



Illinois Pathologists,

As you are aware, the Illinois Society of Pathologists (ISP) engaged Greg Brodek of the Duane Morris law firm to address the legality of Aetna Better Health's decision to not directly pay independent pathology groups for the Professional Component of Clinical Pathology services rendered to Aetna Better Health's Medicaid members. Duane Morris has had several interactions with Aetna's counsel, who has indicated that Aetna stands by its decision to not pay pathologists for the services in question.

Duane Morris has also had several discussions with the State Medicaid agency, which has solicited information from both Aetna and the ISP. It is our understanding that the State has reviewed each party's submission, has formulated at least an internal position, but has elected not to make its decision public.

Under the initial representation with Duane Morris, the ISP agreed to pay for the services rendered by Duane Morris. At this time, we believe the ISP has exhausted what it can do, and it will be necessary for each Group to take possible legal action. For those Groups electing to retain Duane Morris on this matter, this ongoing representation will be subject to a new engagement letter that Duane Morris will ask you to sign. Upon receipt of signed engagement letters, Duane Morris will work with each Group to determine how best to proceed for each Group.

Please respond directly to Greg Brodek at Duane Morris if you would like to initiate possible legal action and such an engagement letter will be sent to you. The contact information is below:

Gregory A. Brodek, Partner  
Duane Morris LLP  
88 Hammond Street, Suite 500  
Bangor, ME 04401-4953  
1.207.262.5440 office  
1.207.949.0304 cell  
[GABrodek@duanemorris.com](mailto:GABrodek@duanemorris.com)

As we progress we will continue to keep you updated with any information we have.

**Ron Champagne, MD, President**  
**Committee**

**Robert DeCresce, MD, MBA, Chair-Legislative**

August 4, 2017