Fighting Hate
Teaching Tolerance
Seeking Justice

facility." The FAP must include the method for applying, as well as the documents required to apply for financial assistance. 26 C.F.R. § 1.501(r)-4(a), (b).

2. **The FAP must include potential actions that may be taken if a patient does not pay his or her bill, including extraordinary collection actions ("ECAs"), if the**

include the process, *as this Hospital uses in taking the actions related to obtaining payment of a bill, including efforts it will make to determine whether an*

that separate policy, and the FAP must explain how members of the public may obtain a free copy of this separate policy. 26 C.F.R. § 1.501(r)-4(b)(4)(ii); *see also*

criteria, and the basis for calculating the amounts charged to patients, which must be limited to the amounts generally billed to patients who have insurance covering the care ("AGB"). **It also must include how to obtain information** concerning the calculation of these charges. 26 C.F.R. § 1.501(r)-4(a), (b)(1)(iii)(E), (b)(2)(B)-(C); *id.* § 1.501(p)-5.

d. **The FAP must be widely publicized**, including a plain-language summary and the **application forms.** *26 C.F.R. § 1.501(r)-4(b)(5). This*

conspicuous written notice of the FAP, the contact information of the office or department that can provide more information on the FAP, and a link to the

EICH

Hospitals that fail to comply with these requirements risk losing their 501(c)(3) tax-exempt

[illegible]

We believe EICH is not compliant with several of the above regulations—namely, that EICH does not have any written FAP that includes the required regulatory information, including notice of potential ECAs by the hospital and its billing [illegible]

[illegible]

an organization has established a FAP for a facility only if the hospital facility

[illegible]

including staff in the [illegible]

[illegible]

determine a patient's eligibility for financial assistance before pursuing ECAs or to limit charges.

[illegible]

EICH is Not Making its FAP Widely Publicly Available

If EICH has a written FAP [illegible] to maintain a FAP [illegible]

[illegible]

documents, we were told that they were not publicly available and that to the extent they [illegible]

[illegible]

Finally, neither the website nor public areas of the Hospital make the Policy, a plain-

[illegible]

serves—more than 43,000 people are identified as Spanish-speaking. And in St. Charles Parish

[illegible]

languages spoken by the minimum number of people set by the regulations.

[illegible]

FAP not only violates the above regulations, but has a substantial detrimental effect on persons of limited financial means. Individuals cannot be expected to take advantage of a financial assistance program of which they have no knowledge. Indeed, in the absence of knowledge of

[illegible]

debt. For this reason, creating and making widely publicly available a fully-compliant FAP

[illegible]

assistance, before pursuing any ECAs such as filing a lawsuit. Indeed, we spoke with patients against whom the Hospital has filed collections actions for medical debt incurred for services at the Hospital, and none of them indicated the Hospital ever notified them of the availability of financial assistance from the Hospital.

[illegible]

Proposed Remedial Steps to Come into Compliance

[illegible]

See Data USA, Jefferson Parish, LA, Languages, available at https://datausa.io/profile/geo/jefferson-parish-la/

[illegible]

available at https://datausa.io/ [illegible] (American Community Survey).

[illegible]

2. Review Hospital records to determine whether any patients who should have been deemed Eligibles, and thus should have received the benefit of financial assistance policies, were the subject of collections actions or other ECAs, and remedy those [illegible]

[illegible] you may reach us by contacting SPLC staff attorney Emily Early [illegible] (504) 529-2041 or by email at early@splc[illegible]

to hearing from you.

Sincerely,

Emily C. Early

Emily Early
Staff Attorney