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Health Coverage During COVID-19 and Unemployment Issues in Pennsylvania

How Are Furloughs and Layoffs Affecting Health Insurance Benefits?
Due to COVID-19, many businesses have been forced to close their doors and lay off employees. According to the U.S Labor Department, nearly 20% of the labor force in the United States has filed for unemployment in the past couple of months. Many employees received their health insurance from their job and are now concerned about how to obtain health insurance.

What exactly does it mean to be furloughed?
To be furloughed means to be temporarily out of work typically because your employer does not have enough work. By definition your employer’s intent is to have you return in the same capacity in the future. Sometimes when an employee is furloughed, they can maintain their health insurance while they are not working.

A layoff, on the other hand, is considered more permanent. Although an individual can be rehired at a later date. When an employee is fired from a position then health insurance is also terminated. A federal program known as COBRA offers one way employees are required to offer to workers if they are laid off. This law is focused on larger businesses that have 20 or more employees. This program will allow an individual to maintain the same medical coverage they had while they were working. The available continued health coverage can range from 18 months and in some cases up to 36 months. COBRA can be expensive. Employees who opt to use COBRA after losing their job are responsible to pay 100% of the health benefit premium and the administrative fee.

Who is Eligible for COBRA?
An employee is eligible if laid off and the employer is of sufficient size to allow for COBRA benefits. The employer must of course continue to provide its existing employees health insurance coverage, whether paid by the employer or by the employees. If both of these inquiries are yes, then the employee must meet one of the two criteria.

Pennsylvania’s “Mini-COBRA” law
Mini-Cobra was enacted in 2009 as a Pennsylvania law. This law gave employees of small businesses, who received their health insurance from their employers, the right to purchase continuation health insurance. Similar to the national COBRA, this law is eligible to employees after the conclusion of their employment. The employee must have been insured under the group policy for at least three consecutive months.

An eligible person who chooses to continue

What Are Your Other Insurance Options?
As stated above, COBRA coverage can be expensive. So, it is important to know all of your options. Individuals in this circumstance should investigate their eligibility for a tax credit to purchase coverage on the Affordable Care Act. In addition, some individuals are eligible under a spouse’s or parent’s coverage plan such as CHIP, Medicare, or TRICARE (for veterans). It would also be advisable to consult with an insurance broker to see if there are other low-cost coverage options available. Medicare is also an option for some individuals, as is Medicaid. All of these options should be explored before necessarily accepting COBRA benefits.

REMINDER ABOUT OUR FIRM’S COMMUNICATION POLICY
About us: We perform very high quality legal work. We are highly competent and we have a highly competent support staff, but we are not perfect. We can make mistakes. We will correct a mistake if we find it or if you point it out. It is our policy to return phone calls in the order they are received and based on the priority of the situation. If you leave a message, your call will be returned usually within 24 hours. Some clients feel that calling multiple times in a day will get their call answered faster, but that is not the case. Email is the quickest way to get a response from anyone in the office. We work by appointment only. Without an appointment, it is unlikely Mr. Carpey would be able to meet with you.

Please utilize our support staff to answer your questions and to give you status reports. Our legal assistants and paralegals are very experienced and will often be able to respond to your requests.
AUGUST 2020

Roundup, the weed killer used by farmers, farm workers, landscapers, gardeners, and groundskeepers, has been linked to an increased risk for cancer including non-Hodgkin lymphoma, and other diseases. Roundup was originally manufactured by Monsanto, which was bought by the company Bayer. Nevertheless, Bayer continued to sell the product without a warning label. Bayer has just recently agreed to a settlement where it will pay as much as $10.9 billion. The settlement resolves approximately 95,000 current cases for $8.8 billion to $9.6 billion. There are still approximately 30,000 pending claims that have yet to join the settlement. The settlement also includes $1.25 billion to resolve potential future litigation, including future class action lawsuits.

We work with firms that handle these cases. If you or a family member was diagnosed with non-Hodgkin lymphoma after exposure to Roundup and would like more information about whether you have a potential Roundup claim, we encourage you to contact us.

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LAURA CARPEY’S RECIPE OF THE MONTH

Turkey, Spinach & Cheese Meatballs

**INGREDIENTS**
- 1 tablespoon extra virgin olive oil
- 1 large egg
- 3 ounces baby spinach, chopped (3-1/2 cups whole; 1-1/2 cups chopped)
- 3 scallions, white and green parts, finely sliced
- 3 garlic cloves, minced
- 1.25 pounds 93/7 ground turkey (I use Shady Brook Farms)
- 1.25 pounds Italian turkey sausage, removed from the casings (I use Shady Brook Farms)
- 1 cup shredded mozzarella (preferably whole milk but low-fat will work)
- 1/3 cup grated Parmigiano Reggiano, plus more for serving
- 1/2 cup Italian seasoned bread crumbs
- 1 (24 oz) jar marinara sauce, homemade or good quality store-bought

**INSTRUCTIONS**
1. Preheat the broiler and set an oven rack on the second-highest rack. Line a baking sheet with heavy duty aluminum foil and grease with the olive oil.
2. In a bowl large enough to hold all of the ingredients, beat the egg. Add the chopped spinach, scallions, and garlic and stir until evenly combined. Add the ground turkey, turkey sausage, mozzarella, Parmigiano-Reggiano and bread crumbs. Using your hands, mix until evenly combined. Shape the mixture into 1-1/2 inch balls and place on the prepared baking sheet.
3. Broil the meatballs until golden brown on top, about 10 minutes.
4. Meanwhile, heat the tomato sauce in a large pan on the stovetop. Add the broiled meatballs and simmer over low heat for 5 to 10 minutes, or until the meatballs are fully cooked.

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Are You Entitled To Receive Funds From A Class Action Settlement?

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The Nightmare Deposition

State Farm or his State Farm attorney when I was finished with him.

At Carpey Law, we like to do things a bit differently. We answer interrogatories with our clients. We go over the entire case with our clients and fully prepare them for their deposition. Our clients don’t get confused at depositions.

Insurance companies treat their insureds like premium paying numbers.

We don’t.

Stuart Carpey
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THE CARPEY CHRONICLE

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The Nightmare Deposition

Recently, I took a deposition (which is a sworn statement under oath in front of a court reporter, pretty normal occurrence in any case once it’s in suit) of the driver of the car that rear-ended my client. This guy was insured with State Farm, and he had his State Farm attorney sitting next to him during the entire deposition (which is also normal). What wasn’t normal was how embarrassingly bad this guy did at his deposition. He could barely answer a question, couldn’t remember much about anything, when he did answer he contradicted what he had said earlier. It was bad. On top of that, when I asked him if he remembered answering the interrogatories in the case (because what he said in the interrogatories did not match what he was saying at his deposition) he had no recollection of ever answering them, or ever even discussing them with his attorney, despite the fact that his attorney had him sign a separate page verifying that he did answer the interrogatories. It’s normal to answer interrogatories with your lawyer. It’s not normal for the lawyer to type up the answers, not go over them with the client, but have the client sign off saying he did answer them. Needless to say, this State Farm insured represented by a State Farm attorney was not too happy with...