



## BCBS Class Action Lawsuit Information

In recent weeks, VEHI has receive inquiries from school districts, attorneys representing school districts, and union leaders about the class action lawsuit called *In re: Blue Cross Blue Shield Antitrust Litigation MDL 2406*. This national settlement created a large pool of settlement funds for all self-funded claimants (VEHI, school districts and school employees fall into the self-funded category) and fully insured claimants.

Vermont school employees or school districts are eligible to file for a claim. An employee can file if a school district does not, and vice versa.

VEHI **cannot** submit a claim on behalf of any school district or school employee.

**Here is guidance, based on legal counsel, on how school employees or school districts can file a claim if they choose to:**

- a. Submission of a claim is the only way to participate in the settlement, and it must be submitted by **November 5, 2021**.
- b. To submit a claim as a school employee, you must have been covered by a school district health plan at any point during the period **September 1, 2015 through October 16, 2020**. Dependents of school employees who were covered by a school district health plan are **not** eligible to submit settlement claims.
- c. There is no way to ascertain or even approximate the payment amount any school district or employee will receive from the Settlement. A court-approved Claims Administrator will determine, using both industry information and various formulas, settlement amounts for each school district and employee that submits a claim.
- d. Member school districts and their employees who have questions should visit [www.BCBSsettlement.com](http://www.BCBSsettlement.com) or call toll-free at **(888) 681-1142**. Claims can also be submitted through this website.

### Selecting a Payment Methodology If You File A Claim

Once a settlement amount is determined by the Claims Administrator, the funds will be allocated proportionally using either (a) a default methodology or (b) an alternate option elected by the claimant.

Be advised that the **default methodology** is a standard formula and less administratively burdensome; it does **NOT** require claimants to submit evidence to support their claim.

If you choose the **alternate option**, on the other hand, it will require you to submit evidence to support a determination.

Although the default methodology is less complicated and time consuming, employees and school districts are still free to choose the alternate option.

We hope the contents of this email are helpful and clarifying.

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