

[Hailey vs. California Physicians' Service dba Blue Shield of California](#)

Year: 2006

Court: California Court of Appeal, 4th District, Division 3

Case Number: GO35579

Health and Safety Code section 1389.3 was designed to stop the practice of post-claims underwriting. Blue Shield should not be allowed to engage in post-claims underwriting and rescind its policy when it fails to sufficiently investigate and turns a blind eye to information it either knew or had access to and ignored.

UP's brief was written pro bono by Sharon Arkin of Arkin & Glovsky.