

URGENT MEMORANDUM

To: Chief Financial Officers – All Hospitals

From: Dennis N. Phelps – Deputy Director-Audit & Compliance

Date: June 14, 2021

Re: Disclosure of Outpatient Facility Fees - House Bill 915

In its 2020 session, the Maryland legislature passed a bill (House Bill 915, Ch. 365) to amend, Health- General Article, Section 19-349.2, effective July 1, 2021. The legislation requires hospitals to, among other things: 1) provide patients with notice relating to outpatient facility fees in a prescribed format and at certain times; 2) use a certain range of fees and fee estimate for outpatient facility fee charges; 3) provide notice in a certain language or format under certain circumstances to the extent practicable; and 4) report certain information to the Commission on or before a certain date each year. The legislation also prohibits hospitals from charging, billing, or attempting to collect the facility fee except under certain circumstances.

Finally, the legislation enables patients who have a complaint regarding an outpatient facility fee, which cannot be resolved with the hospital, to file the complaint with the HSCRC or seek assistance from the Health Education and Advocacy Unit of the Maryland Attorney General’s Office. Hospitals are required to provide patients with the email address of the HSCRC Patient Complaint mailbox (hscrc.patient-omplaints@maryland.gov).

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The HSCRC expects hospitals to act in conformance with the new requirements related to outpatient facility fees.

If you have any questions, you may contact me at dennis.phelps@maryland.gov.