



General Assembly

Substitute Bill No. 5320

February Session, 2024



AN ACT CONCERNING HOSPITAL FINANCIAL ASSISTANCE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section, (1)
2 "hospital" has the same meaning as provided in section 19a-490 of the
3 general statutes; and (2) "hospital financial assistance" means any
4 program administered by a hospital that reduces, in whole or in part, a
5 patient's liability for the cost of providing services, as defined in section
6 19a-673 of the general statutes.

7 (b) On and after October 1, 2024, each hospital shall provide hospital
8 financial assistance to any patient, regardless of such patient's
9 immigration status, who is enrolled in (1) the federal Supplemental
10 Nutrition Assistance Program, or (2) the federal Special Supplemental
11 Food Program for Women, Infants and Children, provided such
12 hospital has verified that the patient's household income does not
13 exceed two hundred fifty per cent of the federal poverty level, without
14 an asset limit, using software that conforms to industry standards
15 concerning electronic income verification. Such hospital shall not
16 require the patient to apply for the Connecticut medical assistance
17 program, Medicare, other government-funded coverage or insurance
18 through the Connecticut Health Insurance Exchange prior to providing
19 hospital financial assistance, unless the hospital has a reasonable basis

20 to believe that the patient will qualify for one or more of such programs.

21 (c) If a hospital provides hospital financial assistance to a patient
22 pursuant to subsection (b) of this section, such financial assistance shall
23 cover all of the services and supplies that are medically necessary for
24 the patient.

25 (d) Not later than January 1, 2025, the Health Systems Planning Unit
26 of the Office of Health Strategy shall develop, in consultation with an
27 association of hospitals in the state, a uniform application for hospital
28 financial assistance and make such application available on the unit's
29 Internet web site. Each hospital shall accept such application when filed
30 by a patient seeking hospital financial assistance pursuant to subsection
31 (b) of this section. The Health Systems Planning Unit of the Office of
32 Health Strategy may periodically revise such application, as deemed
33 necessary by the executive director of said unit. Not later than ninety
34 days after the unit posts such application on its Internet web site, each
35 hospital shall make such form available in the hospital's patient
36 admissions office, emergency department, social services department
37 and patient accounts or billing office. Each hospital shall include (1) the
38 link to the Internet web site where such form is posted on all billing
39 statements issued by the hospital, and (2) a paper copy of such form in
40 hospital discharge paperwork provided to each patient. If a hospital
41 reasonably believes, during the admissions process or its review of the
42 financial resources of a patient, that the patient may have insufficient
43 funds to pay for any portion of the patient's hospitalization that is not
44 covered by the patient's insurance, the hospital shall provide such form
45 to the patient. Each hospital shall require each of its collection agents to
46 include such form in each bill and collection notice the collection agent
47 sends to a patient.

48 Sec. 2. Section 19a-649 of the general statutes is repealed and the
49 following is substituted in lieu thereof (*Effective October 1, 2024*):

50 (a) The unit shall annually review [annually] the level of
51 uncompensated care provided by each hospital to the indigent. Each

52 hospital shall file annually with the unit its policies regarding the
53 provision of charity care, [and reduced cost services to the indigent,]
54 excluding medical assistance recipients, and hospital financial
55 assistance, as defined in section 1 of this act, and its debt collection
56 practices. A hospital shall file its audited financial statements not later
57 than February twenty-eighth, [of each year] annually, except a health
58 system, as defined in section 19a-508c, may file one such statement that
59 includes the audited financial statements for each hospital within the
60 health system. Not later than March thirty-first, [of each year] annually,
61 the hospital shall file a verification of the hospital's net revenue for the
62 most recently completed fiscal year in a format prescribed by the unit.

63 (b) Each hospital shall annually report, along with data submitted
64 pursuant to subsection (a) of this section, (1) the number of applicants
65 for charity care and [reduced cost services, (2)] hospital financial
66 assistance, (2) the number of patients requesting or reasonably believed
67 to have a need for hospital financial assistance pursuant to section 1 of
68 this act, (3) the number of approved applicants [, and (3)] for charity care
69 and hospital financial assistance, and (4) the total and average charges
70 and costs of the amount of charity care and [reduced cost services
71 provided] hospital financial assistance provided.

72 (c) Each hospital recognized as a nonprofit organization under
73 Section 501(c)(3) of the Internal Revenue Code of 1986, or any
74 subsequent corresponding internal revenue code of the United States,
75 as amended from time to time, shall, along with data submitted
76 annually pursuant to subsection (a) of this section, submit to the unit (1)
77 a complete copy of such hospital's most-recently completed Internal
78 Revenue Service form 990, including all parts and schedules; and (2) in
79 the form and manner prescribed by the unit, data compiled to prepare
80 such hospital's community health needs assessment, as required
81 pursuant to Section 501(r) of the Internal Revenue Code of 1986, or any
82 subsequent corresponding internal revenue code of the United States,
83 as amended from time to time, provided such copy and data submitted
84 pursuant to this subsection shall not include: (A) Individual patient
85 information, including, but not limited to, patient-identifiable

86 information; (B) information that is not owned or controlled by such
87 hospital; (C) information that such hospital is contractually required to
88 keep confidential or that is prohibited from disclosure by a data use
89 agreement; or (D) information concerning research on human subjects
90 as described in section 45 CFR 46.101 et seq., as amended from time to
91 time.

92 Sec. 3. Section 19a-509b of the general statutes is repealed and the
93 following is substituted in lieu thereof (*Effective October 1, 2024*):

94 (a) As used in this section, (1) "hospital bed fund" means any gift of
95 money, stock, bonds, financial instruments or other property made by
96 any donor for the purpose of establishing a fund to provide medical
97 care, including, but not limited to, inpatient or outpatient care, to
98 patients at a hospital. A hospital bed fund may be established by inter
99 vivos gift, bequest, subscription, solicitation, dedication or any other
100 means; (2) "hospital" [means hospital as defined] has the same meaning
101 as provided in section 19a-490; (3) "collection agent" means any person,
102 either employed by or under contract to, a hospital, who is engaged in
103 the business of collecting payment from consumers for medical services
104 provided by the hospital, and includes, but is not limited to, attorneys
105 performing debt collection activities; and (4) "hospital financial
106 assistance" has the same meaning as provided in section 1 of this act.

107 (b) (1) Each hospital which holds or administers one or more hospital
108 bed funds shall post or cause to be posted in a conspicuous public place
109 in each patient admitting location, including, but not limited to, the
110 admissions office, emergency room, social services department and
111 patient accounts or billing office, information in English and Spanish
112 regarding the availability of its hospital bed funds, in plain language in
113 a forty-eight to seventy-two point type size. Such information shall
114 include: (A) Notification of the existence of hospital bed funds and the
115 hospital's program to administer them and (B) the person to contact for
116 application information.

117 (2) Each hospital [which has a hospital bed fund] shall train staff,

118 including but not limited to, hospital social workers, discharge planners
119 and billing personnel concerning the existence of [such fund] any
120 hospital bed fund and hospital financial assistance, the eligibility
121 requirements for any such fund and such financial assistance and the
122 procedures for [application] a patient to apply for any such fund or
123 financial assistance.

124 (c) Each hospital [that holds or administers one or more hospital bed
125 funds] shall make available in a place and manner allowing individual
126 members of the public to easily obtain it, a one-page summary in
127 English and Spanish describing any hospital bed funds and hospital
128 financial assistance and how to apply for [them] such funds, if such
129 funds exist, and such financial assistance. A hospital shall make the
130 summary available in each additional language spoken by at least five
131 per cent of the population that resides in the geographic area served by
132 the hospital. The summary shall also describe any other policies
133 regarding the provision of charity care and [reduced cost services for
134 the indigent] other financial assistance as reported by the hospital to the
135 Health Systems Planning Unit of the Office of Health Strategy pursuant
136 to section 19a-649, as amended by this act, and shall clearly distinguish
137 hospital bed funds and hospital financial assistance from other sources
138 of financial assistance. The summary shall include (1) notification that
139 the patient is entitled to reapply upon rejection, and that additional
140 funds may become available on an annual basis, and (2) a link to or copy
141 of the application for hospital financial assistance described in section 1
142 of this act. The summary shall be available in the patient admissions
143 office, emergency room, social services department and patient accounts
144 or billing office, and from any collection agent. If during the admission
145 process or during its review of the financial resources of the patient, the
146 hospital reasonably believes the patient will have limited funds to pay
147 for any portion of the patient's hospitalization not covered by insurance,
148 the hospital shall provide the summary to each such patient.

149 (d) Each hospital [which holds or administers one or more hospital
150 bed funds] shall require its collection agents to include a summary as
151 provided in subsection (c) of this section in all bills and collection notices

152 sent by such collection agents.

153 (e) [Applicants] Each hospital shall notify an applicant for assistance
154 from hospital bed funds [shall be notified] or for hospital financial
155 assistance, in writing, of any award or any rejection and the reason for
156 such rejection. Patients who cannot pay any outstanding medical bill at
157 the hospital shall be allowed to apply or reapply for hospital bed funds
158 and other programs providing financial assistance.

159 (f) Each hospital [which] that holds or administers one or more
160 hospital bed funds shall maintain and annually compile, at the end of
161 the fiscal year of the hospital, the following information: (1) The number
162 of applications for hospital bed funds; (2) the number of patients
163 receiving hospital bed fund grants and the actual dollar amounts
164 provided to each patient from such fund; (3) the fair market value of the
165 principal of each individual hospital bed fund, or the principal
166 attributable to each bed fund if held in a pooled investment; (4) the total
167 earnings for each hospital bed fund or the earnings attributable to each
168 hospital bed fund; (5) the dollar amount of earnings reinvested as
169 principal if any; and (6) the dollar amount of earnings available for
170 patient care. The information compiled pursuant to this subsection shall
171 be permanently retained by the hospital and made available to the
172 Health Systems Planning Unit upon request.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | New section |
| Sec. 2 | <i>October 1, 2024</i> | 19a-649 |
| Sec. 3 | <i>October 1, 2024</i> | 19a-509b |

PH Joint Favorable Subst.

FIN Joint Favorable