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## Leucadia woman settles lawsuit against HMO over her anorexic daughter's long stay in clinic



**Carol Carrasco and her lawyer, Mark Hiepler, conferred yesterday outside a courtroom in Vista. Crissy Pascual / Union-Tribune**

**By Onell R. Soto**  
STAFF WRITER

VISTA — The nation's largest psychiatric HMO has agreed to settle with a Vista school administrator whose insurance claim it rejected after she put her anorexic daughter into a \$500-a-day residential treatment facility.

Minutes before the settlement was signed, Carol "Pen-ny" Carrasco and her lawyers were talking about a settlement in excess of \$1 million that would preclude her from talking about the amount or mentioning the name of the health maintenance organization.

They had no comment later, citing a confidentiality agree-

ment with lawyers for Magellan Health Services Inc., which bought the parent company of Vista Behavioral Health Systems in 1998.

Magellan's lawyers would say only that the case had been settled.

The day after Thanksgiving 1997, Carrasco checked her daughter, Kimberlee Walker, then 21, into Montecaitani Inc., a Carlsbad center for treating eating disorders.

At 5-foot-5, Walker weighed 85 pounds. She was losing her hair in clumps. She had trouble concentrating or holding a conversation.

While the family had eaten a turkey dinner in their Leucadia

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# Anorexia tied to alleged abuse at McMartin school

home the day before, Walker just drank water.

"She was losing weight daily," Carrasco said. "I was afraid she was going to die."

Psychologists linked the girl's anorexia to alleged sexual abuse while a child, according to court records. She attended the McMartin Preschool in Manhattan Beach from 1978 to 1980. In a highly publicized case in the 1980s, parents accused the preschool operators of sexually abusing children there.

Walker was among dozens of children who, in interviews with psychologists and investigators, told of sexual abuse at the school.

Defense lawyers claimed the psychologists and investigators had brainwashed the children into believing they were abused. In two trials, Los Angeles County prosecutors did not win a single conviction.

Anorexia nervosa is a disorder that results in starvation to avoid gaining weight.

Carrasco tried getting help for Walker through Vista Be-



**Kimberlee Walker, improved after residential treatment for anorexia nervosa, works at a veterinary hospital. "I have more of a life than I had then," she says.** *Crissy Pascual / Union-Tribune*

havioral, which provided mental health coverage at the time for the Vista Unified School District, where Carrasco is dean of students for Guadalupe Park Academy, a charter school.

Vista Behavioral's doctors had said Walker could go to one of two psychiatric hospitals: San Luis Rey in Encinitas or Mesa Vista in San Diego.

But Carrasco refused after learning that neither had programs specifically for eating disorders.

The disorder requires spe-

cialized treatment, she said, and that is why she sent her daughter to Montecaitini.

To pay the \$15,000 monthly fee, Carrasco borrowed money from friends, relatives and her boss. She took out second and third mortgages on her home. She paid \$109,000 of the \$350,000 bill for Walker's two-year stay at Montecaitini, her lawyer said.

However, Vista Behavioral refused to pay. "There is no evidence that the needed treatment could not be provided in the contracted facility," the HMO's medical director, Dr. Michael Brase, told Carrasco in a letter.

In court filings, the HMO said it should not have to pay the \$350,000 bill because Walker could have gone to either of the psychiatric hospitals it had pre-approved for treatment.

Besides, it said, a Montecaitini benefactor already had paid for most of her care.

Carrasco's lawyer, Mark Hiepler, said she did not know about the benefactor until recently, and said that shouldn't make a difference because Vista Behavioral should have paid for the care in the first place.

Hiepler is known for his battles with HMOs, which started with his 1994 \$89.3 million victory against Health Net over the breast cancer death of his sister, Nylene Fox.

He contended Health Net had refused to pay for a bone marrow transplant for her until it was too late.

Suits like Carrasco's are unusual, said Pamela Greenberg, executive director of the American Managed Behavioral Healthcare Association, which represents about 60 percent of the psychiatric HMOs, including Magellan.

HMOs like to keep patients within their networks not only to control costs, but to ensure the quality of care, she said.

Acute eating disorders are best treated by specialists in small settings, said Christopher Athas, vice president of the National Association of Anorexia Nervosa and Associated Disorders in Highland Park, Ill.

"It probably should not be just a psychiatric hospital," he said. Residential treatment pro-

grams such as Montecaitini typically charge \$1,000 a day, he said.

After two years at Montecaitini, Walker, 23, is back to a healthy weight. She has friends, works at an animal hospital and is dancing again.

"I have more of a life than I had then," she said. "I wasn't really in contact with my family. I was more into exercising and not eating, that was my life. I didn't have anything else."

But the illness is one she never feels is totally behind her.

"Every day it's a struggle," she said. "Every day I fight it. There are days I don't even want to eat."

**Beth Wood**, a Union-Tribune library researcher, contributed to this report.