

CONSUMER ACTION NEWS

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How to Complain

'Catch more flies with honey' Get results with effective complaining techniques

By Michelle De Mooy

There is an art to effective complaining. Like painting and sculpture, successful complaining—or the type that serves to reduce consumer dissatisfaction and produce a happy ending—takes time, nuance and a lot of patience.

If you've recently been a disgruntled customer who has attempted to make your voice heard, you know the aggravation that can come with complaining. This is not by accident. Many companies do their best to make it very hard for customers to complain, hiding the phone number to call with grievances or obscuring the steps it takes to resolve an issue.

So how can you navigate company complaint minefields and master the art of complaining? Joe Ridout, manager of Consumer Action's national consumer hotline, suggests that taking some time to think the problem through is a good way to start. This will help you get straight to the issue.

Get right to the point

"Make your complaint letter concise and to the point," he says.

Ridout also says that many consumers tend to over-threaten companies with legal action, which can put customer ser-

vice reps and businesses on the defensive.

"Although you may have legal rights that are relevant to your complaint, it's best to speak in terms of what you believe is fair or unfair, rather than what may be legal or illegal," Ridout says. "An appeal on the basis of fairness will usually be more persuasive." He says some customer service reps are instructed to transfer complaints to a company's legal department once a consumer alleges that a company has engaged in illegal conduct.

Ridout adds, "If the complaint was prompted by something the company did that actually was illegal, you retain the ability to sue the company later, if it comes to that."

Ridout addresses an issue that is often the greatest challenge for consumers: reaching someone in the company with enough decision-making authority to resolve your complaint.

"If the front-line customer service reps are unhelpful, go up the chain of command with a supervisor," he says. "If that still leaves the matter unresolved, most large companies have personnel in even higher offices, called 'executive customer relations' or 'retention.'" Ridout suggests viewing these employees as "super-supervisors" because they have the ability to

See "Get results" on page 3.

Hands-on help from the financial watchdog New consumer protection bureau launches complaint hotline with bite

Do you have a credit card complaint and you can't get any satisfaction? Now there's a place to turn for help. The new Consumer Financial Protection Bureau (CFPB) has launched a consumer complaint hotline that offers human contact, instead of the usual automated phone line, and a website where you can track your complaint from start to finish—hopefully to a successful resolution.

The CFPB opened its doors on July 21. Its Consumer Response Unit initially will focus on credit card complaints, but eventually will handle all sorts of financial problems stemming from overdraft and other bank fees, debit and prepaid cards, payday loans, credit scores, credit reports, student loans, mortgage problems and more.

What to expect

If you visit the CFPB website (www.consumerfinance.gov) and file a credit card complaint, you will be asked to describe the problem and what you think the solution should be. You can provide your contact information and credit card details. You'll be asked if you think there was discrimination involved, and if you've lost money, how much. The complaint

form also asks where else you've submitted complaints—for example, the company, a government agency or an attorney.

As a first step, your complaint will be submitted to the credit card issuer in an effort to resolve the problem. You'll be given a tracking number so you can follow your complaint through the process. If your card issuer offers a resolution that you are not satisfied with, you will have an opportunity to dispute the offer. Not all complaints will be resolved, but the CFPB has told Consumer Action that it intends to resolve as many complaints as possible.

Consumer complaints will be reviewed regularly by CFPB staff to identify harmful trends and to determine if a pattern exists that would require new rules to regulate, or even ban, certain financial practices.

To submit a complaint, visit www.consumerfinance.gov and click on "Submit a credit card complaint." If you prefer, you can call 855-411-CFPB (2372). Complaints will be handled in English and Spanish.

Problems with financial services besides

See "Watchdog" on page 4.

Health insurance appeals No is not always the final answer

By Linda Sherry

Claim denied—not what you want to hear from your health insurance company. But is it the final answer? Definitely not! If you are denied coverage, you can appeal any decision you disagree with.

An appeal, sometimes called a grievance, is a formal request for your insurer to review its decision, with or without any added information you or your doctor can provide.

Many insurer denials are based on decisions that a procedure is "not medically necessary." Many of these denials should be appealed in order to determine if the decision to deny your claim was made by medical professionals, in the best interest

of your health. You also have the right to request an expedited review, usually within 48 hours, if your medical provider believes that treatment is urgent or your health will be jeopardized.

Health insurers have their own customer appeals processes, with many offering two reviews, or appeals. To escalate complaints that are not resolved, you can file a grievance with your state insurance department or other state agency that regulates health insurers in your state.

If you are ill or unable to file an appeal on your own behalf, a friend, family member or attorney can be authorized to file the appeal for you.

It's likely that your insurer has a deadline for appeals—but it's usually several

months or more, for example 180 days. The clock starts ticking from the date of the "explanation of benefits" notifying you of the denial or adverse benefit decision. An adverse benefit decision could mean, for example, that you must pay more out of pocket than you expected to.

Steps to a successful appeal

Step One. Learn why your claim was denied. The statement of benefits should have this information, but we recommend giving your insurer a call so that you truly understand the situation. Sometimes you'll find that the claim was already resubmitted by your medical provider and approved. If not, ask if you (or your medical provider) can resubmit the claim. If so, ask when you should expect to hear about the outcome. If not, ask about the company's appeals process and how you can get copies of any required appeals forms.

See "Appeals" on page 4.

'How to Complain' guide updated

We've updated Consumer Action's perennial favorite guide *How to Complain* in honor of our 40th anniversary. The free and comprehensive booklet is designed to help you complain effectively and get results. *How to Complain* includes a sample complaint letter and email, as well as advice on:

- how to approach businesses with a complaint;
- escalating a complaint through customer service or a company's executive offices;
- writing emails and letters about your complaint; and
- documenting your complaint.

The guide can be read online or downloaded in PDF format at: www.consumer-action.org/howtocomplain. ■

Consumer Action

www.consumer-action.org

Consumer Action has been a champion of underrepresented consumers nationwide since 1971. A non-profit 501(c)3 organization, Consumer Action focuses on financial education that empowers low- to moderate-income and limited-English-speaking consumers to financially prosper.

By providing financial education materials in multiple languages, a free national hotline, and an Annual Credit Card Survey, Consumer Action helps consumers assert their rights in the marketplace and make financially savvy choices.

Advice and referral hotline

Submit consumer complaints about consumer problems to our hotline:

hotline@consumer-action.org

(415) 777-9635 or (213) 624-8327

Chinese, English and Spanish spoken

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Got a complaint?

Government agencies with a mission to protect consumers

Everybody needs a little help sometimes. Consumer protection is at least part of the mission of the many government agencies listed below. While some agencies do not resolve individual complaints, you should contact them when you have problems with goods or services. Consumer complaint trends are an important decision-making factor when government agencies decide to bring a lawsuit or other enforcement action against a company. Many agencies offer valuable information you should review before you make a purchase or sign on the dotted line.

When you file a complaint with any of these government sites, your privacy is protected and none of your identifiable information is made public.

State attorneys general (AGs)

Find your AG at the National Association of Attorneys General (NAAG) website (www.naag.org) or in the government services section of your phone book.

Attorneys general are state officials (elected or appointed) who are charged with protecting the public interest. Many consider consumer protection part of their core mission and provide complaint-handling services.

To locate state consumer protection offices visit www.usa.gov/directory/stateconsumer/index.shtml or call 800-FED-INFO (800-333-4636).

County or local district attorneys (DAs)

District attorneys (DAs) are elected or appointed government officials who represent the government in the prosecution of criminal offenses. Many DAs' offices have specialized "consumer protection units" to investigate and prosecute unfair or dishonest business practices, consumer fraud, and consumer scams. Find your local DA's office online by putting your county (and state's) name with the words "district attorney" in the search box.

Consumer Financial Protection Bureau (CFPB)

www.consumerfinance.gov or 855-411-CFPB (2372)

The CFPB collects, investigates and responds to consumers' financial complaints regarding credit, debit, prepaid cards, bank fees, debt collection, credit reports, mortgages, payday loans, student loans, etc. It promotes financial education, enforces laws that outlaw discrimination and other unfair treatment in consumer finance, oversees the nation's largest banks, writes rules for bank and non-bank lenders and restricts unfair, deceptive or abusive acts and practices. (See *article about the CFPB on page 1.*)

Consumer Product Safety Commission (CPSC)

www.saferproducts.gov or 800-638-2772

If you have a complaint about a defective product or a product-related injury, you can report it on the CPSC's SaferProducts site. The CPSC's online complaint form includes answers to questions about what information is needed and how the CPSC will use the complaint. You'll be asked the type of risk the product poses, and whether you give permission to add your complaint to the database or share it with the manufacturer. (Your personal information—such as your name, address or phone number—will not be shared with the public.)

The CPSC database lists complaints (but does not verify claims) from consumers. SaferProducts.gov also gives consumers access to safety complaints and product histories. Products are listed by category, such as furniture, freezers, clothing, toys, sporting goods, garden tools and personal care items. All product recalls are listed, and companies have the opportunity to dispute claims made against a product and add their own comments to the safety database.

Note: Congressional budget cutters are seeking to eliminate the CPSC product safety database. The House of Representatives Appropriations Committee voted in June to end its funding. At press time, the database is still online.

National Highway Traffic Safety Administration (NHTSA)

www.safercar.gov; 888-327-4236

The NHTSA website allows consumers to file a complaint about specific cars, motor vehicle equipment, tires and child safety seats. You can report a defect, vehicle-related injury or crash online, by phone or by email. You will be asked to describe the events leading up to the problem, how it occurred and what was done to correct the problem.

SaferCar.gov also gives consumers access to vehicle complaints. You can search auto safety complaints by make, model and year. Consumer complaints help the agency determine when a recall is necessary. Government recalls require the manufacturer to fix the problem at no cost to owners.

Food and Drug Administration (FDA)

www.fda.gov (See below for more contact information.)

Even a few complaints of illness or injury might prompt the FDA to launch an investigation into whether to recall an unsafe item, drug or supplement, or to update product labeling. The FDA accepts and monitors complaints about:

- food related illnesses/allergic reactions;
- infant formula/baby food;
- prescription drugs/over-the-counter medications;
- medical devices (contact lenses, pacemakers, glucose testers);
- dietary supplements;
- pet food; and
- cosmetics.

Medically related complaints should be reported to the FDA's MedWatch program at 800-FDA-1088. You will be asked to fill out Form 3500 or complete it online at www.accessdata.fda.gov/scripts/medwatch/medwatch-online.htm. The FDA's 24-hour emergency line at 866-300-4374 accepts complaints about medical emergencies involving unsafe drugs, foods or medical devices. For questions about specific medical products, call 888-INFO-FDA (463-6332).

Complaints about food items and other FDA-regulated products should be reported to an FDA Consumer Compliant Coordinator. To find the office nearest you visit: www.fda.gov and use the search field to enter "Consumer Complaint Coordinators."

Federal Deposit Insurance Corporation (FDIC)

<http://www.fdic.gov/about/contact/ask/> or 877-275-3342 (877-ASK-FDIC)

The FDIC insures deposits at state-chartered banks. (It also provides callers

with contact information for other bank regulators.) If the FDIC supervises your bank you can file a complaint with its Consumer Response Center. The FDIC will contact the bank, investigate your complaint and provide a response.

TIP: To learn which regulator is responsible for your financial institution visit www.ffiec.gov/consumercenter/default.aspx.

Comptroller of the Currency (OCC)

www.helpwithmybank.gov or 800-613-6743

Complaints about national banks are accepted by the CFPB (see above) and the OCC, which will notify the bank about your complaint and send you a letter summarizing the bank's response. The OCC now also accepts complaints about federal savings banks.

National Credit Union Association (NCUA)

<http://mycreditunion.gov/complaint-form.aspx> or 703-518-1140

You can file complaints about federal credit unions with the NCUA's Office of Consumer Protection. The agency will not represent you or arbitrate your complaint, but it will report your issue to the credit union and provide a response within 60 days. NCUA will take enforcement action if there is a violation of a rule or law. To file a credit union complaint online visit: <http://mycreditunion.gov/complaint-form.aspx>.

Securities and Exchange Commission (SEC)

www.sec.gov/complaint/tipscomplaint.shtml or 888-SEC-6585 (general info)

Investors can file complaints about an investment advisor, broker or company. The SEC investigates complaints about unauthorized transactions, unfair practices and fraud. Your complaint will be forwarded to the company, which is required to respond to you and to the SEC. Consumers can also get answers to many investment related questions from the SEC by visiting www.sec.gov/answers.shtml.

If your complaint is not resolved, you may choose to pursue mediation or arbitration. You can contact the Financial Industry Regulatory Authority (FINRA) for more information on these options. Visit FINRA Dispute Resolution at www.finra.org/ArbitrationMediation/index.htm or call 212-858-4400.

Federal Trade Commission (FTC)

www.ftccomplaintassistant.gov or 877-FTC-HELP (877-382-4357)

The FTC accepts and tracks consumer complaints about debt collection, credit reporting, telemarketing problems, unfair or deceptive business practices and identity theft. It logs all complaints in its *Consumer Sentinel* database for the use of law enforcement agencies nationwide and, in some cases, internationally. The FTC also operates a separate military complaint database (www.ftc.gov/sentinel/military/index.shtml).

The FTC does not resolve individual complaints. It uses complaint information to detect patterns that warrant investigation.

For example, the FTC recently sued mortgage lender Countrywide, charging that it used unfair and deceptive practices in servicing mortgages. (Bank of America purchased Countrywide in 2008.) In settling the case with Bank of America, the FTC is mailing refund checks totaling \$108 million to victimized homeowners. (For more information on this case, call 888-230-3196 or visit <http://ftc.gov/bcp/cases/countrywide/index.shtml>). ■

Get results

Continued from page 1

engineer a fair resolution if they believe your complaint has merit.

The happiest customer is perhaps the one who never has to make a complaint at all. To avoid customer dissatisfaction, make sure you read the fine print before you make a purchase.

Get it in writing

Avoid listening to verbal promises and remember that it's what's in writing that counts. Be alert for overly complex terms, which can signal that a company has a poor service or product and is trying to cover itself against potential consumer claims.

Also, do your research on the company and its products. Websites such as CNET.com and publications like Consumer Reports offer comprehensive buying guides on a vast array of products and services. Consumer Action surveys credit cards and other financial services and wireless products to give consumers an idea of what's out there.

Steps to success

Complain! Only about four per cent of dissatisfied consumers even bother to complain, according to a recent survey. Take the time to give a company feedback on how it's wronged you. You might be surprised how much you get in return for being a 'squeaky wheel'.

Know your rights. Before contacting a company, research consumer protections. If you used a credit card for the transaction, you may have additional protections such as the ability to dispute certain items. You may have extended warranty protection with a particular credit card or insurance—but be careful, some coverage only kicks in after any other coverage you have, so be sure to check the fine print closely.

Find out what the company or manufacturer promises if the product is under contract, warranty or guaranty. (Sometimes your credit card company gives you a free extension on the basic warranty if you use it to pay for a product.)

Learn who regulates the company and whether you might have additional consumer rights under federal or state law. If you're dealing with a collection agency, for example, the Federal Trade Commission (FTC) offers an online summary of the Fair Debt Collection Practices Act as well as state laws regarding collections. To review the FTC's summary visit (www.ftc.gov/bcp/edu/microsites/moneymatters/dealing-with-debt-collection.shtml)

Know your solution. What do you want? What will resolve the problem? Do you want to replace a damaged or broken

product? A refund? Or are you looking for an apology from the company? You'll have a better chance of achieving success if you state exactly what you want the outcome to be. Rehearse your spiel so you sound logical and clear when you speak with company reps.

Create a rapport. It can be easy to disassociate with the person on the other side of the phone or email. But there is a human being there, with a name and a life. Try to establish a rapport with the person who is designated to help you. It may make it easier to get what you want. Treating people with respect is a no-brainer; you always catch more flies with honey—and blowing your top is no answer.

Help them help you. Try framing your complaint as a problem that needs a constructive solution, and work to empower

Complaint letter

Your name
Address
Phone number

Company official
Company name
Company address

Date

Dear (title) ____:

I wish to complain about ____ (name of product or service, with serial number or account number) that I purchased on ____ (date and location of transaction).

I am complaining because ____ (the reason you are dissatisfied). To resolve this problem I would like you to ____ (what you want the business to do).

When I first learned of this problem, I contacted ____ (name of the person, date of the call) at your company, and was told that nothing could be done about my problem. I believe that this response is unfair because ____ (the reason you feel the company has an obligation to you). I would like a written statement explaining your company's position and what you will do about my complaint.

I look forward to hearing from you as soon as possible to resolve this problem. If I do not hear from you within ____ days I will file complaints with the appropriate consumer agencies and consider my legal alternatives. I am enclosing copies of my receipt (or other proof of purchase). I may be contacted at the above address and phone number.

Sincerely,
(your signature)
(Type or print your name)

CC: (local consumer group) (appropriate government agencies)

ATT: (attach and list documentation of your complaint, if any)

the person on the other end to help you so that you can achieve your goal. Turn them into someone who will go to bat for you. Ask the person "What would you do if you were in my situation?" Becoming combative is usually counterproductive.

Take names and numbers. It's all too easy for customer service reps to pass you off, drop your call, or send you to voice-mail purgatory. Make sure you

Complaint email

From: My Name <myname@myemailprovider.net>
Subject: (short description of your complaint)
Date: Most email programs enter this field automatically
To: (enter the email address of the person you are contacting)
CC: (local consumer group) (appropriate government agencies)

Dear (title) ____:

I wish to complain about ____ (name of product or service, with serial number or account number) that I purchased on ____ (date and location of transaction).

I am complaining because ____ (the reason you are dissatisfied). To resolve this problem I would like you to ____ (what you want the business to do).

When I first learned of this problem, I contacted ____ (name of the person, date of the call) at your company, and was told that nothing could be done about my problem. I believe that this response is unfair because ____ (the reason you feel the company has an obligation to you). I would like a written statement explaining your company's position and what you will do about my complaint.

I look forward to hearing from you as soon as possible to resolve this problem. If I do not hear from you within ____ days I will file complaints with the appropriate consumer agencies and consider my legal alternatives.

I am attaching copies of my receipt and (other proof of purchase).

You may reply to me at this email or call me at (phone number).

Sincerely,
(your full name)

(CFPB) or your state Attorney General's consumer protection division are good places to check. In a letter to the company, make sure you mention that you'll follow up with the appropriate entities if the company doesn't satisfy your complaint.

Follow up. Be persistent. Continue to call around until you find someone at the company who will help you resolve your problem, and make sure they understand that you are not going to give up.

Warn others. The Internet is one of the best tools for consumer complaints. Not only can you learn which companies are gouging consumers, you can post your experiences so that others can learn from you. Because many companies now peruse social media posts, you might just get the company's attention—and maybe an apology or more—by posting something on a blog or social networking site.

Check out sites like Complaints.com or RipoffReport.com, which allow you to post your complaint and search their databases for other complaints. Fightback.com is a blog that offers columns on battling companies, tips on being a savvy complainer, and a community message board to connect with other consumers. My3cents.com allows consumers to read and post reviews of company complaint handling and relevant customer policies, as well as providing advice on how to best approach various companies.

The government also provides complaint-handling services, either through state agencies or federal regulators. Visit www.usa.gov/directory/stateconsumer/index.shtml for a list of state and local consumer complaint agencies. It's important to alert regulators to potential problems so that they may take further action against companies, if necessary, and protect other consumers. The Federal Trade Commission, Securities and Exchange Commission and the newly established Consumer Financial Protection Bureau all offer ways for consumers to complain online, by phone and by mail.

(For more complaint-handling resources, see "Got a complaint?" on page 2.) ■

Portrait of a complainer

The Blowing Vent. These complainers often expend a lot of energy ranting at passive-aggressive customer service representatives, only to find themselves disconnected or in a state of never-ending transfers.

The Professional. Consumer "complaint connoisseurs" are the people who have figured out exactly how to use their grievances against a company to get what they want. They often find themselves with free airlines miles, free nights in hotel rooms or full refunds.

TIP: Hotels, restaurants and car rental companies are grateful for constructive consumer feedback. A friendly letter, clearly outlining the specifics of your problem or concern, may prompt the company to offer refunds, credits or perks.

The Defeated Downer. With a heavy heart, this complainer believes that no customer service rep can help and, furthermore, the company is trying to avoid dealing with the complaint. The Defeated Downer might lodge a complaint, but just to prove how it will go nowhere and further illustrate the company's ineptness.

—Michelle De Mooy

have the name, department and phone number (with extension) of every person you speak with, and a note about what you were told so that you won't lose any progress if you need to call back. If you have trouble connecting to a human, you might try an online service like GetHuman.com, which helps consumers navigate customer-thwarting phone systems.

Write everything down. Keep notes of whom you talk to, when you reached them and what the next steps are. All of this information should be included in a follow-up email or letter to the company.

Don't be afraid to escalate. It's never a waste of time to complain to a company executive. Top-level employees often are more sensitive about the company's image and they aren't constrained by customer service protocol. To find a corporation's address, phone number and names of its executives, check with Google or Yahoo Finance, Hoovers (www.hoovers.com), the EDGAR database of the Securities and Exchange Commission, or Jigsaw (www.jigsaw.com).

Politely threaten. Do your research and understand what entity or watchdog covers complaints for the company. The new Consumer Financial Protection Bureau

Appeals

Continued from page 1

TIP: Create a folder about your complaint. Keep notes with the date and time of each call. Include the name and title of the person you spoke to, as well as what was said on the call.

Step Two: Decide if it makes sense to file an appeal. Maybe the denial or adverse benefit decision was based on a misstep on your part, such as failing to get a referral from your primary care physician, or visiting an out-of-network doctor or provider. Even so, you can still try to fight the decision, even if the odds are somewhat greater that you'll lose. But it may be worth trying if you have a good reason for the oversight.

Step Three: File your appeal with the insurer. Read the requirements for filing an appeal in your benefits booklet or on your insurer's website. Most plans require appeals to be submitted in writing. Download and print any required forms. Assemble and make copies of all pertinent documents (don't send originals). If the denial was related to medical necessity, ask your doctor's office to provide a letter that you can add to your appeal. Send your appeal "return receipt requested" so that you can be sure it was received. Place the evidence of delivery in your medical dispute folder.

Step Four: Follow through on your appeal. Most insurers have a timeline for reviewing appeals—typically 30 days. The limits are described in your plan documents. Know the deadline and follow up with a call to the insurer if you haven't heard anything. Most plans provide for two levels of internal appeals. If the decision is still not in your favor, submit a second formal appeal to your insurer. The company's response to your first appeal should outline the steps you must take to initiate a second internal review. Remember to keep copies of all documents and notes of conversations with representatives.

Step Five: If you are successful in your appeal, congratulations! If not, consider appealing to the insurer's regulator. To learn about your rights, contact the Employee Benefits Security Administration at 866-444-EBSA (3272) or your state's insurance or health regulator. You can find contact information for your regulator at the National Association of Insurance Commissioners on its website (www.naic.org) or view a PDF chart from United Policyholders (www.uphelp.org/pdfs/agencies_chart.pdf).

Appeal letters

Like any letter of complaint, the key to a good appeals letter is clarity and brevity. Spend some time in trying to clearly state the problem and aim for a short, concise letter. Be sure to include:

- what you are appealing (use the language from the health plan's denial);
- why you think the decision should be appealed; and
- what you want to happen to resolve the problem.

Consider adding "CCs" to your letter and sending a copy to the entities you CC. For example, you may wish to CC your doctor, or your state's health insurance department. In a truly serious matter, consider a CC to your elected representatives. Avoid a long list of entities and ensure that the entities you chose to CC are appropriate to a health insurance claim.

Send your letter by certified mail to the right address. This can be found in your denial notice, membership booklet or by calling your insurer.

Resources

Your state department of insurance.

Many states have excellent consumer education materials and other resources about health insurance grievances and appeals. Find your regulator at the National Association of Insurance Commissioners on its website (www.naic.org) or view a PDF chart of health insurance regulators from United Policyholders (www.uphelp.org/pdfs/agencies_chart.pdf).

Appeal letters. There are many online businesses that sell generic health plan appeal letters. Some sites require annual membership while others charge by the letter. Consumer Action does not recommend buying generic letters, but some of these sites have solid free information. In reviewing websites, we found that Health Symphony (www.healthsymphony.com) offers free and easy-to-read information about filing a health insurance appeal.

Claims assistance professionals. ACAP (Alliance of Claims Assistance Professionals) members are in the business of helping individuals and businesses file insurance claims. Each professional has his or her own way to charge—usually by the hour or as a percentage of the amount saved by the appeal. This may be worth considering if your claim is highly technical and involves a significant sum of money. Use the association's free service to find a claims assistance professional at www.claims.org/refer.php.

Consumer Action's 'hotline'

40 years of successful complaining

In June 1971, a few volunteers set up Consumer Action's first office in a nook donated by a San Francisco church. Founder Kay Pachtner, student activist and housewife, organized the fledgling group to respond to consumer complaints and soon callers began to deluge the new consumer complaint resolution hotline. The individual problems that Pachtner heard soon revealed a bigger picture: the strong taking advantage of the weak.

Consumer Action, a membership organization, acted on this equation and set up committees made up of consumers with complaints.

Consumer Action's Business Manager Michael Heffer, a founding member of the advocacy group and our longest-term employee, recalled the early days. "Individuals were brought together in small 'complaint resolution committees.' A dozen or so people met once a week to discuss each case as a group. Then someone was assigned to help the consumer deal with the complaint through letter writing and phone calls on the consumer's behalf. When such tactics failed, we'd send a delegation of two or three people to the business, to address matters in person."

In some cases, committee members would picket the offending business. Heffer remembers some of Consumer Action's early successes.

"The spectacle of 10-15 consumers marching around outside a store was a new and newsworthy one. The attention generated by the picketers and TV news stories soon resulted in significant victories. When Consumer Action convinced an auto dealership to completely refund a lemon of a used car, it turned into one of the biggest local stories of the year, and helped to establish our reputation as an effective organization."

When Consumer Action started its hotline, the small band of advocates was the only group providing such a service. Now the hotline receives approximately 7,000 consumer complaints a year covering everything from credit cards to wireless phones, and much, much more. (See a list of Consumer Action's top complaints online at: www.consumer-action.org/news/articles/2011_summer_issue_how_to_complain.)

Consumer Action celebrates its 40th anniversary Oct. 18 in Washington, DC, and honors a community-based organization, a consumer advocate in the media and a national legislator, each with outstanding consumer credentials. Please join us in person or consider a financial contribution to help keep Consumer Action around for another 40 years (at least!). Go to www.consumer-action.org/40th to contribute. ■

If the denial was related to medical necessity, ask your doctor's office to provide a letter.

Watchdog

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credit card complaints can be submitted by clicking on the "Tell your story" box. These communications will be collected and referred to appropriate government regulators while the bureau builds its staff and expertise.

Complaint database

Consumer Action, along with 20 other consumer and civil rights groups, has called for a public database with access to the substance of CFPB complaints. The Consumer Product Safety Commission and the National Highway Traffic Safety Administration operate publicly searchable complaint systems that could serve as models.

Meeting regularly with the new financial watchdog, Consumer Action and coalition partners stress the point that a publicly searchable system empowers consumers to make smart financial choices, holds companies accountable and saves the government time and money.

"We're confident that access to this database would help consumers avoid trouble upfront," said Ruth Susswein, Consumer Action's deputy director of national priorities. "We want the public to have easy access to information about the substance of a complaint and about how the company involved handled the problem."

The consumer groups suggest that complaint resolution information be included in the database to help shoppers learn which companies are more apt to solve problems, and to encourage healthy competition among companies for good customer service.

A final decision is pending on how much access the public will have to CFPB consumer complaint information. But don't let that stop you from tackling your own credit card problems with help from the "new cop on the beat." ■

Mediation. The non-profit Patient Advocate Foundation offers free mediation services between patients and insurers, employers and creditors to resolve insurance, job and debt problems for patients with chronic, debilitating or life threatening illnesses. For more information visit www.patientadvocate.org or call 800-532-5274.

Attorneys and legal professionals. Lawyers.com offers advice on appealing health insurance denials. Enter "health insurance appeals" in the site's search field to find the page.

In addition to the resources listed in this article, check out one of our favorite groups, FamiliesUSA (www.familiesusa.org), a national non-profit, non-partisan organization dedicated to the achievement of high-quality, affordable health care for all Americans. Click on Resources for Consumers to find a library of helpful tools, including easy-to-understand explanations of The Affordable Care Act (health insurance reform), passed by Congress in March 2010. ■



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Consumer Action depends on the financial support of individuals. Consumer Action members receive a subscription to *Consumer Action News*. New members also receive *How to Complain*. In addition, members have the satisfaction of supporting our advocacy efforts in California and nationally, a free hotline and the distribution of more than one million free educational brochures a year.

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