



June 16, 2025

Christina Bryan

Vice President of
External Affairs

The Honorable William Bush
411 Legislative Ave
Dover, DE 19901

**RE: DHA Supporting Comments Overpayment Recovery and
Audit Practice (HB 212)**

Beebe Healthcare

David A. Tam,
MD, MBA
President & CEO
DHA Board Chair

ChristianaCare

Janice E. Nevin, MD,
MPH
President & CEO
DHA Board Vice Chair

Bayhealth

Terry Murphy
President & CEO
DHA Board Secretary
& Treasurer

**Nemours
Children's Health**

Mark Marcantano
President
Delaware Valley
Operations

**TidalHealth
Nanticoke**

Penny Short, MSM,
BSN, RN President

**Saint Francis
Hospital**

Marlow Levy, RN, MBA,
FACHE
President

**Delaware
Healthcare
Association**

Brian W. Frazee
President & CEO

Dear Representative Bush,

On behalf of Delaware's hospitals, health systems, and related healthcare organizations, thank you for the opportunity to express support for House Bill 212, relating to clawbacks.

HB 212 promotes greater accountability in the overpayment recovery process. Under current law, clawbacks can occur anytime within a 24 month timeframe and that timeframe can be even longer if certain exceptions are met such as a suspicion of waste or fraud. We appreciate that HB 212 takes steps to improve this process by reducing the timeframe for clawbacks to twelve months and tightening up the fraud and abuse exceptions with the aim of ensuring there is more definitive proof of misconduct. DHA also supports provisions in the bill requiring similar proof for PBM audit activities. To further strengthen this bill now or in the future, we respectfully recommend including definitions of waste, fraud, and abuse to avoid insurers or PBMs seeking clawbacks for unreasonable and unrealistic reasons.

We strongly support HB 212 to help protect healthcare providers from unnecessary burden and uncertainty so they may continue to focus on patient care.

Thank you for the opportunity to share DHA's support for HB 212 and for your leadership on this important issue. We look forward to working with you and your colleagues in the General Assembly to advance this legislation.

Sincerely,

A handwritten signature in blue ink that reads 'Christina Bryan'.

Christina Bryan
Vice President of External Affairs