

Blue Cross and Blue Shield Settlement

Last October, Blue Cross Blue Shield companies reached a class action settlement with subscribers related to licensing agreements within the Blue Cross and Blue Shield System. The Blue Cross and Blue Shield System is strong and will continue to provide national leadership with exceptional networks – such as Blue High Performance NetworkSM, digital tools, and personalized care support. Our commitment to exceptional service levels and dedication to improving access to quality healthcare has never been stronger. That is validated with more people saying they would recommend Blue Cross and Blue Shield coverage over any other major health insurer in the U.S.

THIS IS NOT AN OFFICIAL, COURT-APPROVED CLASS NOTICE. Please visit www.BCBSsettlement.com for the official, Court-approved notice.

Class Notice and Claims Process

How do I know if I'm part of the damages class?

How can I be sure if I'm eligible for monetary relief?

To see whether you are a member of the damages class, please visit the settlement website www.BCBSsettlement.com and review the FAQs and the Court-approved Notice, available under the “Important Documents” tab, both of which provide further detail. If you have further questions about the settlement, you may also call 1-888-681-1142 or email info@BCBSsettlement.com.

How do I submit a claim for payments from the settlement fund?

To make a claim and receive a payment, you must file a claim form online or by mail. More information on the claims process is available at www.BCBSsettlement.com (which sets forth the eligibility criteria), where you will also be able to file an online claim form or print out a claim form to mail. The deadline to file a claim is November 5, 2021.

What about these third parties who keep contacting me?

We understand that entities are reaching out to potential class members soliciting business related to the settlement. The Court has appointed JND Legal Administration to administer settlement claims. JND has established an official website—www.BCBSsettlement.com—where Court-approved information about the Settlement is available. The website also contains a copy of the claim form, which is designed to be simple and straightforward to fill out. Any other entity soliciting business related to the settlement is not affiliated with Blue Cross Blue Shield Association, Blue Cross Blue Shield companies, the Court, plaintiffs, or the Claims Administrator. If you have questions related to the class notice or claims administration process, please go to www.BCBSsettlement.com.

What actions do I need to take?

The notice is scheduled to go out to class members in the spring of 2021. Until that time there is nothing that class members need to do if you want to participate in the Settlement. Once notice goes out to the class, you will be able to exercise any of your rights by going to www.BCBSsettlement.com.

How much money will I receive?

The “Net Settlement Fund” is estimated to be approximately \$1.9 billion and will be distributed to “Damages Class Members” who submit valid and timely claim forms. Please see the Notice and Plan of Distribution, available at www.BCBSsettlement.com, both of which detail how the Net Settlement Fund will be allocated among damages class members.

When will I receive payment?

Payments will be made once the settlement is fully approved through the court, including any appellate review of the settlement that may occur. Please check www.BCBSsettlement.com for more details and updates.

I understand that the Settlement also includes changes to Blue Cross Blue Shield Plans' Business Practices. What are those changes?

If the Settlement is approved, Blue Cross Blue Shield companies will be making certain changes to how they do business. These changes include, but are not limited to, the elimination of the National Best Efforts licensure standard and the introduction of a second Blue bid for qualifying large, self-funded national accounts. Please see the Notice and Settlement Agreement, available at www.BCBSsettlement.com, for more details on these changes in business practices.

Second Blue Bid

What is a second Blue bid?

Following final approval of the settlement, certain large, self-funded national employers will be able to request a bid for coverage from a second Blue Cross and Blue Shield company, in addition to their local Blue Cross and Blue Shield company. Employers headquartered in areas where there are already two licensed Blue Cross and Blue Shield companies are unaffected by this process.

Who is eligible to receive a second Blue bid?

The second Blue bid provision of the settlement was designed to enable 33 million members of large, geographically dispersed, self-funded national employers to have the opportunity to receive a second Blue bid. This represents approximately half all membership from large self-funded national employers in the U.S. and approximately one-third of members of all self-funded accounts. The Settlement Agreement provides the final list of eligible accounts at this time and for two years following final approval including appeals. After two years, the list will be refreshed every two years. A list of Qualified National Accounts for this provision can be found at www.BCBSsettlement.com.

While non-employer accounts may be members of the damages class and eligible to receive monetary payments from the settlement fund, they are not eligible to request a second Blue bid. Non-employer accounts, include, but are not limited to, Taft-Hartley Trust Plan sponsors, multiple employer welfare arrangements, association health plans, and retiree groups.

When will the second Blue bid be available?

Eligible employers won't be able to get a second blue bid until three months after the settlement is finalized. These agreements take time to secure final approval, and we do not have exact timing. The earliest an eligible employer could request a second Blue bid is April 1, 2022; however, it could be later depending on how the court approval process unfolds.

How will eligible employers get a second Blue bid?

Once the agreement is approved and the terms go into effect, eligible employers – directly or through their broker or consultant – can contact the Blue Cross Blue Shield Association or their local Blue Cross and Blue Shield company, documenting their choice of a second Blue Cross and Blue Shield company. After Blue Cross Blue Shield Association confirms the employer is eligible to receive a second Blue bid and the second Blue Cross and Blue Shield company agrees to provide a bid, the employer or its broker will work directly with both Blue Cross and Blue Shield companies through the bid intake process. The employer will receive separate bids from both Blue Cross and Blue Shield companies and will be able to select whichever bid it desires. If an employer is headquartered in an area where there are two licensed Blue Cross and Blue Shield companies, they already have the opportunity to request two Blue bids and there will be no changes to that employer's current processes with those companies.

What will change for employers that are not eligible for a second Blue bid (i.e., fully insured employers or those that do not meet eligibility criteria)?

We remain dedicated to all our relationships with employers, and the settlement will not adversely impact any existing benefits or coverage. Class members, including those not eligible for a second Blue bid, will benefit from operational changes being made as a result of the settlement, such as the elimination of the National Best Efforts licensure standard. Additionally, class members eligible for payments from the Settlement Fund will be able to receive those benefits by submitting a valid and timely claim. All benefits available to class members will be detailed as part of the Class Notice process being managed by the plaintiffs and their notice and claims administrator.

Irrespective of the benefits available under the settlement, however, know that the Blue Cross and Blue Shield System and your local Blue Cross Blue Shield company remain committed to working with you to meet your needs and those of your members, regardless of where they live or work.