



May 17, 2023

*Megan Williams, DNP,  
FNP-C, FAANP  
Interim CEO*

The Honorable Spiros Mantzavinos  
411 Legislative Ave.  
Dover, DE 19901

**RE: Concerns with SS 1 for SB 8 as Currently Written**

Dear Senator Mantzavinos,

*Nemours Children's  
Health*

Mark Mumford,  
Executive Vice President  
Chief Executive,  
Nemours Delaware  
Valley Operations

*Bayhealth*

Terry Murphy,  
President & CEO

*Beebe Healthcare*

David A. Tam,  
MD, MBA,  
President & CEO

*ChristianaCare*

Janice E. Nevin,  
MD, MPH  
President & CEO

*TidalHealth Nanticoke*

Penny Short, MSM, BSN,  
RN  
President & CEO

*Saint Francis Hospital*

Christopher Cullom,  
MSHA, MBA  
President, Saint Francis  
Hospital

*Delaware Healthcare  
Association*

Megan Williams, DNP,  
FNP-C, FAANP  
Interim CEO

Thank you for the opportunity to comment on SS 1 for SB 8.

While we support the intent of SB 8 to help reduce medical debt and protect patients from unfair debt collection practices and appreciate you working with us on some initial changes to SB 8, we have some serious concerns with SS 1 for SB 8 as currently written.

**We are particularly concerned with the way that pieces of House Bill 90 have been added to the bill, yet provisions that Rep. Williams included in HB 90 to make it more workable for Delaware hospitals have been excluded. Those provisions included:**

- Ensuring that outpatient facilities are exempt from the medical assistance portion of the bill;
- Removing “financial assistance” (line 57) information from the medical assistance definition and notice requirements as that is already governed heavily at the federal level; and,
- Adding time for hospitals (ideally 10 days) to follow up after an emergency department visit with the medical assistance notice instead of providing it at the time of service (otherwise hospitals may risk violating federal EMTALA rules).

We respectfully request these provisions be added back into the bill.

We also recommend some additional changes, without which our members will not be able to make this bill operational. These would include:

- **Removing the requirement in lines 85-86 that medical assistance information be presented in a patient's primary language.** With 7,000 languages in the world, it's impossible for hospitals to come up with forms that outline Medicaid and marketplace details in every possible language. As an alternative, the Department of Health and Social Services could promulgate the forms and include the number for their Medicaid language line in this information.
- **Removing line 95 that states no payment can be due within the first 30 days after a payment plan is set up.** Hospitals' statement cycles operate on 30 day timeframes, so not allowing for a 30 day due date is unworkable for our electronic systems.

- **Delete “a person to contact” from line 83 and insert “a contact number” at the large health care facility** because hospital personnel change and no one person can be on call 24/7.
- **Remove “Each” and insert “At least one” before billing statement in line 75.**

We believe that these changes do not undermine the intent of the bill, but simply serve to make implementation possible for Delaware hospitals. We hope to continue to work with you to achieve these simple, yet vitally important fixes.

Thank you again for the opportunity to comment. DHA hopes to continue to work with you to make these important changes to SS1 for SB 8.

Sincerely,

A handwritten signature in blue ink that reads "Megan Williams".

Megan Williams, DNP, FNP-C, FAANP  
Interim CEO

CC: Members of the Senate Banking, Business, Insurance and Technology Committee

*DHA represents hospitals and health care delivery systems in Delaware and provides policy and advocacy leadership in creating an excellent environment to support our members in helping every Delawarean to be as healthy as they can be.*