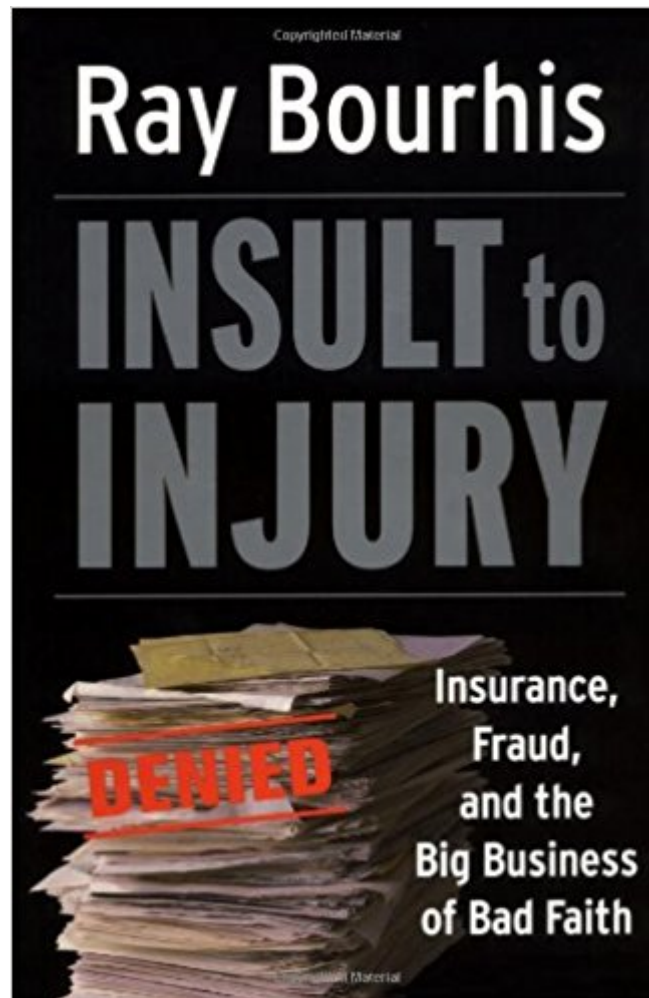




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# Insult To Injury: Insurance, Fraud, And The Big Business Of Bad Faith



## Synopsis

Joan Hangarter bought a disability policy in 1990 to protect her in case of serious illness. When she did become disabled a decade later, she ended up homeless and on welfare when the company refused to pay. With the help of her attorney, Ray Bourhis, she fought back, winning a \$7.7 million verdict against the company. In *Insult to Injury*, Bourhis walks readers through this case study in bad faith double-dealing by insurance providers. Bourhis, a national champion of policy-holder rights, uses an engaging narrative style to reveal the back-room strategic mind-set that drives these illegal practices, how low-level employees are duped into unethical conduct, and how insurers manipulate data and witnesses in the few cases that do go to trial. He also explains the key regulatory oversights that encourage such corruption, and how the American legal system actually facilitates insurer fraud. *Insult to Injury* closes with a roadmap to reform -- advice no one who holds a policy can afford to ignore.

## Book Information

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## Customer Reviews

Bourhis continues his commitment to justice by taking on the insurance industry and criminal fraud in this compelling case study. -- Senator Edward M. Kennedy  
Painstakingly documented, hilarious, and insightful. A seething indictment of the out-of-control insurance industry. -- Amy Bach, Executive Director, United Policyholders  
What happened to Joan Hangarter is a grave injustice; Readers of this book should urge their representatives to reform ERISA. -- John Garamendi, Insurance Commissioner, State of California

Ray Bourhis was involved with the Domestic Peace Corps in his post-collegiate years, and then joined Senator Robert F. Kennedy's staff in 1968. After receiving his law degree he was engaged in civil trial practice specialising in insurance coverage and bad faith litigation.

Unfortunately I read Ray's book too late. I had already filed my claim for long term benefits, sold my practice and decided I would trust my employer and LTD insurer to pay the income benefits I had insured via a group LTD policy. Ray's book gives you a glimpse into the world behind the claim form and into insurance company operations, how shady they are and how change must happen, what changes are needed and why. Like most big insurance corporations the almighty dollar is the CEO and decisions are made based on earnings. As I researched more on the topic I realized UNUM isn't the only bad guy on the street (Met, Standard, Hartford, etc.), they all operate this way. The problem being the law, its interpretation and the industry's ability to keep them on the books by paying off politicians via lobbyists. I loved Ray's book, the only problem is by the time you need to read it it's too late. I don't ever see change happening anytime soon and for those who have been damaged by disability denials across the nation that have already settled too low, dropped out of the fight or called it quits by giving up the insurance company won and you will never see a dime. When I myself went to the politicians and industry watchdogs they all said we have a problem, it's out of control, but we can't do anything about it because the insurance lobby is too powerful. This book and the topic needs to be on every newspaper, magazine and TV screen reported in the news and screamed into people's ears. This fraud is bigger than Enron and will continue until someone on the inside blows the whistle at all these insurance companies and politicians get sick of hearing about it in the news with their names on the take.

Ray Bourhis is an attorney who has exposed the seedy underside of the disability insurance industry. The disability insurance industry is different from other types of insurance. Disability insurers have a direct and continuing incentive to abuse and harass their insureds if they have the audacity to question the insurer's decision on their claims. Disability insurers like Unum (one of the main targets in Ray's book) use tactics such as harassing visits from field representatives, abusive "independent" medical exams which are typically just in-house reviews by medical paper shufflers and surveillance. If you have disability insurance, are in the market for disability insurance or have a disability insurance claim, you owe it to yourself to get a copy of Ray Bourhis' book.

Ray Bourhis has written a shocking expose' of the games and scams of the insurance industry. In

my experience as a claims adjuster, I've found that policyholders and claimants try their best to be nice. At the same time, because they don't usually read their policies, they are completely at the mercy of the insurance companies in the claims process. The insurance companies, for the most part, control the claims process. That is, unless you know how to take control of the claims process. Bourhis chronicles the bad faith of the companies. Knowledge is power, and once you're informed, you can do something to protect yourself. Great job, Ray!

This book should be required reading for every policy holder and potential policy holder. Bourhis clearly defines the dark side of the insurance industry whose reach influences state, federal and local government. His writing style is clear and interesting as he details the facts supporting his thesis. It is a shame that President Bush tried to pin the rising cost of medical care on so-called "frivolous lawsuits", when in fact the insurance companies keep costs high by insisting on unreasonable profits even when company executives make poor business decisions. After reading this book most citizens should demand a rethinking of how insurance companies do business and are regulated.

If you buy insurance, read this.

"Insult to Injury" focuses on a disabled chiropractor driven to the brink by an insurance company (UnumProvident) that unjustly denied her claim for benefits; the "good news" is that Bourhis and his associates were eventually able to right the wrong after a long legal battle made incredibly difficult by the company's calculated mendacity and the industry's success in prior lobbying of Congress and state legislatures. When Dr. Hangarter first purchased her disability policy from Paul Revere Insurance, companies made their profits primarily on double-digit investment profits. However, the market changed and the companies found themselves under increasing pressure. In the meantime, Dr. Hangarter was injured providing treatment to a patient, and despite significant efforts at treatment, had to give up her practice and rely on disability payments from Paul Revere. Eventually Revere was sold and then became part of UnumProvident, and Dr. Hangarter's world was turned upside down. New corporate leadership was brought in and began a deliberate policy of searching for ways to deny benefits - goals were set, customers were lied to regarding whether they could appeal and what was covered, expert testimony was slanted through incomplete information, documents destroyed, and the disabled often forced to go through lengthy, risky, and expensive litigation to collect. Possibly most frustrating of all (to me) was the fact that even when the company

lost, it simply continued the same practices with other customers, and made it as difficult as possible for those victims to learn of the firm's already uncovered pattern of deceit. Eventually because of all the resulting bad publicity UnumProvident's CEO was "forced out," given a \$17 million payment, and all his cronies were left behind. Not much of a victory for truth and virtue. Meanwhile, President Bush touts his efforts and legislative victory to make righting such wrongs more difficult, and most state insurance commissioners and laws remain toothless. (California was a fortunate exception.) "Insult to Injury" also goes a long way towards explaining why large punitive damages are sometimes necessary in the absence of innate corporate honesty and laws that mandate such. And now we're reading about insurance companies and how they are managing to not pay Hurricane Katrina victims.

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