

N.Y. hospitals file \$3.4B suit against tobacco companies

By Gail Appleson
Reuters

NEW YORK — A group of 145 New York hospitals, including Manhattan's famous Memorial Sloan-Kettering Cancer Center, filed a \$3.4 billion lawsuit against major tobacco companies Thursday to recoup money spent on sick smokers.

The 168-page lawsuit, filed in state court in Nassau County, alleges that the industry concealed its knowledge that the use of cigarettes and smoke-

less tobacco products is addictive and can lead to serious illness and death.

The plaintiffs range from 20-bed rural hospitals in upstate New York to major Manhattan facilities including Sloan-Kettering, Beth Israel Medical Center and St. Vincent's Hospital. Another plaintiff is the Healthcare Association of New York State (HANYS), a trade group that represents 550 non-profit and public hospitals, health systems, nursing homes and home-care agencies.

The suit seeks to recover unreimbursed and under-reimbursed costs for care provided to patients suffering from tobacco-related illnesses.

The plaintiffs want to be reimbursed for the costs incurred directly by the hospitals in providing care to the uninsured and to Medicaid and Medicare patients whose publicly funded plans did not fully cover the costs of their care.

Tobacco giant Philip Morris said the lawsuit is frivolous and should be dismissed. It said it will consider de-

manding that the plaintiffs and their counsel bear the industry's costs of defending the case.

According to the lawsuit, the estimated annual cost of treating smoking-related illnesses in New York hospitals exceeds \$3.2 billion. About 14% of hospital expenditures in the state

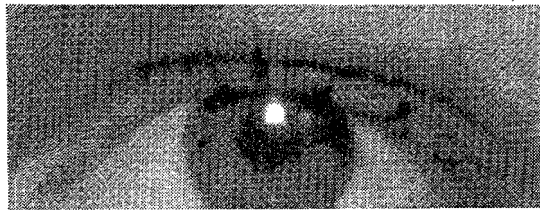
since 1993 have been made for the treatment of smoking-related illnesses, the lawsuit says.

The case was filed in state court because state law requires hospitals to provide care to the public irrespective of a patient's ability to pay and the availability of insurance.

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