



#ENDMEDICALDEBT

NYS Legislative Strategies

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The #EndMedicalDebt Package



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Ban Medical Liens and Wage Garnishments

S6522A/A7363A

New York should join the 10 states that ban property liens and the 4 states that prohibit wage garnishments for medical debt.

- **Bipartisan bill**

✓ Passed

Modernize Hospital Financial Aid

S7625A/A8441A

Patients are being sued and placed into collections because it is too hard for patients to find out about and apply for the assistance they qualify for.

Regulate Facility Fees

S2521C/A3470C

Make New York the first state to ban facility fees for preventive care and tell patients beforehand.

- **Bipartisan bill**

✓ Passed

Modernize HFAL - **S7625/A8441:**

Makes it easier for patients to find out about, apply for, and receive hospital financial assistance.

Requires hospitals to:

- Use one uniform application
- Offer assistance up to 600% of the FPL instead of 300%
- Remove asset tests
- Cover all providers in the hospital
- Add additional consumer protections



S7625/A8441 Increase financial assistance for low- and moderate-income patients

It is too hard for patients to find out about and apply for the assistance they qualify for. As a result, low-income patients go into debt and are sued.

Hospitals should:

- Use a uniform financial aid application
- Modernize and improve the financial aid rules.

What does this look like for patients?



- Mr. Berg was uninsured when he went to the emergency room at Samaritan Hospital. He succeeded in finding and submitting an application for financial assistance - but was rejected despite his low-income. The hospital also refused to put him on a payment plan.
- When the Bergs finally got a payment plan from the collections agency. They made regular payments – despite struggling to afford basic necessities. But the hospital still sued them.
- Mr. Berg fought the lawsuit – and won. But if New York’s hospital financial assistance rules weren’t broken, he would never have been put into such a difficult position in the first place!

Recommendations



- 1. Recommend that Governor Hochul sign ban facility fees for preventive care & disclosure.**
S2521C | A3470C would require providers to notify patients ahead of time if the provider adds facility fees to bills and prohibit them from charging facility fees for preventive care.
- 2. Recommend that Governor Hochul sign the ban medical liens & wage garnishments.** S6522A | A7363A would prohibit hospitals from imposing liens against patients' primary residences in medical debt collection actions
- 3. Establish a workgroup or adopt regulations to modernize the State's hospital financial assistance law** along the lines of S7625 | A8441A to ensure that there is one uniform application form with up-to-date income eligibility rules and patient protections.
 - Governor Cuomo promised reform in 2018 State of the State Book, at p. 250, but this did not materialize
 - The 2021 DFS/DOH Administration Simplification Workgroup recommended a uniform application