

PRESS RELEASE

19-Year Veteran Employee of Anthem Blue Cross and Elevance Health Alleges that Healthcare Companies Fired Him During His Painful Recovery from Life-Threatening Heart Bypass Surgery

Mr. Luis Ortiz, a long-term employee in the underwriting department of Anthem Blue Cross and Elevance Health, has filed a lawsuit alleging that he was discriminated against and harassed based on medical condition and disability when the company fired him during his difficult recovery from an open-heart surgery. Named as defendants are Elevance Health, Inc., Anthem Blue Cross Life and Health Insurance Company, Blue Cross of California, the Elevance Health Companies of California and several other related entities. (Los Angeles County Superior Court Case No. 24STCV15952). The filing was announced today by the Los Angeles law firm of Helmer Friedman LLP.

Plaintiff Luis Ortiz, a California resident, alleges that on February 17, 2022, after having undergone a coronary angiogram, he was immediately admitted to the hospital and underwent triple bypass surgery. His post-surgery recovery, he alleges, was difficult and rife with complications, including debilitating pain in his chest and back, and radiating throughout his entire body.

Mr. Ortiz alleges that he dutifully kept his employers updated and consistently submitted medical authorization to support his leave of absence. In August 2022, his doctors authorized an extension of his leave for six months. But, in an email of October 7, 2022, he was told by his supervisor, Ms. Millet-Riley, that his leave was unapproved. According to the complaint, she threatened that he would be terminated for “abandoning his job” if he did not contact her within 3 business. Mr. Ortiz alleges that he contacted her immediately on the same day and told her that he was not abandoning his job, and that he intended to return to work as soon as his doctors authorized him to do so. Nonetheless, on October 10, 2022, the complaint asserts that defendants fired Mr. Ortiz for “job abandonment,” an explanation that Mr. Ortiz contends is a pretext for discrimination and unlawful conduct.

Mr. Ortiz further alleges that, after he was fired, he applied for a vacant position in underwriting with Anthem Blue Cross of California (for which he was eminently qualified) but was denied that position. Mr. Ortiz alleges that such conduct was discriminatory and retaliatory. Commenting on California law, Gregory Helmer of Helmer Friedman LLP said, “It is illegal to discriminate against employees who are recovering from surgery, and it is disappointing to see these allegations arise in the healthcare industry – the very industry that people rely on for their health and wellbeing.”

A copy of the complaint is available at www.helmerfriedman.com.

For more information, please contact Gregory D. Helmer (ghelmer@helmerfriedman.com), James Carr (james@carrlawgrp.com) or Evelyn Zamora (ezamora@helmerfriedman.com)
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