
Public Impact

Related Practices:

- [Healthcare Equity & Public Health](#)

We are a mission-driven firm.

We believe that everyone should have access to affordable, high-quality healthcare, a clean environment, and a safe community—to name just a few of the issues that we care about. We are fierce advocates on the side of people. To that end, a core part of our work involves using the law—specifically, litigation, where appropriate—to help achieve important objectives for our clients and broader constituencies.

Some examples of our public impact practice:

Banning Menthol Cigarettes – After years of the FDA ignoring and slow-walking Congress’ directive to regulate menthol cigarettes, we brought a lawsuit against the FDA. On behalf of our clients—the American Medical Association, the African American Tobacco Control Leadership Council, and Action on Smoking and Health—we won a powerful victory that is resulting in the ban on menthol cigarettes. [Here](#) is The New York Times coverage of our success.

Securing Healthcare Benefits for 250,000 Retirees – For more than 40 years, New York City municipal retirees have relied on the promises made to them – codified into law – that they would receive a robust Medicare Supplemental health insurance plan in their retirement. When the DeBlasio administration reneged on that promise, an ad hoc group of retired police officers, fire fighters, and teachers hired us to fight City Hall. We did; and we won a remarkable victory that has already saved retirees some \$900 million. The Daily News coverage is [here](#).

Fighting to Limit Health Insurance Company Denials – Kathleen Valentini was every doctor’s dream patient: she got regular check-ups and followed their advice. But when her orthopedist wanted her to get an MRI for the pain in her leg, Kathleen’s insurance company stepped between them and said the MRI “wasn’t medically necessary.” The doctor appealed the denial, but the insurance company’s “prior authorization” bureaucracy resulted in a delay in treating the fast-growing cancer. Kathleen’s leg, hip, and pelvis were amputated. We sued the insurance company for negligence, but lost in the trial court because the judge said while tragic, there is no law holding insurance companies accountable when they commit medical malpractice. We are appealing that decision to the Second Circuit, and have been leading the fight to draw attention to this injustice. See Steve’s op-ed articles in The Boston Globe and USA Today.

Public health—whether it is access to services, insurance coverage, the remediation of environmental dangers, safe products, or safer communities—is essential to our society and the common good.

When we have the opportunity to “do good,” we try to. We use the law to achieve justice for our clients, and often for the broader community. We do it because it works.

One good example where we have been intimately involved is tobacco litigation. As the Surgeon General’s 50th Anniversary Report made clear in 2014, litigation against the tobacco companies has “proven to be a tool for advancing the fundamental public health goal of tobacco control—reducing the morbidity and mortality caused by tobacco products.”

We represent a state in an arbitration against certain tobacco companies, involving tens of millions of dollars of disputed payments under the 1998 Tobacco Master Settlement Agreement.

We represent the African American Tobacco Control Leadership Council, Action on Smoking on Health, the American Medical Association (AMA), and the National Medical Association in an action brought against the U.S. Food & Drug Administration. Our lawsuit seeks to compel FDA to begin the rule making process for removing menthol from cigarettes.

Even when we may disagree within the firm about what “doing good” really means, that just reflects the diversity of backgrounds, experiences, and perspectives that we share and value. And we all agree on public health.

Today, our firm’s investigations include:

- Healthcare disparities
- Health insurance company failures to properly cover and reimburse policyholders
- Defective drugs
- Dangerous products
- Over-billing by pharmacies

Public Policy

People often approach us with problems that at first glance seem to be legal issues. To their surprise, we often tell them they don’t need our services. They need some other specialist. Sometimes that is a PR firm. Or a marketing agency. A business consultant or a life coach. Sometimes, however, our interdisciplinary approach to problem solving is the right choice.

We are not lobbyists. But we regularly and effectively influence public policy. Our work crafting strategies, coordinating public relations campaigns, and writing op-ed articles

are among the best in New York. We have worked for a President of the United States, a First Lady, cabinet officers, members of Congress, several governors, top companies and well-known non-profit organizations. Talk to us, and we'll share some terrific case studies.

Not surprisingly, problems are multi-dimensional: there are legal aspects, business operational issues, financial considerations, and public relations implications. As a result, we often work with PR firms, reputation-management companies, and strategy consultants—from individual publicists to the largest agencies and consultancies.

If you have a problem—or an issue that may become one—talk to us. Even if you don't wind up working with us, our perspective may be helpful.