

News Release

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Court Grants Preliminary Approval of Landmark Provider Blue Cross Blue Shield Antitrust Settlement

BIRMINGHAM, AL – Whatley Kallas, LLP—Co-Lead Counsel in the long-running antitrust lawsuit filed on behalf of healthcare providers nationwide— has announced a significant milestone in the case: the Court has granted preliminary approval of the settlement. The monumental settlement involving all Blue Cross and Blue Shield entities and the Blue Cross Blue Shield Association is the largest antitrust settlement in the history of the U.S. healthcare sector, amounting to billions of dollars in benefits for healthcare providers.

The preliminary approval marks a crucial step forward in resolving the Provider Plaintiffs' antitrust claims. This landmark settlement will not only provide \$2.8 billion in cash to providers but will also require Blue Cross Blue Shield to invest millions in system improvements to address widespread issues currently affecting providers. These improvements will bring substantial changes to the BlueCard Program and the Blues' operations, including accountability, streamlining claims processing, enhancing provider communications and reducing administrative burdens and inefficiencies for healthcare providers.

“We were pleased to receive the Preliminary Approval Order,” said Co-Lead Counsel Edith Kallas, of Whatley Kallas. “It is an important step in our effort to provide the significant monetary and injunctive benefits to the members of the Settlement Class.”

Co-Lead Counsel Joe Whatley added: “After 12 years of litigation and nine years of negotiations, the Preliminary Approval Order brings us closer to finally addressing key, long-standing issues that have plagued providers for years.”

The Court recognized that this settlement provides a unique and comprehensive resolution that would be impossible to achieve through individual litigation. Provider Plaintiffs invested over \$100 million dollars and spent 12+ years gathering the data, research, and evidence needed to produce a successful outcome. Opting out of the settlement to pursue separate legal action would require an immense amount of time and resources, making it extremely costly for large health systems and simply cost prohibitive for smaller providers. Providers who opt out would forfeit both monetary compensation and the crucial systemic improvements to the BlueCard Program, which are impossible to achieve through separate litigation. Given the sizeable risks of opting out and the immediate, substantial relief offered by the settlement, the Court concluded that the recovery outlined in the Provider Settlement Agreement is an "excellent achievement."

Notices will soon be going out from the Settlement Notice Administrator, BrownGreer PLC, to providers across the U.S. with more information and next steps. As nearly all providers who have



ever submitted a claim to Blue Cross Blue Shield will be involved in this settlement, providers across the country should expect to receive an email or a postcard in the mail.

Filings and orders related to the settlement will be available at www.whatleykallas.com/bcbs-settlement. The Final Fairness Hearing, which will determine the final outcome of the settlement, is currently scheduled for July 29, 2025.

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About

Whatley Kallas has litigated against some of the largest defense firms in the world and across the country in both federal and state courts, and arbitrated in arbitral forums from coast to coast. The firm has extensive experience representing all types of healthcare providers including health systems facing a health insurer in individual or class action lawsuits. Whatley Kallas has some of the few lawyers who have tried a class action to a billion-dollar-plus verdict for plaintiffs and successful verdict for defendants. Whatley Kallas is known for committing substantial resources of the firm to achieve meaningful change to society, with longstanding and ongoing representation of medical providers and national, state and county medical societies, litigating against and negotiating settlements with the largest health insurers in the country.

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