



maryland
health services
cost review commission

Workgroup to Discuss Hospital Refund Process

Required by Ch. 683, 2022

September 19, 2022

Overview

Topic	Time
Welcome, Introduction	2:00-2:10
Ground Rules	2:10-2:20
Discussion	2:20-3:40
Public Comment	3:40-3:50
Next Steps	3:50-4:00

Workgroup Ground Rules

- Be prepared: please read materials before the meeting
- Be brief.
- Share the floor: please monitor your contributions to make sure others have an opportunity to engage in the discussion.
- No interruptions (except for the time-keeper).
- Stay on topic.
- Questions are welcome.
- Respect deadlines for written comments.

Discussion

- **Contacting Patients**
 - Method (letter/electronic)
 - Electronic (portal or email) preferred?
 - Physical letters sent to most recent hospital address
 - Content/message- Discussion
 - Hospital name and year of service
- **“Identifying patients”, privacy, and data security**
 - HG 19-214.4 requires that the process for providing refunds **“Identifies patients who paid for hospitals services who **may have qualified for free care** under Health General §19–214.1 at the time of care during calendar years 2017 through 2021.”**
 - Each time data is shared with an additional entity, privacy concerns increase and the risk of a data security breach increases.
 - Sharing data for populations in which a minority of members will qualify.
- **End of process- how much effort is enough?**



Public Comment

Next Steps

1. Submit Written Comments by September 30, 2022 on:
 - Today's discussion
 - Any items in the "Discussion Guide"
2. Review draft report (TBD) for meeting on October 17, 2022

Appendix

Workgroup Charge

Chapter 683 (2022) requires HSCRC, in coordination with the Department of Human Services (DHS), the State-designated exchange (CRISP), the Office of the Comptroller, and the Maryland Hospital Association (MHA), **to develop a process** that:

1. **Identifies patients who paid** for hospitals services who **may have qualified for free care** under Health General §19–214.1 at the time of care during calendar years 2017 through 2021;
2. **Provides reimbursement** to the identified patients, which may be applied incrementally;
3. Ensures that a patient's **alternate address is used** if the patient requested an alternate address for safety reasons; and
4. Determines **how HSCRC, DHS, and the Office of the Comptroller should share and disclose relevant information**, including tax information, to the minimum extent necessary, to the hospital and in accordance with federal and state confidentiality laws for the purpose of carrying out the required process.

Under the statute, HSCRC is allowed to alter the process that is developed under Chapter 683 as necessary.

Key Dates (1 of 2) (Subject to Change)

- **April - May 2022:**
 - HSCRC met with DHS and the Comptroller's Office, & Robyn Elliott (representing domestic violence advocates) to iterate on a possible refund process.
 - HSCRC provided a discussion document to MHA.
- **June - July 2022:** MHA reviewed the revised process with hospitals & provided feedback to HSCRC.
- **August - October 2022:** Workgroup to discuss the potential process & AAG input.

Workplan and Key Dates (2 of 2) (Subject to Change)

- **October 2022- December 2022:**
 - HSCRC drafts report required by Ch. 683 (2022). Deadline 1/1/23.
 - HSCRC drafts legislation, if required, as an appendix to the report.
- **January 2023 – April 2023**
 - Legislature considers legislation
 - If an acceptable process is identified, HSCRC clarifies the process with hospitals for implementation.
- **Summer 2023:** Hospitals implement process.
- **October 2023- December 2023:** HSCRC drafts report required by Ch. 683 (2022). Deadline 1/1/24.
- **June 30, 2025:** Ch. 683 (2022) is abrogated.