



ERISA and Health Insurance Subrogation - In All 50 States - 2nd Edition

Gary Wickert

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ERISA and Health Insurance Subrogation is the most complete and thorough treatise covering the complex subject of ERISA and health insurance subrogation ever published. Unlike most areas of insurance litigation/subrogation, health insurance subrogation requires the subrogation professional to be familiar not only with applicable state law and the many vagaries and nuances of health insurance subrogation within each state, but also the treatment of health insurance subrogation through ERISA, as applied by Federal District Courts, Federal Appellate Courts, and the United States Supreme Court. Familiarity with the general trends within each of the 12 Federal Circuits is also cited. This book is intended to introduce the health insurance claims handler, in-house counsel and subrogation professional to the complex and challenging world of health insurance subrogation in today's insurance subrogation marketplace. What's New in the 2nd Edition: The Second Edition of ERISA And Health Insurance Subrogation marks a new era in health insurance subrogation in our country. The book encompasses, dissects, and explains all of the new state and federal case and statutory law which has been decided since the First Edition was published. A lot has changed! Much of the book had to be rewritten and reorganized in light of the landmark 2006 U.S. Supreme Court decision in *Sereboff v. Mid-Atlantic Medical Services*, which served as damage control and clarification of the confusion over and conflicting Circuit Courts of Appeals treatment of the 2002 U.S. Supreme Court decision in *Knudson v. Great West Life & Annuity Ins. Co. v. Knudson*. Other significant case law, including the 11th Circuit *Popowski* and *Carillo* decisions, are also analyzed, explained, and applied. Suggested plan language improvements are even included to deal with the tsunami of changes which have affected health insurance law since the First Edition. Even pending litigation and possible Congressional action, which may a

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