Return to Sender

Anthem Blue Cross sued for requiring HIV clients to order meds through the mail.

March 20, 2013 By Trent Straube

A class action lawsuit in San Diego maintains that it's illegal for Anthem Blue Cross to force people to buy medications through the mail instead of at a pharmacy. Days before the mandatory mail policy was slated to kick in March 1, Anthem announced that due to feedback from its members, the start date was eliminated "for the time being."

Meanwhile, the lawsuit is still on. "There are two fundamental liberties at stake here," says Consumer Watchdog attorney Jerry Flanagan, who is helping represent the plaintiffs. Those liberties include a right to privacy—which can be invaded when people see the packages and become aware of your medical situation—and the freedom of association, which is the idea of mobility, that you're not forced to wait at home for a delivery.

The mail policy raises other problems: Mail gets lost and stolen, meds can't be refrigerated, and crucial relationships with pharmacists are severed (pharmacists can alert clients of drug reactions, for example, and of drug rebates).

The current case pertains to California only, Flanagan says, but the hope is that Anthem Blue Cross, owned by insurance behemoth WellPoint, will nix the policy before the case goes to court—and that other providers will follow.

Take Action: Tell Your Story!
Is your insurance company forcing you to get meds through the mail instead of your local pharmacy? Fight back! Go to ConsumerWatchdog.org and file a complaint. "We want to hear from people all around the country," says attorney Flanagan, who hopes to end the discriminatory policy at all insurance companies nationwide. "There are different laws at play in different states, so it's really important for us to hear from consumers so we can figure out how to deal with the legal structure."

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