

March 28, 2008  
mj.pickens@wvinsurance.gov  
Dear Ms. Pickens,

There appears to be some confusion concerning the medically necessary surgery I requested in May 2005 from my HMO, Carelink Health Plans of West Virginia. It is very important that I clarify this for the record prior to seeking a judgement against the WV Insurance Commission through the WV Court of Claims.

On December 14, 2006 Jane Cline, WV Insurance Commissioner signed Final Order 06-AP-024 requiring Carelink Health Plans of West Virginia to cover my medically necessary procedure as well as to fully investigate each request of a physician (for any consumer) prior to making a determination of coverage. I was told by my "expert" surgeon that without the procedure I could have a stroke or heart attack at any time.

On April 14, 2007 Carelink Health Plans of West Virginia authorized the costly surgery, #245138.

December 11, 2007 I received a letter from the WV Insurance Commission rejecting their responsibility to enforce final order 06-AP-024 and stating that the commission was not legally bound to enforce the order they signed in 2006.

To bring you up-to-date on my personal situation, following the authorization to receive surgery, I visited the offices of one of my two Pittsburgh surgeons, Dr. Bernard J. Costello, Associate Professor, Department of Oral and Maxillofacial Surgery UPMC. After a half hour consultation, Dr. Constello stated that it would be inadvisable to operate on me at that time, due to the risks associated with the severe anxiety I suffer due to treatment by Carelink and the WV Insurance Commission.

My sleep specialist Pittsburgh Neurologist, Dr. Marie Sunseri, suggested a low cost treatment involving a dental plate to be worn at night. Two different physicians contacted Carelink Customer Service and requested coverage of this dental appliance. They have kept detailed records of the specifics of the immediate denial. This denial, and two others, defied Final Order 06-AP-024.

**Today I still live with the threat to my life due to severe sleep apnea and severe anxiety.** While this will have no bearing supporting my million dollar claim filed in the Court of Claims, I believe it will be one key factor in determining damages.

Finally, I believe that you will understand that I shake my head in disgust and quandary, wondering just how this travesty of justice occurs in a country where government officials swear on the Bible that they will fairly represent the citizens of this state. Where is the moral conscience? Who serves the common good?

Sincerely,  
Christine O Stenger

Re: Medically Necessary Treatment  
chrhall@mail.wvnet.edu; 'thartman@lgcr.com'; rrb@wvago.gov