



Frew v. Hawkins, 457 F.3d 432 (5th Cir. 2006)

Topics Covered: Medicaid, Payment Issues (for Patients)

Outcome: Very Favorable

Issue

The issue in this case was whether the Texas Medicaid program was required to comply with federal Medicaid mandates regarding health care for needy children.

AMA Interest

The AMA believes that every United States citizen should have access to necessary medical care, regardless of ability to pay.

Case Summary

This class action sought, through enforcement of a consent decree, to require the Texas Medicaid program to provide needy children with “Early and Periodic Screening, Diagnosis and Treatment Services” mandated under the federal Medicaid law.

The State of Texas appealed from an order finding that it failed to comply with a consent decree requiring compliance with this Medicaid mandate. The United States Court of Appeals for the Fifth Circuit affirmed the trial court order and in January 2007, the United States Supreme Court denied review of the Fifth Circuit's affirmance.

Litigation Center Involvement

The Litigation Center contributed toward the plaintiffs' legal expenses.