

Amy Gordon Discusses Employer Lawsuits Against Health Plan Administrators with *Bloomberg Law*

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Winston & Strawn Partner Amy Gordon discussed the increasing lawsuits by employers against insurers that administer employer health plans with *Bloomberg Law*. A recent lawsuit filed by Kraft Heinz Co.'s employee benefit plan accused Aetna Life Insurance Co. of mismanaging health and dental plans by pocketing undisclosed fees and paying millions of dollars in claims that should not have been approved.

Amy noted that contracts between health plan administrators and employers have added more fees in recent years. "It is very problematic that over the years, that they have essentially added more and more types of compensation into the agreement," she said.

Employers are obligated to make sure "that there are no hidden fees and expenses and limitations" especially when it relates to audit rights and information the employer/plan administrator needs to satisfy its fiduciary obligations, she added.

Amy stated that employers need to ensure that they have access to their claims data in the agreements they negotiate with plan administrators. Self-insured employers are paying for those claims. They should have full access to that claim data.

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