



Fairfield County Medical Association v. United HealthCare of New England (D. Conn.)

Topics Covered: Due Process, Termination of Physician Participation in Provider Networks

Outcome: Neutral

Issue

The issue in this case was whether United HealthCare of New England (United) could unilaterally amend its participation agreements to prohibit certain of its contracted physicians from serving patients covered under United's Medicare Advantage Plan.

AMA Interest

The AMA believes that, before termination from a participation contract, a physician should be given notice of the grounds for termination, have available a defined process for appeal, and be afforded an opportunity to remediate the grounds for the proposed termination.

Case Summary

United notified several thousand physicians within its network that they would no longer be entitled to participate in its Medicare Advantage Plan. In response, two county medical associations in Connecticut sued to prevent the termination, claiming that United breached the physicians' participation contracts. United challenged the district court's jurisdiction.

The district court judge entered a preliminary injunction to prohibit the terminations. United appealed the injunction to the Second Circuit Court of Appeals.

On February 7, 2014, the Second Circuit affirmed the preliminary injunction in modified form. The modified injunction provided that those physicians who felt they were improperly terminated from the United HealthCare Medicare Advantage plans would have 30 days to file an arbitration proceeding to challenge the termination. After the 30 days, the preliminary injunction against United would expire.

On remand, the parties stipulated that the case will be voluntarily dismissed.

Litigation Center Involvement

The Litigation Center filed an *amicus* brief in support of the county medical societies.

United States Court of Appeals for the Second Circuit brief