

SEPTA Is Stiffing Doctors Treating Wreck Victims, Suit Says

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Law360 (July 2, 2018, 2:46 PM EDT) -- A doctor has filed a class action in Pennsylvania state court alleging that the self-insured Southeastern Pennsylvania Transportation Authority has a tradition of reimbursing medical benefits to doctors months and years late and without interest for treating patients injured in auto crashes involving the transit authority.

Dr. Frederick Hawkin Jr. notes in the suit filed Wednesday in the Philadelphia County Court of Common Pleas that a similar class action was filed back in 1999 that eventually settled, but alleges SEPTA didn't make good on its promise to pay back those past bills with interest, either.

"SEPTA has been skirting their responsibility to timely pay medical providers for the better part of two decades and continues to do so even after entering into a binding agreement to pay interest on overdue medical benefits," the suit says.

The agency has "continued to operate flagrant disregard for the laws of this commonwealth," it says.

Though an exact number has not been arrived upon, members of the class total at least in the hundreds, according to the suit.

Under the Pennsylvania Motor Vehicle Financial Responsibility Law, the suit states, benefit payments are due within 30 days after the insurer, SEPTA in this case, receives "reasonable proof of the benefits." Overdue payments are subject to 12 percent interest from the date they were due.

The suit accuses SEPTA of not only paying late but also "selectively picking and choosing" who to pay first and even then still never paying interest, in violation of the law.

The suit does not provide dollar amounts for how much was owed in the previous suit's settlement or how much is owed in the instant case, but it cited some recent examples of Hawkin's experience with SEPTA.

Hawkin began treating a man identified as Patient 1 for injuries he suffered in a wreck on Feb. 10, 2016. Treatment began on Feb. 15 and wrapped up on July 14, the suit says. The doctor billed SEPTA directly in May, June and August 2016. On March 22, 2018, SEPTA paid \$2,028.80, about two years after proof of the benefits was given and without the more than \$400 in interest owed, according to the suit.

In the case of another patient whose treatment began Oct. 9, 2015, and whose treatment finished Feb. 12, 2016, SEPTA still has not paid the claim, according to the suit, which does not give the dollar value with interest of the bill.

Counsel for Hawkin and a representative for SEPTA did not respond to requests for comment Monday.

Hawkin is represented by Richard Golomb, Kenneth Grunfeld and Benjamin Isser of Golomb & Honik PC.

Counsel for SEPTA could not immediately be determined Monday.

The case is Frederick Hawkins Jr. v. Southeastern Pennsylvania Transportation Authority, case number 180603427, in the Court of Common Pleas of Philadelphia County, Pennsylvania.