

Media

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2010	12	15	ABC News	Obama's Christmas message	http://www.abcnews.com
2010	12	16	NBC News	Obama's Christmas message	http://www.nbc.com
2010	12	17	MSNBC	Obama's Christmas message	http://www.msnbc.com
2010	12	18	USA Today	Obama's Christmas message	http://www.usatoday.com
2010	12	19	Washington Post	Obama's Christmas message	http://www.washingtonpost.com
2010	12	20	Washington Post	Obama's Christmas message	http://www.washingtonpost.com
2010	12	21	Washington Post	Obama's Christmas message	http://www.washingtonpost.com
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2010	12	31	Washington Post	Obama's Christmas message	http://www.washingtonpost.com



COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
State House, Boston, MA 02133-1053

SENATOR KAREN E. SPILKA
2nd Middlesex and Norfolk District
Room 511C
Tel: (617) 722-1640
Fax: (617) 722-1077
Email: Karen.E.Spilka@state.ma.us

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MEDIA ADVISORY

For Wednesday, October 10, 2007

FOR IMMEDIATE RELEASE

October 9, 2007

CONTACT:

Sarah Blodgett, Communications Director
Office of Senator Karen Spilka
(617) 722-1640 phone
(617) 275-6348 cell

Young Widower to Testify in Favor of "Jenny's Law," Senate-Bill 633, An Act Ensuring
Consumer Protection in Life Insurance Contracts

WHEN:

Wednesday, October 10, 2007
1:00 pm
2:00 pm Press Availability

WHERE:

Room B-2
Massachusetts State House
Boston, MA

WHO:

Senator Karen Spilka (D-Ashland)
John Crowley, Ashland Resident
American Cancer Society

DETAILS:

Jenny's Law would make the life insurance company, rather than the individual insured, responsible for proving that someone is not in good health at the time a policy is issued.

Senator Spilka filed this legislation after hearing the heartbreaking story of her constituent, John Crowley, who lost his wife Jenny to breast cancer. Shortly after giving birth to their daughter Kaitlyn, physicians at the delivery hospital examined his wife Jenny and noted she was in perfect clinical health. At Jenny's first appointment with her OBGYN in August 2004, the doctor examined Jenny's breasts and noted nothing unusual. It was not until Jenny's follow-up visit with her OBGYN in October 2004 when the doctor noted some firmness she thought was consistent with postpartum, but cautiously suggested that Jenny see a specialist to leave no stone unturned. Shockingly, a biopsy performed two weeks later revealed that Jenny had a very aggressive form of Stage IV breast cancer.

Just one year short of her terrible diagnosis, in early October 2005, Jenny passed away at the age of 31. John and Kaitlyn Crowley soon received another blow: the life insurance company had denied their claim. The reasoning the company used to support their denial of the claim was unbelievable: they speculated that if Jenny Crowley had Stage IV cancer in October, she must have had it in September when the policy was issued.

According to the company, she could have not been in good health at the time her policy was written, and so her contract was considered void and her family was therefore not entitled to any benefits. They asserted this despite the fact that she had had numerous evaluations by medical professionals—including one representing the insurance company—before her policy was written, all of whom found no evidence of cancer and were willing to declare her in good health. Even now, no doctor can state definitively when Jenny's cancer began, or if it even existed prior to the day her policy was issued.

The bill seeks to better protect life insurance consumers who take the proper precautions and don't misrepresent the facts.

'Jenny's Law' Seeks to Protect Life Insurance Consumers Who Do the Right Thing

Boston, MA – 10/10/07 — In a hushed hearing room at the State House today, State Senator Karen Spilka (D-Ashland) and Representative Tom Sannicandro (D-Ashland) joined Ashland resident John Crowley in testifying before the Financial Services Committee in favor of Senate Bill 633, An Act Ensuring Consumer Protection in Life Insurance Contracts. Dubbed 'Jenny's Bill' in memory of John's wife, the bill seeks to increase protection for families who purchase life insurance in good faith by removing the ambiguity currently inherent in the good health clause of life insurance contracts.

Jenny's Law was filed in the wake of the death of Jenny Crowley, who was tragically diagnosed with Stage IV breast cancer just four months after giving birth to the couple's first child. When Jenny passed away a year later, SBLI, the life insurance company the Crowleys had chosen, refused to pay the claim, arguing that Jenny must not have been in good health at the time the policy was issued. They asserted this despite the fact that she had received numerous evaluations from medical professionals—including one from SBLI—before and after the policy was written and was declared to be in good health.

"In essence, the life insurance company was saying that its own requirements for determining someone to be in good health were insufficient, and therefore it didn't have to pay." John Crowley testified. "They acknowledged that I was not attempting to defraud them or misrepresent facts. They simply used their unfounded supposition about when Jenny's cancer began to deny a legitimate claim."

In their testimony, Senator Spilka and Representative Sannicandro acknowledged that is currently legal for life insurance companies to make this type of decision under Massachusetts law. They have filed Jenny's Law to clarify the statute and shift the burden of responsibility for proving a claimant in good health onto the insurance companies and off of the insured.

"What's important about Jenny's Law is that families all around Massachusetts who go to sleep feeling protected by life insurance policies will in fact be protected by life insurance policies in the event of a tragedy," said Sannicandro. "No family should have to experience what the Crowley family experienced and this bill will help protect any other families who suffer through this kind of loss."

"This bill is fundamentally about fairness for families across the Commonwealth," state Senator Spilka. "We need to make sure that we protect people, like the Crowleys, who do all the right things and take the proper precautions. Without clarifying the law as it currently stands, it's impossible to know who actually is covered by the life insurance that they have."

"This legislation would ensure that a family suffering the unexpected death of a loved one from cancer would not face the additional burden of providing scientific facts and medical data to prove something that physicians and other experts could not provide, stated Marc Hymovitz, Director of Government Relations for the American Cancer Society. "While amazing employees, scientists, doctors and volunteers at the American Cancer Society and other similar organizations dedicate their lives to finding a way to detect cancer immediately, the fact remains some cancers still are not found until it's too late."

In arguing in favor of a clarification of the law, Senator Spilka cited a recent Superior Court case, which ruled in favor of a widow who lost her husband to pancreatic cancer and later was denied her claim by SBLI.

John Crowley acknowledged a cruelly ironic twist to his story when he noted that Jenny had been in charge of managing SBLI's advertising campaign. In order to help sell the company's products to young families just like hers, Jenny had designed a brochure featuring an infant Kaitlyn on the cover. The text read, "If only every decision were as easy as choosing the right life insurance."

"Nothing can erase the grief that we experienced in losing Jenny," Crowley said in closing. "I am convinced, however, that the pain of losing a loved one need not be compounded by a life insurance company that refuses to do the right thing."

If Jenny's Law is reported out favorably from the Financial Services Committee, it goes to the Senate floor for debate.

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U.S. SENATE
OFFICE OF THE CLERK
WASHINGTON, D.C. 20540

When Life Insurance Isn't Any Insurance At All

Like millions of Americans, the Crowleys purchased a life insurance policy when they decided to start a family. But when Jenny Crowley died of breast cancer shortly after giving birth, their life insurance company refused to pay up. With Jenny's Law, the husband and young daughter she left behind are fighting to make sure other families who take the proper precautions don't suffer the same fate.

Ashland, MA – In the summer of 2004, John and Jenny Crowley had it all. Friends since the second grade who later became high school sweethearts, their 2000 wedding was a happy celebration of two people and two families who clearly loved each other very much. When Jenny, an account manager at a boutique advertising agency, discovered she was pregnant in 2003, John had just landed an exciting job as Director of Finance at a successful consulting firm. The future lay ahead of them, and it seemed to hold nothing but promise.

In June 2004, John & Jenny welcomed a healthy baby girl, Kaitlyn, into their family. In preparation for the birth of their first child, they had looked for life insurance policies and chose SBLI, in part because their rates were competitive, but also because Jenny had managed their advertising

campaign. The insurance company issued its policy for the Crowleys in September of 2004, a month after Jenny's first post-partum check up and two months after it performed a clinical medical exam, including blood work. Because of a previous melanoma scare, Jenny was issued a higher premium than John. Other than that, they appeared to be in perfect health.

Shortly after giving birth, physicians at the delivery hospital examined Jenny and noted she was in perfect clinical health. At Jenny's first appointment with her OBGYN in August 2004, the doctor examined Jenny's breasts and noted nothing unusual. It was not until Jenny's follow-up visit with her OBGYN in October 2004 when the doctor noted some firmness she thought was consistent with postpartum, but cautiously suggested that Jenny see a specialist to leave no stone unturned. Shockingly, a biopsy performed two weeks later revealed that Jenny had a very aggressive form of Stage IV breast cancer.

For the next year, Jenny fought bravely—for her life and to leave a legacy for her daughter. When she no longer had the energy to work, John became the sole breadwinner for the family, all the while spending every minute possible with his beloved wife and tiny daughter. Jenny cherished the time she had with Kaitlyn but was often sick and fatigued, the result of strenuous chemotherapy.

Just one year short of her terrible diagnosis, in early October 2005, Jenny passed away at the age of 31. Kaitlyn was just 16 months old. Despondent from his loss, but comforted by the idea that he and Jenny had taken the proper financial precautions for their daughter, John Crowley began the process of submitting a claim on Jenny's life insurance policy.



Jenny and John Crowley at their 2000 wedding. The pair had been high school sweethearts.



Jenny Crowley and baby Kaitlyn at birth (left), and shortly before Jenny's death.

On December 30, 2005, as they were in the early stages of rebuilding a life without their wife and mother, John and Kaitlyn Crowley received another blow: the life insurance company had denied their claim. The reasoning the company used to support their denial of the claim was unbelievable: they speculated that if Jenny Crowley had Stage IV cancer in October, she must have had it in September when the policy was issued.

According to the company, she could have not been in good health at the time her policy was written, and so her contract was considered void and her family was therefore not entitled to any benefits. They asserted this despite the fact that she had had numerous evaluations by medical professionals—including one representing the insurance company—before her policy was written, all of whom found no evidence of cancer and were

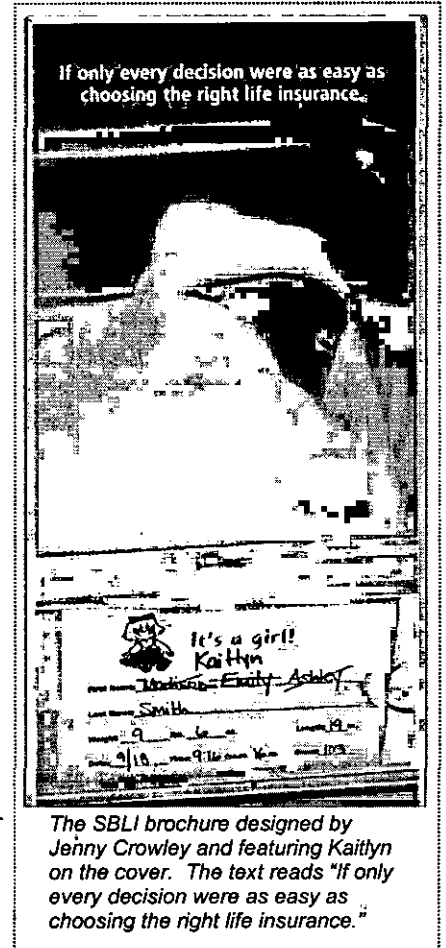
willing to declare her in good health. Even now, no doctor can state definitively when Jenny's cancer began, or if it even existed prior to the day her policy was issued.

In essence, the life insurance company was saying that its own requirements for determining someone to be in good health were insufficient, and therefore it didn't have to pay. They acknowledged that John Crowley was not attempting to defraud the company or misrepresent facts. They simply used their unfounded supposition about when Jenny's cancer began to deny John's legitimate claim.

To add insult to injury, Jenny had been in charge of managing SBLI's advertising campaign before she got sick. In order to help sell the company's products to young families just like hers, Jenny had designed a brochure featuring an infant Kaitlyn on the cover. The text read, "If only every decision were as easy as choosing the right life insurance."

In the two years since Jenny's death, John Crowley has turned the sadness of losing his wife and the shock of the unfairness done to his family into a personal crusade. At first he contemplated a lawsuit against the company, giving up his career track to have more time and flexibility to pursue it while caring for his baby daughter. When it became clear that the company's resources, both legal and financial, would far outlast his as a working single dad, he dropped the idea of a lawsuit and focused instead on making sure that this same injustice would never be perpetrated on anyone else.

His efforts have resulted in a bill, filed in the Massachusetts legislature by State Senator Karen Spilka, that would make the life insurance company, rather than the individual insured, responsible for proving that someone is not in good health at the time a policy is issued. Named Jenny's Law in honor of Jenny Crowley, the bill would allow life insurance companies all the time they need to gather the necessary medical information to determine whether an applicant meets their standards of good health, as well as continue to protect life insurance companies from fraud and misrepresentation. But it would also protect families like the Crowleys, who do all the right things but find themselves in circumstances they could never imagine.



The SBLI brochure designed by Jenny Crowley and featuring Kaitlyn on the cover. The text reads "If only every decision were as easy as choosing the right life insurance."

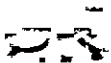
In remembering his wife, John Crowley is still amazed with the strength she displayed while living with cancer. She kept the family together, never complaining and lighting up every room she entered with her smile. She was known among the doctors and hospital staff at Dana Farber for her fearlessness and strong spirit.

These are the qualities that John carries with him as he seeks to reform Massachusetts law to better safeguard the very families life insurance companies are in business to protect. As well as testifying in support of Senator Spilka's bill, John plans to tell his story to whoever will listen, in the hopes that the public will hold life insurance companies accountable for acting in good faith.

Nothing can erase the grief that the Crowleys experienced in losing Jenny. John Crowley is convinced, however, that the pain of losing a loved one need not be compounded by a life insurance company that refuses to do the right thing. Families like the Crowleys, who take every precaution available to them and don't misrepresent the facts, should never know the pain of a denied life insurance claim. With Jenny's Law before the legislature, Massachusetts has the opportunity to turn his sense of loss into a stronger sense of security for countless families across the Commonwealth.



John Crowley and his daughter Kaitlyn, who turned three in June 2007.



Support Jenny's Law

Senate Bill 633: *An Act Ensuring Consumer Protection in Life Insurance Contracts* "Jenny's Law"

To support this bill, contact your local Representative and Senator. You can find out who that is and how contact them by using this website:

<http://www.wheredoivotema.com/bal/myelectioninfo.php>

It is also important to contact the Financial Services Committee chairs. This is the Committee that will determine whether the bill moves to the Senate floor for debate:

Representative Ron Mariano

State House
Room 254
State House
Boston, MA 02133
Telephone: 617-722-2220
Fax: 617-722-2821
E-Mail: Rep.RonaldMariano@hou.state.ma.us

Senator Stephen Buoniconti

State House
Room 206
Boston, MA 02133
Telephone: 617-722-1660
Fax: 413-733-9998
E-Mail: Stephen.Buoniconti@state.ma.us

In addition, it is important to contact the House Speaker and Senate President so they are aware of the bill:

Speaker of the House Speak Sal DiMasi

State House
Room 356
State House
Boston, MA 02133
Telephone: 617-722-2500
Fax: 617-722-2008
E-Mail: Rep.SalvatoreDiMasi@hou.state.ma.us

Senate President Therese Murray

State House
Room 330
Boston, MA 02133
Tel: (617) 722-1500
Fax: (617) 248-3840
E-Mail: Therese.Murray@state.ma.us

When contacting elected officials by letter or email, please be sure to include your full mailing address.

Statement of George Regan, President Regan Communications Group

The death of a young mother is a terrible tragedy, and no one at SBLI would ever disagree with that. It is our policy not to comment on individual life insurance claims for privacy reasons.

The good health provision in life insurance applications and policies is common in the insurance industry.

LESS THAN ONE PERCENT of the claims SBLI receives on policies that are within the two-year contestability period are questioned or reviewed due to concerns regarding the health of the policyholder at the time the policy application was approved.

SBLI is in the business of paying claims, and tries to be consistent and careful in the administration of its policies.

Again, there is no perfect resolution when a good person dies far too young. In this case, an inquiry was done and a settlement was reached with the surviving family members.