

PROSECUTORS SHOW PHOTOS VIDEO TO FORT DIX JURY  
The two assistant U.S. Attorneys tried to refocus jurors on some of their more compelling evidence. Page 17

## The Star Ledger

COLUMNS Fran Wood, Jersey Bio

# Insurer will cover claims for anorexia

## Settlement to pay \$1.2M to patients

BY GUY STEHLING  
STARLEDGER STAFF

The state's largest health-insurance provider has agreed to cover claims stemming from eating disorders, settling a class action lawsuit brought by parents of children suffering from anorexia.

Terms of the settlement still need to be accepted by the federal judge in Newark overseeing the case, but the lawyer for those who brought the suit against Horizon Blue Cross/Blue Shield of New Jersey predicted it will gain approval.

The attorney, Bruce H. Nagel, said the decision will lead to 500 patients receiving \$1.2 million when their previously denied claims are reprocessed. He also said eating disorders will now be classified as a biologically based mental illness, just as depression is.

"I am extremely pleased that Horizon has agreed to waive coverage limitations and pay for past denied claims," Nagel said. "What this means is that all New Jersey residents suffering from eating disorders will finally receive the medical care they so desperately need for these terrifying illnesses."

Nagel estimated the value of Horizon waiting coverage limitations on disorders such as bulimia and anorexia will amount to more than \$20 million over the next 15 years.

In a statement, Horizon spokesman Tom Rubbo said the company "believes the settlement is in the best interest of all the parties involved and in line with the direction of federal policy for mental health."

Horizon said some of its policies provide coverage for eating disorders such as anorexia and bulimia but that treatment benefits were limited because they were classified as nonbiological in nature.

"New Jersey law does not identify anorexia and bulimia as biologically based mental illnesses requiring parity benefits," the statement noted.

Under the terms of the agreement, Horizon will not admit any liability but will provide "parity" treatment to eating disorder claims in the future for all current members who are fully insured," the statement added.

Ronald Drazin, the lead plaintiff in the case and the father of a teenage girl denied coverage for anorexia, hailed the settlement and said he hopes to recover \$25,000 in out-of-pocket expenses from the suit.

"We fought the battle and won," said Drazin, a lawyer who lives in Fair Haven. "It was long, but it was worth it."

Lara Drazin, 18, spent three months at a hospital in Princeton and another three months at a residential treatment facility in Florida after showing signs of anorexia before her first year of high school. She missed a year of school and, at one point, her weight dropped to 88 pounds.

Today, she is a senior at Communications High School in Wall Township, a school for gifted students, where she was elected president of the National Honor Society. She's also getting ready for college. [See EATING, Page 15]

## EATING

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### Blues insurer settles on anorexia claims

and is an advocate for those with eating disorders.

The case against Horizon dates back a couple of years when a woman from Wayne filed suit against the company after her daughter was denied coverage for

her long-term anorexia.

Horizon took the position in the suit filed by Dawn Beyre that anorexia was not biologically based and therefore ineligible for coverage. Beyre has since become one of the members of the class-action pending before U.S. District Judge Faith Hochberg, said Nagel.

Earlier this fall, Hochberg approved a settlement in a similar case against Aetna, he added. The case against Horizon was more significant because it affects a greater number of New Jersey residents,

Nagel said. Based in Newark, Horizon has more than 3.6 million members.

The settlement also allows for disputes over eating disorder coverage to be resolved by specialists. Previously, doctors without backgrounds in eating disorders made those decisions, Nagel said.

"I hope other carriers in New Jersey will get in line with this settlement," he added.

Horizon also agreed to pay Nagel's law firm, Nagel Rice in Roseland, \$2.45 million in legal fees.