Tina Safi Felahi

Associate

San Diego

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Tina represents health care clients, including major health plans and health care insurers, in litigation matters in state and federal courts. She is particularly experienced in handling managed care disputes from inception through trial.

OVERVIEW

Tina is an associate in the firm's Consumer Financial Services practice who focuses on representation of health care providers and managed care plans in a broad spectrum of civil litigation. She represents major health plans and insurers in complex litigation in both state and federal courts, including actions for breach of contract, bad faith denial of benefits, ERISA benefits, and unfair competition, among others, with particular emphasis on out-of-network provider reimbursement disputes.

Tina also guides providers and health plans on a broad range of state and federal compliance issues, and represents health care clients in administrative proceedings.

REPRESENTATIVE MATTERS

- *ABC Services Group, Inc. v. Health Net of California, Inc., et. al.*, 8:19-cv-00243-DOC (C.D. Cal. June 13, 2022) – Obtained dismissal with prejudice of litigation against Anthem Blue Cross Life and Health Insurance Company, Anthem, Inc., Beacon Health Options, Inc., Beacon Health Strategies, LLC, ValueOptions Federal Services, Inc., and ValueOptions of California, Inc. The plaintiff sought to recover claims on behalf of a closed substance abuse treatment facility. The litigation was initially filed as individual lawsuits in state and federal court against 36 defendants, asserting state law and ERISA claims. The litigation was consolidated in the U.S. District Court for the Central District of California, which granted the defendants' motion to dismiss the plaintiff's first amended complaint. On appeal, the Ninth Circuit Court of Appeals affirmed the dismissal of the state law claims and remanded the ERISA claims to the district court, which dismissed the remaining ERISA claims for lack of standing and failure to cite specific plans and plan terms.
- Successfully represented Blue Cross Blue Shield of Georgia, Inc. (dba Anthem Blue Cross Blue Shield) in an ERISA § 1132(a) matter in the Central District of California. The plaintiff alleged Anthem improperly denied benefits relating to Proton Beam Radiation Therapy (PBRT) to treat his prostate cancer. The court confirmed that records evidenced Anthem's reasonable review and proper reliance on its medical policies, guidelines, and literature, as required by the health benefits plan at issue, in denying the benefits at issue. The court further held that Anthem's determination that the plaintiff's PBRT treatment was not covered by the plan was not an abuse of discretion. As such, the court entered judgment in Anthem's favor. *Loren Swearingen v. Westlake Health*

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Care Plan, et. al., 2:20-cv-02052-MCS-JEM (C.D. Cal. August 24, 2021).

AWARDS

- *Best Lawyers in America®: Ones to Watch*: Banking and Finance Law (2021-2026); Litigation – Banking and Finance (2023-2026)

TOP AREAS OF FOCUS

- Consumer Financial Services
- Financial Services Litigation
- Health Care + Life Sciences
- Litigation + Trial
- Managed Care Payor Disputes, Investigations + Regulatory Counseling

ALL AREAS OF FOCUS

- Consumer Financial Services
- Financial Services
- Financial Services Litigation
- Health Care + Life Sciences
- Litigation + Trial
- Managed Care Payor Disputes, Investigations + Regulatory Counseling

PROFESSIONAL/COMMUNITY INVOLVEMENT

- American Health Lawyers Association
- Louis M. Welsh Inn of Court
- Lawyers Club of San Diego
- San Diego Bar Association

PROFESSIONAL EXPERIENCE

- Post-Bar Law/Clerk/Corporate counsel intern, AMN Healthcare, 2013-2014

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of San Diego School of Law, J.D., 2014
- Boston University College of Communications, B.S., 2008

BAR ADMISSIONS

- California

COURT ADMISSIONS

- U.S. District Court, Central District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California

LANGUAGES

- Farsi

PUBLICATIONS

- Co-author, "California Attorney General Sponsors Bill Banning Credit Reporting of Medical Debt," *Consumer Financial Services Law Monitor*, April 5, 2024.
- Co-author, "New TCPA Rules: Revoking Consent to Robocalls and Robotexts," *Consumer Financial Services Law Monitor*, February 29, 2024.
- Co-author, "Courts Continue to Scrutinize ERISA Health Plan Benefit Denial Letters," *Consumer Financial Services Law Monitor*, April 18, 2023.
- Co-author, "FCC Cracks Down on Texting Scams and Robocalls," *Consumer Financial Services Law Monitor*, March 22, 2023.
- Co-author, "The State of Wilderness Therapy Program Exclusions in ERISA Health Plans," *Consumer Financial Services Law Monitor,* March 21, 2023.
- Co-author, "Tenth Circuit Holds Arbitration Provision in ERISA Plan Document Unenforceable," *Consumer Financial Services Law Monitor*, February 24, 2023.
- Co-author, "CMS Publishes Final Rule Increasing Government Authority to Recover Overpayments from Medicare Advantage Plans," *Consumer Financial Services Law Monitor*, February 2, 2023.
- Co-author, "Second Circuit Affirms Dismissal of TCPA Case for Failure to Plead Use of an ATDS," *Consumer Financial Services Law Monitor*, January 13, 2023.
- Co-author, "Considerations for Interstate Travel for Abortion Services Post-*Dobbs*," *Law360*, September 26, 2022.
- Co-author, "Considerations Regarding Interstate Travel for Abortion Services Post-*Dobbs*," *LexisNexis Practical Guidance*, September 14, 2022.
- Co-author, "AAA Issues Amended Commercial Arbitration Rules," *Troutman Pepper*, August 31, 2022.
- Co-author, "Ninth Circuit Reversal of Trial Court Order Equals Big Win for Payors," *Troutman Pepper*, March 23, 2022.
- Co-author, "2021 Consumer Financial Services Year in Review & A Look Ahead," *Troutman Pepper*, January 28, 2022.
- Co-author, "Tenth Circuit Develops New ERISA Rule in *Ellis v. Liberty Assurance Company of Boston*," *Troutman Sanders*, May 18, 2020.
- Co-author, "The COVID-19 Crisis and the Expansion of Telehealth Services," *Troutman Sanders*, April 3, 2020.
- Co-author, "2019 Consumer Financial Services Year in Review & A Look Ahead," *Troutman Sanders*, February 24, 2020.
- Co-author, "The Top 10 TCPA Cases Of 2019," *Law360*, January 2, 2020.
- Co-author, "Pretrial Defenses For Payors Facing Quasi-Contract Claims," *Law360*, November 15, 2019.

MEDIA COMMENTARY

- Mentioned, “In Case You Missed It: Hottest Firms and Stories on *Law360*,” *Law360*, January 10, 2020.