Nelson Hardiman Attorneys Salvatore Zimmitti and Zachary Rothenberg Defeat Summary Judgement Motion by United Healthcare

Nelson Hardiman attorneys Salvatore Zimmitti and Zachary Rothenberg prevailed in defeating insurance giant United Healthcare's motion for summary judgment.

Nelson Hardiman represents two behavioral health providers suing United Healthcare Services Inc., United Behavioral Health, Inc., United Healthcare Service LLC, OptumInsight, Inc., and Optum Services, Inc. ("United") in state court to recover payment for addiction treatment services rendered to members of health plans issued or administered by United. The lawsuit alleges that United failed and refused to pay for medically necessary addiction treatment services rendered by the providers to United's members. The complaint alleges that United refused such payment by launching pretextual audits and harassing and illegitimate pre-payment medical record reviews which were designed to wear out the providers and circumvent United's obligations to pay for mental health care pursuant to state and federal mental health "parity" laws. United's motion attempted to dismiss the providers' entire complaint and all seven causes of action in the complaint on various grounds, including federal preemption; however, Nelson Hardiman successfully opposed the motion and each of these legal theories, and United's motion was denied in its entirety.

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