



## The Billionaires Tarnish Hospitals with “Dishonest Billing”

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This is our June update on the billionaires who are at war with hospitals. These ongoing efforts to discredit hospitals helps inform our key health system stakeholders as to why there is such a negative hospital narrative in Washington and in many state capitols today.

Driving the recent emphasis on site neutral payments and increased price transparency is the narrative pushed by the billionaires that hospitals are engaging in “dishonest billing.” “Dishonest billing” is the new “surprise billing” and Congress is moving swiftly to address it. The term seems to include a variety of “infractions” such as when a hospital bills for facility fees for HOPDs or uses N/A when posting prices online for a service it does not provide.

- A small sampling of where the phrase has cropped up:
  - from rapper Fat Joe in the TV ads ([click here](#) for a photo on page 7 of Cynthia Fisher and Fat Joe meeting with the Senate Finance Committee Chair);
  - in press releases from Members of Congress ([click here](#) for the FAIR Act requiring site neutral payments to prevent dishonest billing); and
  - in letters organized by the billionaires to Members of Congress ([click here](#) and [here](#)).

Summarized below are Congressional Committee markups and hearings, plus new legislation, related to price transparency and site neutral payments, as well as selected state legislation being pushed by the billionaires. The fast tracking of these issues on both sides of the hill and in the states does not happen by chance – this reflects a successful advocacy strategy. For more on the effectiveness of this strategy, [click here](#); and for how it is impacting Congress’ view of hospitals, [click here](#).

### Congressional Committees Highlight Price Transparency and Site Neutral Payments

Within the last month key Congressional Committees have focused on price transparency and site neutral payments:

- The House Energy and Commerce Committee passed price transparency legislation and a limited site neutral bill – [click here](#) for more on the full Committee Markup. [Click here for a press release from Ranking Member Rep. Frank Pallone \(D-NJ\) quoting Cynthia Fisher, who founded PatientRightsAdvocate.org.](#)
- The House Ways & Means Committee held hearings on price transparency ([click here](#)) and consolidation of health care markets ([click here](#)):

- Chairman Smith opened his hearing on price transparency by stating **that hospital compliance with the regulation is only 25 percent, and that he had met with Fat Joe to discuss transparency. Click [here](#) for a CNN report on Fat Joe.** CMS and Turquoise Health say compliance is 75 to 85 percent.
- The overall message from both hearings - hospitals are too big, not transparent enough and cost patients too much money.
- The Senate Finance Committee was the latest Committee to hold a hearing on health care market consolidation, which really focused on price transparency and site neutral payments. Click [here](#) for the hearing.
- **Click [here](#) for the letter Arnold Ventures, AHIP, and others sent to Congressional leaders urging site neutral payments for both Medicare and commercial payers.**

We're seeing more and more site neutral bills being introduced:

- Senators Hoeven (R-ND) and Klobuchar (D-MN) introduced [S.1849](#), to site neutralize off campus Medicare payments to HOPDs.
- Senators Braun (R-IN), Hassan (D-NH) and Kennedy (R-LA) have introduced [S. 1869](#) to site neutralize off campus Medicare payments to hospital clinics.
- Senator Bill Cassidy (R-LA) is drafting legislation and Rep. McMorris-Rodgers (R-WA) said she will continue to work on her bill.

### In the States

- **Arnold Ventures is supporting three sessions at the August National Association of State Health Policy conference – one promoting site neutral payments. Click [here](#) to learn more.**
- Click [here](#) for the National Association of State Health Policy's tracker – supported by Arnold Ventures. As of May 29 –
  - Click [here](#) for 29 bills in 18 states on transparency;
  - Click [here](#) for 25 bills in 13 states on surprise billing;
  - Click [here](#) for 10 bills in 6 states related to facility fees; and
  - Click [here](#) for 10 bills in 8 states on reference pricing.
- Colorado and Indiana Ban Hospital Facility Fees
  - Colorado is the second state to pass a law (click [here](#)) to restrict hospital facility fees on outpatient services (**click [here](#) for the PatientRightsAdvocate.org press release**). It requires health care providers to notify patients of facility fees at the time appointments are made, bans facility fees for patients seeking preventative care, and mandates a study about the impact of the fees on patients.
  - Indiana's new law (click [here](#)) stopped large systems from imposing facility fees on private insurers for outpatient clinics except for behavioral health and oncology.
  - **The efforts to pass these anti-hospital laws were financed by at least two of the three billionaire groups.**