



## Summer 2021 EJA Fellow:



**Name:** Jennifer Seidman

**Law School:** Cornell Law School

**Organization:** Community Health Advocates of the  
Community Service Society

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### Update 1:

This summer, I am working as a Legal Intern at Community Health Advocates (CHA). CHA is New York's designated health insurance consumer assistance program, dedicated to helping New Yorkers get, keep, and effectively use their health coverage. During my internship, I will be working in several different aspects of health law, including drafting health insurance appeals.

My first assignment is writing an external appeal. The client needs a surgery, but when the surgeon submitted for prior authorization, the insurance company denied the service as not medically necessary. In addition to completing research on the client's procedure, I have been contacting the client's doctor and surgeon to get medical records and a letter of medical necessity and medical records. I am hopeful that the appeal will be successful and the client's insurance company will pay for the surgery!

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### Update 2:

This week at CHA I have continued to work on the external appeal arguing that my client's surgery is medically necessary. Additionally, I have learned that the issue of procedures being considered cosmetic rather than medically necessary goes beyond surgeries for individuals and can cover entire classes of people. For example, this week we heard from one of the members of CHA who has been successfully working with HCFNY and DFS in order to have gender affirming care considered medically necessary rather than cosmetic so that trans individuals can get coverage for all of the services they need.

I'm excited to be working with an organization that focuses on health equity and on making broad policy changes that can help trans individuals get equal access to medically necessary services!



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**Update 3:**

This week at the Community Health Advocates program (CHA) of the Community Service Society of New York: I have been writing a complaint on behalf of a client who paid out of pocket for an emergency surgery, but the insurance company is refusing to reimburse the client. When health-insurance consumers cannot access their benefits through other means such as external appeals, CHA can file a complaint with the NYDOH Office of Managed Care to try to help the client's case and to regulate the health plan.

Additionally, I wrote a research memo analyzing how long a client would have to wait to file another prior authorization request if they lost the first appeal. By doing research into the New York Public Health Law and New York Insurance Law, we are able to ensure that the health insurance companies are not violating their enrollees' rights

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**Entry 4:**

Over the past couple of weeks, I have worked on several different research questions for different clients including one on medical loss ratio (MLR) rebates. MLR is the proportion of premiums spent on clinical services and quality improvement. Each health plan must meet a certain MLR (82 or 85 percent) or it will be required to pay a rebate to its enrollees. The purpose of this program is to regulate the amount of money insurance companies spend on costs not related to medical care (i.e. executive salaries, marketing, etc.) Additionally, MLR is used to keep the health insurance companies in check during rate review. If the health plan did not meet its MLR for the previous reporting year, it has a much weaker case for raising its premiums the following year.

Through this internship at the Community Health Advocates (CHA) program of the Community Service Society of New York, I have learned so much about health insurance in New York. It has been great to see how much work CHA does to get New Yorkers access to their health benefits and keep the insurance companies honest. I'm really glad I've been able to work with this great organization!

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