Medicaid Beneficiaries Allege that Minnesota State Agency Violates Medicaid Act by Denying Services to Those Unable to Pay Copayment

Dahl v. Goodno , No. C9-04-007537 (Minn. Dist. Ct. Ramsey County Filed February 4, 2005)

Plaintiffs represented by Ralonda Mason, Mid-Minnesota Legal Assistance, P.O. Box 886, St. Cloud, MN 56302 (telephone number: 320.253.0121); Abigail Turner, Adan Mohamed, Mid-Minnesota Legal Assistance, 430 First Ave. N, Suite 300, Minneapolis, MN 55401 (telephone number:612.332.1441).

Plaintiff Medicaid beneficiaries with severe mental and physical disabilities and nonprofit mental health advocates seek to enjoin defendant Minnesota commissioner of human services from implementing copayment policies denying them medical care. Plaintiffs allege that in September 2003 the Minnesota Department of Human Services issued instructions to medical providers to deny care or services to Medical Assistance recipients who were unable to pay their copayments if the providers routinely refused service to people with unpaid bills and to providers to tell the recipients in advance if the providers were stopping services. The department also sent recipients notice of its new copayment policies but the notice did not instruct them on how to claim an inability to pay a copayment. One plaintiff who spends most of his Supplemental Security Insurance income on room and board takes several medications daily. Two pharmacies have refused or threatened to stop refilling his prescriptions due to unpaid copayments. Several plaintiffs have delayed or gone without medical treatment due to their inability to pay copayments. In their amended class action complaint, plaintiffs allege that defendant's policy of allowing medical service providers to deny services to persons who have unpaid copayment debt violates the Medicaid Act (42 U.S.C. 1396o(e)) and state laws and is preempted by the supremacy clause of the U.S. Constitution.

Document List

A Plaintiffs' first mended class action complaint