

# Nell Zora Peyser

Associate

Nell Zora Peyser's practice focuses on health insurance litigation and civil litigation.

In her health insurance practice, she represents patients and health care providers against health insurers in suits to ensure that patients receive the health plan benefits to which they are entitled. Nell's experience includes representing plaintiffs in ERISA class-action litigation related to denials and improper reductions in reimbursement of mental health/substance abuse treatment benefits, improper charging of subcontractors' administrative fees under the guise that they are medical expenses, and violations by health insurers of the Mental Health Parity and Addiction Equity Act.

In her civil litigation practice, she represents individuals in business and employment disputes.

Prior to joining the firm, Nell was an associate at Brewer, Attorneys & Counselors, where she represented clients in disputes with their employers, including in Delaware bankruptcy court and in arbitration.

Nell received her law degree from Cornell Law School in 2015 and worked at the Children's Law Center in Brooklyn before going into private practice.

## Bar admissions

- New York

## Court admissions

- U.S. District Court, Eastern District of New York
- U.S. District Court, Northern District of New York
- U.S. District Court, Southern District of New York

## Representative matters

- Representing a putative class of patients in an action against a major insurance company for allegedly discriminating against out-of-network psychiatrists and other mental health providers for mental health services. Plaintiffs allege that the insurer's policy of reimbursing mental health providers less than non-mental health specialists for providing the same services violates ERISA.
- Represented a putative class of patients in litigation



## New York

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## Practice focus

- Business Litigation
- Health Care
- Plaintiffs and Class Actions

## Education

- Cornell Law School, J.D., 2015
  - Articles Editor, *Cornell Journal of Law and Public Policy*
  - President, National Lawyers' Guild
- Oberlin College, B.A., 2011



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against a major insurance company for allegedly violating ERISA and the Mental Health Parity and Addiction Equity Act by denying coverage for nutritional counseling for patients suffering from eating disorders.

- Represented patient and providers in litigation brought against third party administrator challenging the use of plan assets and health spending accounts to pay administrative fees and expenses.
- Represented a putative class of patients in an action against multiple insurance companies alleging that the companies improperly limited and denied mental health coverage by utilizing proprietary internal guidelines that intentionally restricted coverage for residential and intensive mental health and substance abuse treatment.
- Represented a putative class of providers in litigation against multiple insurance companies alleging that the companies improperly limited coverage for chiropractic services based on restrictive internal utilization review. The court issued a precedent-setting decision holding that a provider has the right to assert ERISA claims with an “assignment of benefits” from patients.

