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NEW YORK, April 28, 2025 – [Pollock Cohen LLP](#) and [Walden Macht](#) Haran & Williams LLP have filed a new class action lawsuit on behalf of more than 1 million patients against Carelon Behavioral Health. Carelon provides the mental health benefits to state and municipal employees who choose the Empire Plan under the New York State Health Insurance Program (NYSHIP). The lawsuit alleges the health insurance company scammed vulnerable customers by publishing an inaccurate directory of doctors who supposedly accepted the Empire Plan insurance but, in fact, did not.

Carelon’s misleading directory – known as a “ghost network” – has caused significant harm to thousands of patients. It is not only financial harm – because patients needing treatment must go to out-of-network providers, thereby incurring substantial expense – but medical complications and enormous emotional distress. The grossly inaccurate directory delays many patients’ ability to find in-network care. Thousands of others simply cannot afford to pay for an out-of-network provider, and abandon their search for care – complicating their mental health condition significantly.

The Empire Plan is one of multiple options available to New York State employees when selecting their health insurance plan. It competes against the other plans by advertising the benefits of its plan. By drastically overstating the adequacy of its provider network, Carelon is knowingly engaging in a deceptive advertising campaign intended to lure people into choosing the Empire Plan.

The lawsuit focuses on access to mental health care for both adults and children. In the complaint, three plaintiffs share their anguish and frustration dealing with Carelon’s ghost network and detail their stories about calling countless doctors listed in Carelon’s directory – thinking that did not actually accept the Empire Plan.

After hearing these stories, attorneys for the plaintiffs conducted extensive “secret shopper” studies to replicate each of the plaintiff’s experiences and called 300 doctors listed in the Carelon directory. Only 17% of doctors (51 out of the 300 called) actually accepted the insurance and would see new patients. The remaining doctors either did not accept the insurance, were unreachable, did not accept new patients, or did not provide the type of service listed in the directory.

“Ghost networks are a serious, serious problem: they are not just a massive inconvenience, but a real danger to people who need medical care and can’t get it,” said [Steve Cohen](#) of Pollock Cohen, one of the lead attorneys representing the plaintiffs. “For tens of thousands of patients, this grossly inaccurate directory means delays in care. And if they can afford to go to out-of-network providers, those costs can add up to thousands of dollars. It is an abomination that they didn’t get the coverage they were paying for; and more importantly, didn’t receive the mental health care they or their loved one needed.”

“Carelton’s inaccurate provider directory is hurting vulnerable people,” said [Jacob Gardener](#), a partner at Walden Macht Haran & Williams and co-counsel for the plaintiffs. “By falsely inflating its network of available providers, Carelon is violating its statutory, contractual, and common law duties, not to mention its moral obligations. Individuals relied on Carelon’s misrepresentations and paid a heavy financial, psychological, and emotional price for doing so.”

The complaint was filed in federal court in the Southern District of New York. Click [here](#) for the complaint.

This is the second ghost network lawsuit the firms have filed. In 2024, the firms filed against Anthem HealthChoice Assurance of New York, also known as Anthem Blue Cross and Blue Shield. Both Anthem and Carelon are subsidiaries of the same parent company: Elevance Health of Indiana.

About Pollock Cohen LLP

Pollock Cohen LLP is an impact-driven litigation firm that delivers unusually effective plaintiff-side legal representation. We are known for our ability to solve client problems—with strategy, creativity, and thought—both inside the courtroom and outside the four corners of a legalistic approach. We thrive on representing plaintiffs in cases that are impactful and meaningful, and where we can make a difference. For more information, visit <http://www.pollockcohen.com>.

About Walden Macht Haran & Williams LLP

Walden Macht Haran & Williams LLP is a premier litigation boutique that handles high-stakes civil and criminal cases. Headquartered in New York, they are known for their work on high-profile complex commercial disputes, appeals, white-collar defense and investigations, monitorships, and corporate compliance matters. Walden Macht Haran & Williams strives to do good. For more information, visit <https://wmhwlaw.com>.