



Empire Justice Center

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The Chief Judge's 2022 Hearing on Civil Legal Services in New York

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Presented by:

Jenna McCormack, client of Empire Justice Center

My name is Jenna McCormack. I am 23 years old, and I will be finishing my degree in Social Work in a few years. I love working with children with disabilities, and I know it will be my purpose in life. I also enjoy reading and spending time with my boyfriend of four years and our pets.

Although my life may seem normal from the outside, I also spend a lot of my time dealing with my disabling chronic illnesses that cause severe pain and other symptoms that are difficult to live with. I have a condition called occipital neuralgia, which means the nerves in the back of my head are inflamed and cause near-constant pain. I couldn't work or go to school for over two years because I was mostly bedbound.

I went through this two-year period of not being able to do anything because my insurance company denied the procedures my pain management doctor ordered. They said that the treatments I needed were experimental and not medically necessary. I first went through the appeal process on my own, overwhelmed by mountains of paperwork, making stressful calls to the insurance company, and hoping I was doing all the right things. I hoped that telling the truth about my dire situation would be enough to carry me through a Medicaid Fair Hearing.

It was not. I had a telephone hearing due to the pandemic, and it was difficult to know who I was talking to and how they felt about what I was saying. Ultimately, I just had a clerk going over my appeal form and asking me if I wanted to add anything - I was not asked many questions, so it didn't seem like a real hearing at all. I waited several weeks for the decision, and was heartbroken but not surprised that the system had failed me again. I accepted this as my fate for a while before seeking help with Empire Justice Center.

I felt so much more comfortable and prepared for the second fair hearing. I worked with Alexia Mickles and Fiona Wolfe and they were fantastic about keeping me updated with what would happen next and what they needed from me. I felt such relief knowing that my case was in the hands of people who knew what they were doing. They knew what questions the judge would want answered and worked hard to get evidence that supported our appeal to show that, although the procedure I was seeking isn't very common, it was necessary to treat my specific medical condition.

This time, I still had a phone hearing, but there was definitely a judge, and Alexia was on the line with me. It went quickly, but we had prepared, and I answered the questions confidently, because I was simply sharing my life story and I felt like I was telling it for the hundredth time. Afterwards, Alexia called me, and we talked about how I felt about the hearing process.

I felt confident, like we had laid out a solid case and I had gotten to say everything I wanted to, and even though my attorneys couldn't guarantee me great odds at winning my particular case,

I felt like we did the best we could on our end and we just had to wait and hope the judge ruled in our favor.

Despite my confidence in our team at the hearing, I tried to prepare myself for disappointment as I had with each previous denial from Medicaid. I couldn't believe it when I read that the judge had ruled in my favor. I cried. My mom cried. This procedure could mean a world of difference for me.

And it actually has. Nine months ago, I had my radiofrequency ablation performed at my pain management clinic. After a long healing time, I felt my pain reduce drastically. I was able to focus and target my other major health issues, and eventually tackle them well enough to start getting better. I was able to stand and walk with less pain and dizziness, build up muscle in my legs that had atrophied from my time in bed, and take my dog for a walk, which I never thought I'd be strong enough to do. I was even able to start working short part-time hours at a daycare to fulfill my love for children while I wait to finish my degree.

I am beyond thankful for having Empire Justice Center on my side for that hearing, because I know they are the reason we were able to address the insurance company's points so directly and ultimately win our case. It literally changed my life and I am on a path now to a happy, productive life that I couldn't have imagined years ago when I was stuck in bed every day.