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ERISA and Health Insurance Subrogation: In All 50 States - 4th Edition

Gary L. 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. 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.
The following issues and topics are covered in detail for each of the 50 states and all Federal Circuits:
- Types of Subrogation
- Non-ERISA Health Insurance Subrogation
- Complete Summary of Health Insurance Subrogation in All 50 States
- ERISA-Covered, Self-Funded Employee Medical Benefit Plan Subrogation
- Preemption
- Made Whole Doctrine Under ERISA
- Common Fund Doctrine
- Other ERISA and Preemption Issues
- Conversion of ERISA Subrogation Interests
- Enforcing Subrogation Rights Under ERISA
- Analysis & Application of Knudson and Sereboff Decisions
- Intervention and Jurisdiction
- Improving Plan Language
In addition to being an excellent primer on health insurance subrogation, suitable for both the new subrogation professional and seasoned veteran, the book also contains a detailed synopsis of the health insurance subrogation laws in all 50 states, and all 12 Federal Circuits.

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