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Ninth Circuit: Medical Providers Lack ERISA Standing

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The Ninth Circuit affirmed two district court decisions that concluded medical providers were not “beneficiaries” under Section 502(a) of ERISA and therefore lacked standing to bring an ERISA claim. The Court explained that, in one case, the provider had an assignment from the participants, but the assignment was invalid because the plan contained a non-assignment clause that overrode any purported assignments. In the other case, the assignment to the provider did not include authority to seek declaratory, injunctive, or monetary relief. The Court observed that its holding was in line with its own prior precedent and consistent with decisions in the Third, Sixth, Seventh, and Eleventh Circuits. The case is *DB Healthcare, LLC, v. Blue Cross Blue Shield of Arizona, Inc.*, No. 14-16518, 2017 WL 1075050 (9th Cir. Mar. 22, 2017).

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