

HOUSE BILL No. 2736

By Committee on Insurance

Requested by Representative Sutton

2-5

1 AN ACT concerning health and healthcare; relating to hospital billing;
2 requiring non-disproportionate share hospitals to screen patients for
3 eligibility for such hospital's financial assistance programs or charity
4 care policy.

5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. (a) Using the process prescribed by the Kansas department
8 of health and environment, a non-disproportionate share hospital shall
9 screen all patients for eligibility of such hospital's financial assistance
10 program and charity care policy. A hospital shall not pursue debt
11 collections from any patient's account until the hospital verifies that such
12 patient is not eligible for the hospital's financial assistance program or
13 charity care policy.

14 (b) The secretary of health and environment shall adopt rules and
15 regulations to establish a process for screening a patient for eligibility for a
16 hospital's financial assistance program and charity care under subsection
17 (a).

18 (c) The process adopted by rules and regulations under subsection (b)
19 shall require that a hospital:

20 (1) Conduct the screening and apply any charity care discounts or full
21 cost coverage for which the patient qualifies before sending a bill to such
22 patient; and

23 (2) include on each billing statement a notice of:

24 (A) The availability of financial assistance;

25 (B) the contact information for the office or department of the
26 hospital that can provide information about obtaining financial assistance;
27 and

28 (C) the direct internet address for the financial assistance policy.

29 (d) A patient may apply for charity care if the patient was screened
30 for eligibility and is ineligible or the patient disagrees with the amount of
31 the charity care discount.

32 (e) If a hospital makes an incorrect determination under subsection
33 (a) based on the information provided by the patient at the time of the
34 determination, the hospital shall:

35 (1) Refund the amount of charity care for which the patient qualified;

1 and

2 (2) reimburse any other associated reasonable costs, such as legal
3 expenses and fees, incurred by the patient in securing charity care.

4 (f) If the hospital sold medical debt based on an incorrect
5 determination to a collection agency or authorized a collection agency to
6 collect such debt on behalf of the hospital, the hospital shall notify the
7 collection agency that such debt is invalid.

8 (g) A person who is aggrieved by a violation of this section may bring
9 a civil action against the hospital for injunctive relief and damages.

10 Sec. 2. This act shall take effect and be in force from and after its
11 publication in the statute book.