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Anorexic's mom sues insurer

She contends her teenage daughter's disorder is biologically based

Thursday, November 09, 2006

BY CAROL ANN CAMPBELL
Star-Ledger Staff

The mother of a teenager who was denied insurance coverage for long-term anorexia treatment filed a class-action suit yesterday against Horizon Blue Cross/Blue Shield of New Jersey.

Dawn Beye of Wayne claims that eating disorders such as anorexia and bulimia are biologically based mental illnesses that should be covered under New Jersey law and under her contract with Horizon. The company disagrees, noting that an independent review sided with it and concluded "that we were correctly applying the law and our contract," said spokesman Larry Altman. He said that under New Jersey law, anorexia is not biologically based.

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Beye's battle has brought together other parents of children with eating disorders, and the group is pushing for better insurance coverage. Some 40 people met with Beye last month in Wayne and many told stories of dangerously thin children, usually daughters, with severe physical effects of anorexia, such as irregular heartbeat, kidney damage and serious electrolyte imbalances.

"I want to see that everybody in New Jersey who has Horizon and has these challenges gets the treatment they need and deserve," Beye said yesterday after filing the suit in U.S. District Court in Newark.

Horizon has maintained that anorexia is not biologically based and, as a result, the insurer has limited coverage to 30 inpatient days and 60 outpatient visits. New Jersey law requires insurers to cover mental illness the same way that physical illness is covered. The law refers to "biologically based mental illness" and says these diseases include, but are not limited to, schizophrenia, bipolar disorder and depression.

Beye and her attorneys, [David A. Mazie and Eric D. Katz of Roseland](#), cite eight prominent experts in the field of eating disorders who contend anorexia is biologically based.

"If eating disorders are not biologically determined, why are there now efforts to identify the specific genes involved?" wrote Emmett R. Bishop Jr., a physician at the Eating Disorder Center of Denver.

Mazie said yesterday he does not know how many people would be part of the class. He speculated it could include hundreds or even thousands.

Beye said the cost of her daughter's treatment so far this year has exceeded \$200,000.

In a statement, Horizon said the insurer has an obligation to its 3.2 million members "to not pay for benefits in excess of those contracted for any member because this results in higher costs and higher health insurance premiums for all other members."

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