionals play in providing information to their patients.

Health Care Professionals: [Click here to take the survey now!](#)

HCP Seminars:

Currently the CLRC offers trainings for healthcare professionals on a number of topics including: health insurance, employment, government benefits, estate planning, and more! Seminars are available in English and Spanish, and can be tailored to meet audience needs. To schedule a seminar for your staff, colleagues, or patients, [click here](#).

Cancer Rights Conferences

The CLRC will be hosting two, free, national [Cancer Rights Conferences](#) in 2010 (see above). Healthcare professionals will gain valuable knowledge on cancer-related legal issues and resources for their patients, while having the opportunity to earn continuing education units for their participation in these all-day events. Topics to be discussed at the Cancer Rights Conferences include: Employment & Taking Time Off Work; Estate Planning & Life Insurance; Health Insurance & Care Options; Medicare & Disability Basics; Stress Management; Young Adults & Cancer; Understanding Health Care Reform; and Navigating Managed Care.

To learn more about the Conferences or to register, [click here](#).

Appealing A Health Plan's Decision

By Tiffany Sirikulvadhana, Esq.

Many patients, in addition to focusing on their cancer care, must also deal with challenges from their health plan. If a patient disagrees with a decision their health insurance company has made regarding coverage, they may have the right to appeal that decision. The appeals process varies depending on the state in which the patient lives, so each patient should contact their health plan and their state's insurance agency for details.

Most health plans have two levels of appeals. Patients should be persistent if they believe that their health plan is denying care to which

they are entitled. Some states require insurance companies to respond to appeals within a certain amount of time, and they require a shorter time period for urgent health issues. If a patient is still unsuccessful through the internal appeals process, they may have the opportunity to pursue an external review. Most states require that the patient must first exhaust their plan's internal appeals process before they may pursue an external review.

For example, in California, the external review process is also called Independent Medical Review (IMR) and starts with a complaint to the California Department of Managed Health Care (DMHC) or the California Department of Insurance, depending on the type of health plan. The DMHC oversees Health Maintenance Organizations (HMOs) and all Blue Cross and Blue Shield plans. The Department of Insurance oversees all other health plans.

IMR is a review of the patient's case by healthcare professionals outside of the patient's health plan. IMR is free for patients and the IMR decision is binding on the health plan. However, not all patients are permitted to go through an IMR. An IMR can be requested only if the health plan denies a claim based on lack of medical necessity, considers the claim to be experimental or investigational treatment, or refuses to cover emergency or urgent medical services.

For more information on health insurance appeals and any external appeals process in your state, please contact your health plan, your [state's insurance agency](#), or the [CLRC](#).

How health care providers can help their patients:

- Patients can include supporting documents from their health care providers, such as information why they recommend a particular procedure or course of treatment.
- Writing a letter to help explain why the proposed treatment is the best treatment for the patient's condition and arguments for why the treatment is medical necessary.

Currently, the CLRC has a contract with the California Office of the Patient Advocate (OPA) to provide information about health care and patient rights. The OPA's support has enabled us to provide educational seminars and materials to individuals throughout California.



The OPA also provides important information for health consumers, including a guide on [How to Use Your Health Plan](#), which contains valuable information on how to get the most from your health plan, and what do if you have problems with your health plan.

For more information on California's health insurance appeals process:
California Department of Insurance
800-927-4357 <http://www.insurance.ca.gov>

California Department of Managed Health Care
888-466-2219 <http://www.hmohelp.ca.gov>

California Office of the Patient Advocate
866-HMO-8900 <http://www.opa.ca.gov>

About the CLRC

The Cancer Legal Resource Center (CLRC) is a national, joint program of the Disability Rights Legal Center and Loyola Law School Los Angeles. The CLRC provides free and confidential information and resources on cancer-related legal issues to cancer survivors, caregivers, healthcare professionals, employers, and others coping with cancer.

Disability Rights Legal Center

CLRC

Cancer Legal Resource Center

A cancer diagnosis can carry with it a variety of legal issues, including insurance coverage, employment discrimination, access to health care, and estate planning. These legal issues can cause people unnecessary worry, confusion, and stress, and can be overwhelming. When these legal issues are not addressed, people may find that although they have gotten through treatment, they have lost their homes, jobs, or insurance.

Since its founding in 1997, the CLRC remains unique, providing invaluable cancer-related legal information and resources to people nationwide. Throughout its 13-year history, the CLRC has served over 155,000 people through the Telephone Assistance Line (866-THE-CLRC), conferences, seminars, workshops, outreach programs, and other cancer community activities.

CLRC staff members also speak at seminars and conferences throughout the national cancer community, including trainings for healthcare professionals. If you would like CLRC staff to attend your next event, please [click here](#), or contact us at (213) 252-8449 or (866) 843-2572.



(L-R) Joanna Morales, Esq. Director; Jennifer Fenton, JD, Outreach and Education Coordinator; Tiffany Sirikulvadhana, Esq., Staff Attorney; Sarah Semrow, Advocacy and Outreach Coordinator; Dianne Prado, Esq., Staff Attorney; Angelica Corral, Administrative Assistant; Maria Badillo, Intake Coordinator

Visit www.CancerLegalResourceCenter.org for more information about cancer-related legal issues and services provided by the Cancer Legal Resource Center.

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